

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 54 submitted to the Central Election Commission on February 5, 2020 in the Elections to the MilliMajlis on February 9, 2020

Leman Alashraflsmayilova, candidate on Oghuz-Gabala Con.EC # 1117 in the Elections to the MilliMajlis on February 9, 2020 applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on February 5, 2020, claiming on the Con.EC decision # 17/35, dated 2 February 2020 on the investigation of law violations committed in the period of pre-election campaign and requested legal remedy of her violated rights upon adopting a relevant decision.

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.

Candidate L.A.Ismayilova claimed in the appeal that during the pre-election campaign another registered candidate on Oghuz-Gabala Con.EC # 117 - AgiyaHabibNakhchivanliviolated the legal requirements, paid for the education fees of one of the inhabitants of Sinjan village and that information was disseminated by the Youth Union of Oghuz region organization of the New Azerbaijan Party. Furthermore, she stated that the officials of Oghuz region executive authority participated at the meeting of candidate A.H.Nakhchivanli with voters.

Candidate L.A.Ismayilovaapplied to the Oghuz-Gabala Con.EC # 117regarding the above-mentioned, the complaint was thoroughly investigated by the commission and the appeal was not implemented after being regarded groundless by the decision # 17/35, dated 2 February 2020.

During the investigation process, the applicant was contacted to and explained on their rights to participate at the investigation and on other rights, the plaintiff said that she would not be able to participate at the session.

The Con.EC substantiated its decision that during the meeting of candidate with voters on January 28, 2020, Behram Elman Hajiyev, inhabitant of Sinjan village, veteran of Karabakh war who suffered from oncological illness and did not possess much financial resources asked to render assistance to pay half of the education fee for his son. Chair of the Oghuz region Youth Organization of the new Azerbaijan Party, agent of A.H.Nakhchivanli – ElshanAljansoy posted that information on Facebook.

The information provided by citizen B.E.Hajiyev during the investigation concluded that he was a veteran of Karabakh war who suffered from oncological illness and could not afford the education fees of his two teenagers who were students of a

University. Therefore, he asked for help from A.H.Nakhchivanli, but he was not provided with any assistance.

It was determined that A.H.Nakhchivanli expressed his remarks to his agent E.Aljansoy for the dissemination of that information on Facebook and regarding that, he was warned by the chair of Oghuz region Organization of the new Azerbaijan Party.

It should be noted regarding the participation of deputy head of department at Oghuz region executive authority SalehMaharramov in pre-election campaign activities that SalehMaharramov who was an agent of Oghuz region Organization of the new Azerbaijan Party was, at the same time, agent of A.H.Nakhchivanli and another agent EminAzimli who had worked in education sphere for long period was on pension.

Furthermore, the law violations mentioned in regard with the participation of A.Mammadov in the meeting in Bayan village, the participation of other officials of Oghuz region executive authority - E.Ahmadov, F.Alibabayev, O.Rasulov, A.Allahverdiyev (a person indicated as Bahram in the appeal), V.Jafarov, M.Hamidov, A.Alibabayev, Kh.Babayev, S.Jamiyev in the meeting in Garabaldir village of Oghuz region were not justified through the investigation. So that, the above-mentioned persons E.Ahmadov, F.Alibabayev, O.Rasulov, A.Allahverdiyev are agents of A.H.Nakhchivanli and do not go to leave from the work place during election period. V.A.Jafarov and Kh.F.Babayev were appointed observers for the PEC # 22 by the decision # 11/23, dated 24 January 2020 by Oghuz-Gabala Con.EC # 117 and they were provided with relevant badges.

It was found out that M.Hamidov, director of Employment Centre A.Mammadov, director of Kerimli secondary school S.Jamiyev and employer of Kerimli village municipality A.Alibabayev whose names had been mentioned in the appeal took part as voters in the meeting of A.H.Nakhchivanli with voters in Kerimli village.

The appeal shall not be implemented as the law violations during the conduct of pre-election campaign by registered candidate A.H.Nakhchivanli had not been determined through the investigation.

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 # 54 submitted by 5 February, 2020 by Leman Alashraflismayilova, candidate on Oghuz-Gabala Con.EC # 1117 in the Elections to the MilliMajlis on February 9, 2020 shall not be implemented due to groundlessness, the Con.EC decision # 17/35, dated 2 February 2020 shall be remained enforced without making amendments.

2. The decision shall be enforced upon its publication.

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC SecretaryMikayilRahimov