

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 20 submitted to the Central Election Commission on January 15, 2020 in the Elections to the Milli Majlis of the Republic of Azerbaijan on February 9, 2020

In his written apply addressed to the Central Election Commission on January 15, 2020, Eljan Valimammad Mammadli, self-nominee to deputy on Yasamal firstCon.EC # 15 in the Elections to the Milli Majlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision # 3/10, dated 3 January 2020 of Yasamal first Con.EC # 15 on the refusal of registering his candidacy and therefore, requested to annul that decision, to restore his violated rights 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 submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions”, 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 contacted in connection with the investigation, was told to participate in the proceedings and in the session, and was told that he had other rights, and he was facilitated to participate at the Commission's meeting.

Candidate .E.V.Mammadli informed in his appeal that his nomination was put forward on own initiative onYasamal first Con.EC # 15 and signature sheets upon collecting signatureswithin the election constituency and other attached documents were submitted to the Con.EC in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9,but the Con.EC refused from registering his candidacy without any legal ground.

The relevant documents required from the Con.EC regarding the appeal of E.V.Mammadli were investigated. It was determined that as 163 signatures out of 500 signatures included in 10 signature sheets submitted by E.V.Mammadli by the decision # 3/10, dated 3 January, 2020 of the Con.EC on the refusal of registering the candidacyhad been considered invalid basing on the opinion of the Working Group and after excluding those signatures, the remaining signatures were not sufficient to register the candidacy as in compliance with Article 147.1 of the Election Code, his candidacy was refused to be registered according to Article 60.2.4 of the Election Code.

During the investigation according to the protocol and opinions of the Working Group compiled as a result of checking the necessary documents, January 16, 2020 the voters' signatures in signature sheets submitted for registration of E.V.Mammadli as a candidate had been collected in compliance with the rules established by the Election Code.

Thus, 462 signatures out of 500 signatures collected by the candidate were considered valid, which is sufficient to register the candidate. Pursuant to Article 147.1 of the Election Code, at least 450 signatures shall be collected in support of the candidate within the election constituency which they have been nominated.

Thus, legal grounds have been established to implement the appeal and to annul the argued decision of the Con.EC.

So that, according to the results of the investigation, the appeal shall be implemented as it is grounded, the Con.EC decision # 3/10, dated 3 January 2020 on the refusal from registering E.V.Mammadli as a candidate shall be annulled and he shall be registered as a candidate to deputy on that election constituency.

Basing on all these, pursuant to Articles 19.4, 28.2, 58, 59, 60, 112, 112-1, 147 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 # 20 submitted by January 15, 2020 by Eljan Valimammad Mammadli, self-nominee to deputy on Yasamal first Con.EC # 15 in the Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to February 9, 2020 shall be implemented and the Con.EC decision # 3/10, dated 3 January 2020 on the refusal from registering him as a candidate shall be annulled.
2. The candidacy of Eljan Valimammad Mammadli, self-nominee to deputy on Yasamal first Con.EC # 15 Con.EC # 13 shall be registered on that election constituency.
3. The decision shall be enforced upon its publication

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov