

DECISION

of Central Election Commission of the Republic of Azerbaijan
on the consideration of the appeals # 41, 43, 44, 45, 47 and 48 submitted to the Central
Election Commission on January 30, 2020 in the Elections to the Milli Majlis of the
Republic of Azerbaijan, appointed to February 9, 2020

Regarding the Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to February 9, 2020, registered candidates on Gakh Con.EC # 112 – Dilshad Zakariyya Poladova and Mahir Galib Afandi, voters Zaur Zakhar Darvishli, Huseyn Babafandi Raziyeu, Elbrus Akif Abidov and Nijat Rasim Verdiyev applied to the Central Election Commission of the Republic of Azerbaijan (CEC) on January 30, 2020, claiming on the law violations during the conduct of pre-election campaign by Ahmad Shair Shahidov, registered candidate on that election constituency and also, requested to undertake relevant measures.

The appeals are summarized in one implementation due containing the same content on the violation of the rules for pre-election campaign.

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 law violations were committed during the pre-election campaign by A.Sh.Shahidov, registered candidate on Gakh Con.EC # 112. So that, A.Sh.Shahidov campaigned before the military men illegally in the Alley of Martyrs located in Gakh city and publicized this on social pages on January 19. One of the plaintiffs – registered candidate M.G.Afandi added an electronic data carrier to the complaint.

The applicants were contacted in connection with the investigation, were informed on their rights to participate in the investigation and the session. Basing on the conduct of pre-election campaign Registered candidates D.Z.Poladova and M.G.Afandi, meanwhile, other plaintiffs basing on their trust in the fair conduct of the investigation told that they would not participate at the Commission session.

Relevant documents and reports regarding the investigation were required from the Con.EC to be examined and the video records in electronic data carrier submitted were reviewed by involving the representatives of the CEC Press Group and it was determined that A.Sh.Shahidov, indeed, campaigned with the participation of the military men. The case is verified by written reports of U.M.Orujov, gardener of the Alley of Martyrs and N.A.Abdullayev, head of lighting office of Gakh Communal Enterprises Complex.

Pursuant to Article 74.4.2 of the Election Code, military men shall also be prohibited to conduct pre-election campaign. Pursuant to Article 86.6 of the Code, registered candidates, political parties, blocs of political parties, referendum campaign groups, authorized representatives and agents are entitled to organize meeting with the voters who are on military service within the territory of the military unit, providing that all candidates, political parties, blocs of political parties the candidates of which have been

registered, referendum campaign groups are definitely invited or informed within at least 3 days prior to the day of appointing such meeting together with the Con.EC and commanders of the military unit.

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 via mass media upon informing voters.

Basing on the above-mentioned, legal grounds were established to undertake relevant measures on registered candidate A.Sh.Shahidov due to the violation of the rules for pre-election campaign.

Pursuant to 19.4, 28.2, 74.4.2, 86.6, 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 appeals # 41, 43, 44, 45, 47 and 48, submitted by registered candidates on Gakh Con.EC # 112 – Dilshad Zakariyya Poladova and Mahir Galib Afandi, voters Zaur Zakhar Darvishli and others in the Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to February 9, 2020 shall be implemented and registered candidate Ahmad Shair Shahidov shall be warned.
2. The decision shall be enforced upon its publication

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov