

DECISION

of the Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 05 submitted to the Central Election Commission on July 31, 2024 in the early Elections to the Milli Majlis of the Republic of Azerbaijan on September 1, 2024

In his written apply addressed to the Central Election Commission (hereinafter – Central Election Commission) on July 31, 2024, Jafarli Fikrat Novruz oghlu, self-nominee to deputy on Surakhani third Con.EC # 32 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024 challenged the decision # 17/49, dated July 30, 2024 of Con.EC on refusal to register his candidacy and requested the restoration of violated rights through the adoption of an appropriate decision.

The complaint was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code (hereinafter – Election Code) of the Republic of Azerbaijan and “Instruction on the rules for filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration”, was examined by a member of the Expert Group under CEC, provided an opinion and considered at the Commission session.

The candidate F.N. Jafarli informed in his complaint that, his candidacy had been nominated by him for Surakhani third Con.EC # 32 in the early elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024, signature sheets and other documents attached to them were submitted to Con.EC upon collecting voters’ signatures within that constituency on time, however due to the fact that the candidate did not provide correct information about the amount and source of his income, his registration as a candidate was refused by the contested decision of Con.EC. At the same time, he stated in his complaint that he was not invited to the meeting of Con.EC when considering the issue of registration of candidacy, and that he was not provided with conditions to eliminate the deficiencies found in the election documents.

The applicant was contacted in connection with the investigation, he was explained to participate in the investigation and meeting, as well as his other rights, and his participation in the Commission meeting was ensured.

Con.EC justified its decision to refuse to register the candidate F.N. Jafarli as a candidate, with the fact that in the opinion of the working group on the verification of information on the amount and source of the candidate’s income, it was determined that he received income from hired work for the last 6 months of 2023, and the candidate did not correctly indicate the amount and source of his income in the election document, therefore, his candidacy was refused to be registered as in compliance with Articles 58.1.4 and 60.2.3 of the Election Code.

In connection with the investigation, the documents submitted by the candidate F.N. Jafarli for the registration of the candidacy were requested from Con.EC and given to the working group under CEC for verification. According to the opinion of the working group dated August 2, 2024, it is known that based on the information provided by the

candidate F.N. Jafarli about the amount and source of his income, the declared income of 25,571.60 (twenty-five thousand five hundred and seventy-one manats and sixty copecks) for the period from July 1, 2023 to July 1, 2024, consists of income derived from non-entrepreneurial activities. As a result of the investigation, it was found that he did not indicate the amount and source of his income in the information he provided, but he had 2070.0 (two thousand seventy) manats income from hired work for the period covering the last six months of 2023. The mentioned amount, however, was not reflected in the section "Monthly Salary from the main workplace" of Appendix 1 of the Regulations about the amount and sources of the candidate's income.

Additionally, in the statement of the Kapital Bank payment (debit) card dated July 15, 2024, provided by the candidate, payments equivalent to the minimum monthly wage (345.0 manat) for each month of the last six months of 2023, which were transferred on various dates have not been reflected.

Thus, the incorrect information provided by F.N. Jafarli to Con.EC about the amount and source of his income is the basis for rejection of his candidacy according to Article 60.2.3 of the Election Code, and based on these grounds Con.EC made the right decision to refuse to register the candidacy of F.N. Jafarli.

During the investigation of F.N. Jafarli's allegations that he was not invited to the meeting of Con.EC when considering the issue of registering his candidacy, as well as that he was not provided with conditions to eliminate the deficiencies found in the election documents, from the chairman and secretaries of Con.EC and the head of the working group established under that Con.EC from the explanations received, it became clear that F.N. Jafarli submitted the signature sheets and other necessary election documents to Con.EC on 26.07.2024. During the review of the submitted election documents and signature sheets in the working group established under Con.EC, it was determined that there are mistakes that were not made intentionally in several signature sheets and election documents. In this regard, F.N. Jafarli and his authorized representative, Abdulnasir Shahlar oghlu Aliyev, were invited to Con.EC on 28.07.2024, and those mistakes were eliminated.

Finally, from the provided explanations, it is also known that in response to F.N. Jafarli's request to the chairman of Con.EC to consider the matter of registering his candidacy in a short time while he was at Con.EC on 28.07.2024, the chairman of Con.EC informed him that the matter would be considered between 12:00 and 13:00 on July 30, 2024. But, neither F.N. Jafarli nor his authorized representative came to that meeting.

Thus, the conducted full and comprehensive investigation showed that F.N. Jafarli's claims that he was not invited to the meeting of Con.EC when considering the issue of registering his candidacy, as well as that he was not given the opportunity to eliminate the unintentional mistakes found in the election documents, are not confirmed. On the contrary, Con.EC took the necessary steps to eliminate the unintentional mistakes found in the signature sheets and other election documents, that is, the candidate and his authorized representative participated in the process of checking the submitted documents and by signing the mentioned documents, the existing deficiencies were eliminated.

Basing on these, F.N. Jafarli's complaint # 5 dated July 31, 2024 shall not be implemented due to groundlessness, and the decision # 17/49 of the Con.EC dated July

30, 2024 on refusing to register his candidacy shall be remained enforced without making amendments.

Basing on the above-mentioned and pursuant to Articles 19.4, 28.2, 58, 59, 60, 112, 112-1 and 148.1 of Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6 and 7 of the “Instruction on the rules for filing complaints and appeals to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration” the Central Election Commission **d e c i d e s**:

1. The complaint # 5, dated July 31, 2024 by Jafarli Fikrat Novruz oghlu, self-nominee to deputy on Surakhani third Con.EC # 32 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024 shall not be implemented due to groundlessness and the decision # 17/49, dated July 30, 2024 of that Con.EC shall be remained enforced without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov