

DECISION

of the Central Election Commission of the Republic of Azerbaijan on the consideration of the appeal # 16 received by the Central Election Commission on December 4, 2014 regarding the Municipal Elections on December 23, 2014

Kerim Fazil Kerimli, nominee on Gizilaghaj municipality of Masalli village Con.EC # 71 on his own initiative appealed to CEC in written form regarding the Municipal elections on December 23, 2014 and informed that the Con.EC decision on the refusal from registering his candidacy had been groundless and therefore, requested to re-establish his offended rights upon adopting a relevant decision.

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.

The applicant was informed on the investigation, also noted on his right to take part in the investigation.

By justifying his complaint, citizen K.F.Kerimli informed that he had nominated his candidacy on Gizilaghaj municipality of Masalli village Con.EC # 71 in Municipal elections on December 23, 2014, submitted signature sheets and other necessary documents attached to them to the Con.EC upon the collection of voters' signatures within that municipality, but his candidacy was refused from registration by the Con.EC without any reason.

By justifying its decision on the refusal from registering the candidacy of K.F.Kerimli, the Con.EC informed according to the opinion provided by an expert of the Working Group to check the signature sheets and the attached documents, none of 44 voters' signatures included the date of signature, also date of issue of the signing persons' ID cards. Therefore, the signatures were considered invalid and the number of signatures was not sufficient for the candidate's registration.

The opinion and protocol dated December 5, 2014, compiled as a result of examining the documents necessary for the candidate registration by the Working Group revealed that voters' signatures included in the signature sheet submitted for the registration of K.F.Kerimli had been collected in comply with the Election Code. So, all of 44 voters' signatures collected by the candidate were considered valid.

So, pursuant to Article 215.1.5 of the Election Code, every nominated citizen shall collect 30 valid voters' signatures to be registered to the municipality membership within a territory with more than 4.999 population number. It is justified by a reference of the relevant executive authority that the population number within the territory covered by Gizilaghaj municipality is within the limits as defined by the above-mentioned Article of the Election Code.

Since the number of the valid signatures was sufficient for the registration of the candidacy on that municipality and other necessary documents had been compiled in

accordance with the Election Code, there were legal grounds to register the candidacy of K.F.Kerimli.

So, through a full, comprehensive, fair and impartial investigation legal grounds were determined to annul the argued decision of the Con.EC and to implement the complaint.

According to the above-mentioned, the complaint shall be implemented due to its grounded factors, the decision # 18/65 of Masalli village Con.EC # 71, dated November 24, 2014 on the refusal from registering the candidacy of K.F.Kerimli on Gizilaghaj municipality shall be annulled and his candidacy to the municipality membership on that election constituency shall be registered.

By assuming the above-mentioned as a basis and pursuant to Articles 19.4, 28.2, 28.4, 59, 60, 112, 112-1, 215.1.5, 216.1 of the Election Code of the Republic of Azerbaijan and items # 1, 2, 4, 6 and 7 of "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", CEC **decides**:

1. The appeal # 16, dated December 4, 2014 by Kerim Fazil Kerimli, nominee on Gizilaghaj municipality of Masalli village Con.EC # 71 on his own initiative shall be implemented and the Con.EC decision # 18/65dated November 24, 2014 on the refusal from registering his candidacy shall be annulled.
2. The candidacy of Kerim Fazil Kerimli nominated on Gizilaghaj municipality of Masalli village Con.EC # 71 on his own initiative shall be registered to municipality membership.
3. The decision shall be enforced upon its publication.

CEC Chairman

Mazahir Panahov

CEC Secretary

Arifa Mukhtarova

CEC Secretary

Mikayil Rahimov