

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 28 submitted to the Central Election Commission on January 18, 2020 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020

In the written apply addressed to the Central Election Commission on January 18, 2020, KhoshtakhtMirsojaddinSeidova, self-nominee to deputy onNasimi first Con.EC # 21 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 challenged the refusal to register her candidacy and requested for the legal remedy of her violated rights.

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 Kh.M.Seidova informed that her candidacy had been nominated on own initiative on Nasimi first Con.EC # 21and approved in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020, voters’ signatures had been collected within that election constituency. She claimed that although she had submitted a reference on registration on residence provided by ASAn 3, dated 20 January 2019 and extract # 1126598 on the flat belonging to her, provided by the State Register Service of Real Estate, along with signature sheets and other attachment documents to Con.EC chairperson, since the first day Ch.S.Dadashova behaved not seriously towards her, did not review the submitted documents and did not receive them, consequently, she was refused to be registered as a candidate by the relevant Con.EC decision basing on the failure of submitting the information on the property belonging to her based on the right to property.

The applicant was contacted in connection with the investigation, was informed on his rights to participate in the investigation and the session, his participation was ensured at the session and investigation.

The Con.EC substantiated its argued decision # 7/23, dated 16 January 2020 on the refusal from registering the candidacy of Kh.M.Seidovaon the grounds of not fully indicating the information on real estate and automobile belonging to the candidate based on the right to property in the information on property.

The relevant documents regarding the investigation submitted by nominee Kh.M.Seidova were required from the Con.EC and submitted to the Working Group under the Central Election Commission. It is determined from a reference from the State Register Service of Real Estate under the State Committee on Property Issues of the Republic of Azerbaijan, dated 19 January 2020, a fact was revealed regarding the state

registration of a flat in the name of Kh.M.Seidova, which she had not indicated in the information on property.

While reviewing the documents submitted by Kh.M.Seidova it became clear that she verified the lack of any property in the information on property.

According to the information provided by the relevant state body to check the possession of a vehicle to Kh.M.Seidova, that has been referred to as another ground in the Con.EC decision for the refusal of her candidacy, registration certificate of that vehicle submitted by Kh.M.Seidova during the investigation and report provided by Kh.M.Seidova, it was determined that the vehicle was not in the possession of Kh.M.Seidova.

Thus, it was determined through the investigation that the failure of indicating proper information on the real estate belonging to Kh.M.Seidovato the Con.EC has established a legal ground to refuse from registering her candidacy as in comply with Article 60.2.3 of the Election Code.

Basing on the above-mentioned, the Con.EC decision # 7/23, dated 16 January 2020 on the refusal from registering the candidacy of Kh.M.Seidovain the part on not stating the vehicle belonging to her shall be excluded from the substantiation part as a ground of refusal, but the decision in other part shall be remained enforced without making amendments.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 59, 60, 112, 112-1, 147 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 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 # 28 submitted on January 18, 2020 by KhoshtakhtMirsojaddinSeidova, self-nominee to deputy onNasimi first Con.EC # 21 in the Elections to the MilliMajlis of the Republic of Azerbaijan on February 9, 2020 shall be partly implemented; the Con.EC decision # 7/23, dated 16 January 2020 on the refusal from registering the candidacy of Kh.M.Seidova in the part on not stating the vehicle belonging to her shall be excluded from the substantiation part as a ground of refusal, but the decision in other part shall be remained enforced without making amendments.

2. The decision shall be enforced upon its publication.

CEC Chairman

MazahirPanahov

CEC Secretary

ArifaMukhtarova

CEC Secretary

MikayilRahimov