

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 36 submitted to the Central Election Commission on January 26, 2020 in the Elections to the MilliMajlis on February 9, 2020

JavadYusifJavadov, registered candidate on Yasamal third Con.EC # 17 the Elections to the MilliMajlis on February 9, 2020 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on January 26, 2020, requested the cancel of the candidacy of Elnur Marat Allahverdiyev, registered candidate on that election constituency, claiming his commitment before another state.

The appeal was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan (Election Code) 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", relevant opinion was provided on this issue by a member of the Expert Group under CEC and considered at the Commission session.

Registered Candidate C.Y.Cavadov claims that Elnur Marat Allahverdiyev, registered candidate for the Yasamal third Con.EC 17 constituency in the Electionsto the MilliMajlis scheduled for 9 February 2020, is an honorary consul of the Republic of Slovenia to Azerbaijan and is therefore a person having a commitment before foreign state. This case is contrary to the Constitution of the Republic of Azerbaijan and his candidacy should be cancelled. Thus, Article 85 of the Constitution of the Republic of Azerbaijan implies that persons who have commitments before other states cannot be elected deputy to the MilliMajlis of the Republic of Azerbaijan.

During the investigation, calls to the telephone number provided by the applicant had not been answered, and although he had been invited to the meeting by sending a sms to the telephone number, he had not come to the Commission session.

The Ministry of Foreign Affairs of the Republic of Azerbaijan was inquired about the activities of the registered candidate E.M.Allahverdiyev as Honorary Consul of the Republic of Slovenia to the Republic of Azerbaijan.

The letter, dated 27 January 2020 received from State Protocol Office of the Ministry of Foreign Affairs of the Republic of Azerbaijan points out that the validity of a card for Honorary Consul K 2055, provided to E.M.Allahverdiyev, Honorary Consul of the Republic of Slovenia to the Republic of Azerbaijan expired on December 29, 2019. Regarding this, applying with an official note to the Ministry of Foreign Affairs of the Republic of Azerbaijan on December 28, 2019, Honorary Consulate of the Republic of Slovenia to the Republic of Azerbaijan informed regarding the candidacy of E.M.Allahverdiyevthe Elections to the MilliMajlis on February 9, 2020 that since December 29, 2019 – the day of expiry of validity of a card for Honorary Consul K 2055, provided to E.M.Allahverdiyev, his activity as a consul had been terminated. Therewith, applying with an official note to the Ministry of Foreign Affairs of the Republic of Azerbaijan, Embassy of the Republic of Slovenia to the Republic of Turkey (meanwhile

accredited in the Republic of Azerbaijan) informed that E.M.Allahverdiyev did not have any commitment before the Republic of Slovenia. The letter is also attached the copies of the notes of Honorary Consulate of the Republic of Slovenia to the Republic of Azerbaijan and Embassy of the Republic of Slovenia to the Republic of Turkey.

At the same time, the investigation revealed that E.M.Allahverdiyev was registered as a candidate for the Yasamal third Con.EC # 17 on January 3, 2020, after the termination of his consul activity.

Based on the above-mentioned, the appeal shall not be implemented as the claims candidate mentioned in the appeal of J.Y.Javadov have not been justified.

Pursuant to Articles 19.4, 28.2, 112, and 112-1 of Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6 and 7 of the " Instruction on the rules for filing appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration" the Central Election Commission decides:

1. The appeal # 36 submitted by 26 January, 2020 by Javad Yusif Javadov, registered candidate on Yasamal third Con.EC # 17 in the Elections to the MilliMajlis, appointed to February 9, 2020 shall not be implemented due to groundlessness.
2. The decision shall be enforced upon its publication

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov