

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 15 submitted to the Central Election Commission on January 13, 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 13, 2020, KerimRasimAgharzayev, self-nominee to deputy on Salyan-Neftchala Con.EC # 60 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020, argued inactionof the Salyan-Neftchala Con.EC # 60 due to not providing him with the Con.EC decision on approval or refusal of his candidacy and therefore, 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 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.

In the appeal nominee K.R.Agharzayev informed that his candidacy had been nominated on own initiative on Salyan-Neftchala Con.EC # 60 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020, he submitted signature sheets and application on commitment to the Con.EC on December 31, 2019 and was provided with a reference on receiving the documents. The Con.EC did not submit the decision on the approval or refusal from approving the candidacy to him.

The applicant was contacted in connection with the investigation, was informed on his rights to participate in the investigation and the session, and other rights. Though he said that he would participate at the session, on the day of session entered the administrative premises of the Commission but at the last moment refused to participate there.

It was determined through the decision # 41/101, dated 31 December 2019 submitted by the Con.EC that the candidacy of K.R.Agharzayev was approved. The act and reports submitted by the Con.EC on not providing that decision to the candidate conclude that candidate K.R.Agharzayevwas informed on the approval of his candidacy and offered to take signature sheets. He informed that his authorized representative would take signature sheets.Though the Notification submitted to the Con.EC indicated that Rajab Najaf Kerimov was an authorized representative, his authorities had not been made official in a relevant manner. On January 6, 2020 R.N.Kerimov visited the Con.EC and required signature sheets, he was told that the powers of attorney approved in notary order on becoming an authorized representative had not been presented and explained by showing the format of a powers of attorney that he could be submitted signature sheets only in the case of presenting the powers of attorney made official in

relevant manner to the Con.EC. He said that would be back after making the format of the powers of attorney in relevant manner within short time period.

But however, neither the candidate nor his official authorized representative in relevant manner came to the Con.EC and on January 10, 2020 candidate K.R.Agharzayev visited the Con.Ec and required the decision on the refusal from registering his candidacy. He was provided with the decision on the approval of his candidacy and signature sheets, but he refused to take those documents. The Con.EC compiled an act regarding this case on January 10, 2020.

So, through full, inclusive, fair and impartial investigation of the appeal, it shall not be implemented due to groundlessness since the inaction claimed to have committed by the Con.EC on the approval of the candidacy of K.R.Agharzayev has not been justified.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 112 and 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 submission and investigation of the appeals and complaints filed to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions", the Central Election Commission decides:

1. The appeal # 15 submitted on January 13, 2020 by KerimRasimAgharzayev, self-nominee to deputy on Salyan-Neftchala Con.EC # 60 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
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CEC Secretary	ArifaMukhtarova
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CEC Secretary	MikayilRahimov
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