

## DECISION

of Central Election Commission of the Republic of Azerbaijan  
on the consideration of the appeal # 39 submitted to the Central Election Commission  
on January 28, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan,  
appointed to February 9, 2020

Regarding the Elections to the MilliMajlis of the Republic of Azerbaijan, appointed to February 9, 2020, Arastun Ali Bakhshaliyev, registered candidate on Barda city Con.EC # 93, Dadash Rashid Ahmadli, registered candidate on Bardavillage Con.EC # 94 and others applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on January 28, 2020, claiming on the law violations during the conduct of pre-election campaign and also, requested to undertake relevant measures.

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.

The plaintiffs claimed in their appeal that pre-election campaign on Barda city Con.EC # 93 and Barda village Con.EC # 94 in the Elections to the MilliMajlis of the Republic of Azerbaijan, appointed to February 9, 2020 was being conducted in support of other registered candidates F.V.Yildirim and Z.M.Orujov with the intervention by representatives of Bardaregion executive authority, municipalities and administration of health bodies.

The applicants were contacted in connection with the investigation, was informed on his rights to participate in the investigation and the session.

Regarding the necessity of an inclusive investigation of the cases included in the appeal, obtaining necessary evidences on the case and involving the representatives of CEC Press Group to investigate the video materials attached to the appeal, the timeframe of investigation is extended by the CEC decision # 17/108.

Relevant documents and reports regarding the investigation were required from the Con.EC to be examined and it was determined that the cases on conducting pre-election campaign with the interference by the foregoing persons in that election constituency were not committed. Therewith, the argued cases were not justified by the reports provided by T.K.Ganbarov, representative on Mollali village territorial administrative area of Bardaregion exeucitve authority, V.K.Nuriyev, representative on Mammadlivillage territorial administrative area, R.R.Alasgarov, representative on Soghanverdilervillage territorial administrative area, G.H.Zeynalov, representative on Mustafaaahalivillage territorial administrative area, B.A.Abdullayev, representative on Mehdikalillivillage territorial administrative area, M.A.Azizov, representative on Mirjafarlivillage territorial administrative area, A.M.Rustamov, representative on Guloghularvillage territorial administrative area, F.H.Suleymanov, representative on Bajiravanvillage territorial administrative area, R.Y.Sharifov, head of Bardaregion Education Department, E.Y.Valiyev, director of Central regional Hospital, N.F.Mehdizadeh, chair of Mustafaaaghali municipality, H.M.Mammadov, chair of Soghanverdiler municipality, Mammadlimunicipality chair P.Y.Taghiyev, Mollalimunicipality chair S.M.Chiragli, Garadaghlimunicipality chair M.B.Isgandarov,

Mirjafarlimunicipality chairN.V.Aliyev, Taghlilarmunicipality chairA.M.Aghayeva, Bajiravanmunicipality deputy chairR.B.Baylarov, Mustafaaghalivillage school director A.J.Mammadova, Mammadlivillage school director E.Y.Jafarli, Mollalivillage school directorH.A.Azimov, Soghanverdilervillage school director V.M.Suleymanov, Mustafaaghalivillage school teachers K.M.Huseynova, N.M.Huseynov, T.N.Mammadova, Mammadlivillage school teachers K.G.Aliyev, R.A.Aliyev, F.M.Gulmammadov, Mollalivillage school teachers N.G.Aghayeva, K.A.Zeynalova, E.H.Azimov, Bajiravanvillage inhabitants M.M.Abdullayev, A.R.Safarov, U.A.Huseynov, registered candidates G.V.Mammadov, A.V.Valiyev, G.G.Guliyev, Kh.H.Hasanova, G.Kh.Asadov, Kh.Y.Ahmadova, Z.M.Fataliyev.

Basing on the acts received from Barda city Con.EC # 93 and Barda village Con.EC # 94 it was determined that Barda region executive authority allocated indoor and outdoor venues to conduct pre-election campaign within that election constituency and provided candidates with equal facilities. The plaintiffs had not appealed to the Con.ECs on any obstacles and interfere in pre-election campaign.

As a result of investigation of the video materials added to the appeal by the representatives of the CEC Press Group it was determined that F.V.Yildirim, registered candidate on Barda city Con.EC # 93 had violated Article 88.4.4 of the Election Code. So that, the village inhabitants of Jumali in Barda region thanked him for the smoothing the lands to the village cemetery in the video broadcasted in Aran TV on January 23, 2020. Thus, a case was defined to rendering service to the voters during the conduct of pre-election campaign.

Pursuant to Article 113.1 of the Election Code, in the cases when a registered candidate, political party, political party blocs, referendum campaign groups violate the Election Code, then the relevant election commission shall warn the registered candidate, political party, political party blocs, referendum campaign groups upon informing voters.

Thus, excluding the case regarding F.V.Yildirim, registered candidate on Barda city Con.EC # 93, other cases were not justified. Therewith, the violation cases regarding the conduct of pre-election campaign by Z.M.Orujov, registered candidate on Bardavillage Con.EC # 94 were not defined.

Pursuant to 19.4, 28.2, 88.4.4, 112, 112-1 and 113.1 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 # 39 submitted to CEC on January 28, 2020 by Arastun Ali Bakhshaliyev, registered candidate on Barda city Con.EC # 93, Dadash Rashid Ahmadli, registered candidate on Barda village Con.EC # 94 and others in the Elections to the MilliMajlis of the Republic of Azerbaijan, appointed to February 9, 2020 shall be partly implemented, FatmaVidadiYildirim, registered candidate on Barda city Con.EC # 93 shall be warned and the appeal in the remaining parts 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