

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 03 submitted to the Central Election Commission on January 2, 2019 in the Elections to the Milli Majlis of the Republic of Azerbaijan on February 9, 2020

In his written appeal addressed to the Central Election Commission (CEC) on January 2, 2019, Musayev Jeyhun Musa, self-nomineeto deputy on Absheron Con.EC # 45 in the Elections to the Milli Majlis of the Republic of Azerbaijan on February 9, 2020 challenged the decision 35/464 of Absheron Con.EC # 45, dated December 31, 2019 on refusal to register as a candidate and requested to restore his violated rights by 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 candidate J.M.Musayev noted in his appeal that he was nominated to deputy on own initiative on Absheron Con.EC # 45 in the Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to February 9, 2020, after collecting signatures of voters in the territory of the same constituency he submitted signature sheets and other important documents attached to them to the Con.EC, but as he had not submitted the information of the candidate's income and sources accurately, his candidacy was refused for registration by the appropriate decision of the Con.EC.

The Constituency Election Commission refused to register J.M. Musayev as a candidate by Decision No. 35/464 dated December 31, 2019, basing on the failure of accurate submission of the information on the amount and sources of the candidate's income.

The applicant was contacted in connection with the investigation and his / her participation in the investigation and the CEC session was ensured.

It was determined during the investigation of the challenged decision of the Con.EC, election documents and other materials that the registration of J.M.Musayev submitted the signature sheets and other election documents to the Con.EC on December 25, 2019, the commission examined those documents and did not arrive at accurate legal conclusion on the investigation of the amount and source of the candidate's income, thereby refusing to register the candidate unreasonably.

Based on the afore-mentioned, legal grounds have been established to ensure the appeal and to cancel the contested decision of the Con.EC.

Thus, the complaint must be based as it is grounded, the decision 35/464 of the Con.EC # dated December 31, 2019 on the refusal from the registration of the candidacy shall be

annulled and Mr.Musayev's candidacy on that election the constituency shall be registered.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 28.4, 59, 60, 112, 112-1, 147.1 and 148 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 # 03, dated January 02, 2020, by Musayev Jeyhun Musa, self-nomineeto deputy on Absheron Con.EC # 45 in the Elections to the Milli Majlis of the Republic of Azerbaijan on February 9, 2020 shall be implemented as it is grounded and the decision # 35/464 of Con.EC, dated December 31, 2019 shall be annulled.
2. Musayev Jeyhun Musa nominated to deputy on own initiative on Absheron Con.EC # 45 shall be registered as a candidate to the deputy on the same Con.EC.
3. The decision shall be enforced upon its publication

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov