

## DECISION

### **of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 10 received by the Central Election Commission on November 24, 2014 regarding the Municipal Elections on December 23, 2014**

Farrukh Jabrayil Guliyev, nominee on Mamusta municipality of Lankaran-Astara Con.EC # 76 on his own initiative appealed to CEC in written form on November 24, 2014 regarding the Municipal elections on December 23, 2014 and informed that the Con.EC decision on the refusal from registering his candidacy had been groundless and therefore, requested to re-establish his offended rights upon adopting a relevant decision.

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.

The applicant was informed on the investigation, also noted on his right to take part in the investigation.

By justifying his complaint, F.J.Guliyev informed that he had nominated his candidacy on his own initiative on Mamusta municipality of Lankaran-Astara Con.EC # 76 in Municipal elections on December 23, 2014, submitted signature sheets and other necessary documents attached to them to the Con.EC upon the collection of voters' signatures within that municipality, but his candidacy was refused from registration by the Con.EC # 11/30-2 dated November 20, 2014 without any reason.

By justifying its decision # 11/30-2 dated November 20, 2014 on the refusal from registering the candidacy of F.J.Guliyev, the Con.EC informed that 25 out of 50 signatures included in the submitted signature sheet were considered invalid according to an opinion provided by an expert of the Working Group to examine signature sheets and the attached documents. Therefore, the number of valid signatures included in the signature sheet was not sufficient for the candidate's registration.

The opinions and protocol dated November 24, 2014, compiled as a result of examining the documents necessary for the candidate registration by the Working Group revealed that voters' signatures included in the signature sheet submitted for the registration of F.J.Guliyev had been collected in comply with the Election Code. 50 voters' signatures collected by the nominee were considered valid.

So, pursuant to Article 215.1.5 of the Election Code, every nominated citizen shall collect 30 valid voters' signatures to be registered to the municipality membership within a territory with more than 4.999 population number. It is justified by a reference of the relevant executive authority that the population number within the territory covered by Mamusta municipality is within the limits as defined by the above-mentioned Article of the Election Code. Since the number of the valid signatures was sufficient for the registration of the candidacy on that municipality and other documents on the candidate

had been compiled in accordance with the Election Code, legal grounds were found to register his candidacy.

So, through a full, comprehensive, fair and impartial investigation not any legal ground was found to annul the argued decision of the Con.EC and to implement the complaint.

According to the above-mentioned, the complaint shall be implemented due to its grounded factors, the decision # 11/30-2 of Lankaran-Astara Con.EC # 76, dated November 20, 2014 on the refusal from registering the candidacy of F.J.Guliyev on Mamusta municipality shall be annulled and his candidacy to the municipality membership on that election constituency shall be registered.

By assuming the above-mentioned as a basis and pursuant to Articles 19.4, 28.2, 28.4, 59, 60, 112, 112-1, 215.1.5, 216.1 of the Election Code of the Republic of Azerbaijan and items # 1, 2, 4, 6 and 7 of "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", CEC **decides**:

1. The complaint # 10, dated November 24, 2014 by Farrukh Jabrayil Guliyev, nominated on Mamusta municipality of Lankaran-Astara Con.EC # 76 on his own initiative shall be implemented and the Con.EC decision # 11/30-2 dated November 20, 2014 on the refusal from registering his candidacy shall be annulled.
2. The candidacy of Farrukh Jabrayil Guliyev, nominated on Mamusta municipality of Lankaran-Astara Con.EC # 76 on his own initiative shall be registered to municipality membership.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov