

DECISION

of the Central Election Commission of the Republic of Azerbaijan
on investigation of the appeal # 02 submitted to the Central Election Commission on
January 6, 2025 in the Municipal Elections of the Republic of Azerbaijan, appointed to
January 29, 2025

In his appeal addressed to the Central Election Commission (hereinafter – Central Election Commission) on January 6, 2025, Mammadov Afgan Rahib, self-nominee to the membership of Rahimli municipality from Shabran-Khachmaz Con.EC # 56 in the Municipal Elections of the Republic of Azerbaijan, appointed to January 29, 2025 challenged the Con.EC decision # 46/114 dated 4 January 2025 on refusal to register his candidacy and therefore, requested to annul that decision and to adopt an appropriate decision for the registration of the candidacy.

The complaint was adopted for the implementation in comply with Articles 112 and 112-1 of the Election Code (hereinafter – 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”, was examined by a member of the Expert Group under CEC, provided an opinion and considered at the Commission session.

The applicant was contacted in connection with the investigation, he was explained to participate in the investigation and meeting, as well as his other rights, but he refused to participate in the investigation and session.

A.R.Mammadov indicated in his appeal that he did not own any property (excluding the land spot) and income on the contract for that property. Therefore, the information provided by the working group was incorrect.

The Con.EC justified its decision # 46/114 dated 4 January 2025 to refuse to register the candidacy of A.R.Mammadov with the fact that the information provided by the candidate regarding the amount and source of his income indicated that he had no income during the one-year period. However, during the investigation by the working group, it was discovered that he had an income of 396 manat from the non-ownership activity during that period.

In connection with the investigation, the documents were requested from Con.EC and presented to the working group under CEC for verification.

As a result of the investigation, the working group members provided an opinion on January 7, 2025, along with supporting documents regarding property rights. It was confirmed that the candidate, A.R.Mammadov owned income of 276 manat from the non-ownership activity from 28.11.2023 to 28.11.2024 which he had not indicated in the information submitted.

According to Article 60.2.3 of the Election Code, the incorrect information provided by candidates, political parties, political party blocs as implied in Articles 57 and 58 of the Election Code shall be the basis for rejection of the candidacy.

According to Article 216.1 of the Election Code, candidates to municipality membership shall be registered within the manner implied in Article 60 of the Code.

Basing on these, the Con.EC decision on refusing to register A.R.Mammadov as a candidate to the membership of Rahimli municipality was grounded. Therefore, there is not grounded basis to implement the complaint.

Thus, the appeal shall not be implemented due to groundlessness and the decision # 46/114 of Shabran-Khachmaz Con.EC # 56, dated 4 January 2025 on refusing to register A.R.Mammadov as a candidate to the municipality membership of Rahimli shall be remained enforced without making amendments.

Basing on the above-mentioned and pursuant to Articles 19.4, 28.2, 58, 59, 60, 112, 112-1 and 216-1 of Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6 and 7 of the "Instruction on the rules for filing complaints and appeals to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan and their consideration" the Central Election Commission **d e c i d e s**:

1. The appeal # 02, dated 6 January 2025 by Mammadov Afgan Rahib, self-nominee to the membership of Rahimli municipality in the Municipal Elections of the Republic of Azerbaijan, appointed to January 29, 2025 shall not be implemented due to groundlessness and the decision # 46/114 of Shabran-Khachmaz Con.EC # 56 dated 4 January 2025 shall be remained enforced without making amendments.
2. The decision shall be enforced upon its publication.

CEC Chairman	Mazahir Panahov
CEC Secretary	Arifa Mukhtarova
CEC Secretary	Mikayil Rahimov