

DECISION

of the Central Election Commission of the Republic of Azerbaijan
on the consideration of appeal No. 02 dated July 23, 2024, submitted to the Central
Election Commission in the early Elections to the Milli Majlis of the Republic of
Azerbaijan, appointed to September 1, 2024

in his written appeal to the Central Election Commission (CEC) on July 23, 2024, Rustam Shavalad Shafagatov, self-nominee on the Ismayilli Con.EC # 89 for the early Elections to the Mili Majlis of the Republic of Azerbaijan, appointed to September 1, 2024, arguing on the unlawful actions of the Constituency Election Commission and the decision No. 18/40 dated July 22, 2024, on the refusal from registering him as a candidate, therefore, requested for the restoration of his violated rights.

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 upon the investigation of the appeal by the Expert Group member.

During the investigation, the complainant was contacted with, who was informed about his rights, including participating in the investigation and the CEC session, which was ensured.

Candidate Rustam Shahvalad Shafagatov stated in his application that he had nominated his candidacy on the Ismayilli Con.EC # 89 for the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024. Signatures were collected and signature sheets and other election documents were submitted to the Con.EC, afterwards, he submitted a written application to the Con.EC to withdraw his candidacy. Despite his application to withdraw his candidacy, the Con.EC checked the signature sheets submitted by Rustam Shahvalad Shafagatov and refused to register him as a candidate.

Upon investigation of the contested decision of the Con.EC, election documents and other materials, it was determined that candidate Rustam Shahvalad Shafagatov had nominated his candidacy on the Ismayilli Con.EC # 89 for the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024, his candidacy was verified by the Con.EC decision No. 11/24 dated July 7, 2024, he was provided 10 (ten) signature sheets to collect voter signatures in support of his candidacy, which he returned with signature sheets and additional election documents to the Con.EC on July 19, 2024. On July 22, 2024, Rustam Shahvalad Shafagatov submitted a written application to withdraw his candidacy.

Despite the written application to withdraw his candidacy, the Con.EC made a decision to refuse to register him as a candidate on July 22, 2024.

According to Article 73-1.1 of the Election Code, a nominee can withdraw his consent to be a candidate upon warning the relevant election commission in written form. Such written warning cannot be withdrawn.

Therefore, since Rustam Shafagatov's application No. 02 dated July 23, 2024 shall be implemented, as it is grounded, his candidacy shall be considered withdrawn based on his written application and the Con.EC decision No. 18/40 of the dated July 22, 2024, should be annulled.

In accordance with Articles 19.4, 28.2, 73-1, 112, and 112-1 of the Election Code, and sections 1, 2, 4, 6, and 7 of the "Instruction on the Procedure for Submission and Review of Complaints and Applications Related to the Violation of Election Rights to the Central Election Commission and District Election Commissions," the Central Election Commission **decides:**

1. The appeal No. 02 dated July 23, 2024, submitted by Rustam Shahvalad Shafagatov Shafagatov who had nominated his candidacy on the Ismayilli Con.EC # 89 for the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024, 2024 shall be implemented, as it is grounded, his candidacy on that Con.EC shall be considered withdrawn based on his written application and the Con.EC decision No. 18/40 dated July 22, 2024 shall be annulled.
2. This Decision shall be enforced upon its publication.

CEC Chairman:

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov