

## DECISION

### **of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 26 submitted to the Central Election Commission on January 17, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020**

In his written apply addressed to the Central Election Commission on January 17, 2020, Hajiaghayev Nazarbay Hajiagha, self-nominee to deputy on Sabunchu third Con.EC # 28 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the inaction of the election constituency and requested to undertake relevant measures for legal remedy of his rights claimed to have been violated.

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.

Candidate N.H.Hajiaghayev stated in his appeal that although on January 10, 2020 he wanted to submit signature sheets and other election documents to Sabunchu third Con.EC # 28 to register his candidacy for the Elections to the MilliMajlis scheduled for February 9, 2020, the commission did not receive his documents.

During the investigation process the plaintiff was contacted with, informed on his rights to take part at the investigation and session, also his participation at the session was ensured.

The investigation revealed that N.H.Hajiaghayev's candidacy was put forward on his own initiative on December 29, 2019, on 3 January his candidacy was approved by the Con.EC and he was issued signature sheets. He submitted 10 signature sheets with information on the candidate's property, amount and sources of ownership to the Con.EC at 11:00 am on January 11, 2020. Signature sheets submitted by N.H.Hajiaghayev, information on the property, the amount and source of income of the candidate on the basis of the property, were approved by the candidate on his own signature on January 11, 2020.

It becomes clear from the comments of the Constituency Election Commission members that the candidate N.H.Hajiaghayev submitted the signature sheets and other election documents to the Con.EC on January 11, 2020.

According to Article 57.7 of the Election Code, the signature sheet shall be signed by the person collecting signatures and the candidate after collecting signatures.

Thus, the legal basis has not been established to implement M.N. Agamiyev's complaint through full, comprehensive, objective and impartial investigation of the appeal.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 58, 112, 112-1, 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 # 26 submitted to the Central Election Commission on January 17, 2020 by HajiaghayevNazarbayHajiagha,self-nominee to deputy on Sabunchu third Con.EC # 28 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall not be implemented due to groundlessness.
2. The decision shall be enforced upon its publication

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov