

## **DECISION**

### **of Central Election Commission of the Republic of Azerbaijan**

**on consideration of the appeal # 06 submitted to the Central Election Commission on September 24, 2015 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015**

In his written apply addressed to the Central Election Commission on September 23, 2015, Anvar Sardar Aghazada nominated on "Umid" Party on Yardimli-Masalli Con.EC # 72 challenged the decision of Con.EC on rejection for nominating as a candidate and requested to restore violated rights by adopting appropriate decision in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015.

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 candidate A.S. Aghazada noted in his appeal that, he was nominated on "Umid" Party on Yardimli-Masalli Con.EC # 72 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, collecting signatures of voters in the territory of the same constituency he submitted to the Con.EC signature sheets and other important documents attached to it, but being invalid registration of him as a candidate was rejected by appropriate decision of the Con.EC.

Con.EC substantiated the decision on rejection for nomination the candidacy of A.S. Aghazada on "Umid" Party that voters' signatures for the support of candidate were collected violating rules of the Election Code.

During investigation it was defined that for the support of a candidate 100 voters' signatures in two signature sheets were collected by members and workers of the appropriate municipalities and with their participation in the territory of relevant Con.EC.

Thus, requirements of Article 57.1 of Election Code were violated. So according to the same Article in spite of property form of state and municipal bodies, legal persons have not right to participate in collection of signatures.

At the same time it was determined that 40 persons who were noted in signature sheets as voters were not registered and residing in the territory of the same Con.EC.

Pursuant to Articles 56.2 and 147.1 of Election Code of the Republic of Azerbaijan at least 450 voters' signatures should be collected in support of a candidate within the territory of the constituency for which he/she has been nominated.

Candidate A.S. Aghazada collected 550 voters' signatures for his support but pursuant to the requirement of Article 59.12 of the Election Code, according to the above-mentioned reasons 140 of that collected signatures are considered to be invalid and the rest number of voters' signatures are not enough for registration, so he shall not be registered as a candidate.

Pursuant to the mentioned, complaint being invalid should not be ensured, decision #11/32 (dated September 21, 2015) on rejection for registration A.S. Aghazada as a candidate on the Yardimli-Masalli Con.EC # 72 without cancellation shall be kept in force.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 56, 57, 60, 112, 112-1, 147, 148.1 of Election Code of the Republic of Azerbaijan and item # 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 # 06 (dated September 23, 2015) on nomination of Anvar Sardar Aghazada on "Umid" Party on Yardimli-Masalli Con.EC # 72 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 being invalid and shall not be ensured and decision # 11/32 of Con.EC (dated September 21, 2015) shall be kept in force.

2. The decision shall be enforced upon its publication

CEC Chairman

CEC Deputy Chairman

CEC Secretary

CEC Members

Mazahir Panahov

Natig Mammadov

Arifa Mukhtarova

Shaitdin Aliyev

Fuad Javadov

Ramiz Ibrahimov

Valida Kazimova

Gabil Orujov

Tofiq Hasanov

Ilham Mammadov

Nizami Nadirov

Azer Tagiyev

Tamam Jafarova

Bakhsheyish Asgerov

Almas Gahramanli

Akif Gurbanov

Etibar Guliyev