

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 08 submitted to the Central Election Commission on August 2, 2024 in the Elections to the Milli Majlis of the Republic of Azerbaijan on September 1, 2024

By applying to the Central Election Commission (CEC) on August 2, 2024, Aliyev Zohrab Jamal, nominated by Republican Alternative (REAL) Party on Barda Con.EC # 99 in the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024 argued the decision # 25/65, dated July 31, 2024 by Con.EC on the refusal from the approval of his candidacy to deputy and requested to annul that decision and to register his candidacy.

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

Candidate Z.J. Aliyev stated in his application that he was nominated by the Republican Alternative (REAL) Party on September 1, 2024 in the early elections to the Milli Majlis of the Republic of Azerbaijan for Barda Con.EC # 99, by collecting signatures of voters in the territory of that electoral constituency the signature sheets and other election documents attached to it have been submitted to the constituency election commission. The candidate claims that information about the property owned by the applicant based on the right of ownership incompletely investigated by the constituency election commission and therefore to have been refused registration.

In connection with the investigation, the complainant was contacted, in his investigation, it was explained that he has other rights to participate in the commission's meeting. Afterwards, it was informed that he will not be able to come to the meeting although he said he will attend the meeting.

Constituency election commission based its Decision No. 25/65 dated July 31, 2024 of refusal to register Z.C. Aliyev nominated by Republican Alternative (REAL) Party as a candidate for deputy that the candidate did not correctly submit information to the constituency election commission about vehicles which belongs to him under the right to ownership and general co-ownership.

Signature sheets and other election documents submitted for registration of candidate Z.C. Aliyev's candidacy were investigated by the Working group functioning under the Central Election Commission. Research has determined that transport owned by Z.C. Aliyev on the basis of special and common joint ownership rights did not provide correct information to the constituency election commission.

According to Article 58.3 of the Election Code, on the basis of private property rights (including on the basis of common property rights) information about the property

owned by the candidate shall be submitted in the form according to Appendix No. 5 of that Code.

According to Article 60.2.3 of the Election Code, if the candidate does not submit the information correctly in accordance with Article 58 of that Code, his registration as a candidate shall be refused.

Thus, it was determined by the complete and comprehensive investigation that failure to provide correct information to the constituency election commission about vehicles owned by the candidate Z.C.Aliyev on the basis of special and common joint property rights according to Article 60.2.3 of the Election Code created a legal basis for refusal to register his candidacy.

Based on the above, Z.C. Aliyev's complaint No. 08 dated August 2, 2024 shall not be implemented due to groundlessness, the Con.EC decision No. 25/65 dated July 31, 2024 shall be remain unchanged.

Pursuant to Articles 19.4, 25.2.1, 25.2.22, 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 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 by Aliyev Zohrab Jamal, candidate nominated by the Republican Alternative (REAL) Party for Barda Con.EC # 99 No. 08 dated August 2, 2024 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed on September 1, 2024's shall not be implemented due to groundlessness, the Con.EC decision No. 25/65 dated July 31, 2024 shall be remain unchanged.

2. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov