

DECISION

of Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 15 submitted to the Central Election Commission on August 7, 2024 in the early Elections to the Milli Majlis in September 1, 2024

By applying to the Central Election Commission (CEC) on August 2, 2024, Aliyev Taleh Mahammad, authorized representative of Azerbaijan hope Party in the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024 argued the decision # 29/2 of Khatai second Con.EC # 34 dated August 6, 2024 on the refusal from the approval of Taghiyev Nuran Ziraddin's candidacy to deputy and requested to annul that decision and to register his candidacy.

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.

The applicant was contacted in connection with the investigation, was told to participate in the investigation and the session, and was told that he had other rights, and that his participation in the investigation and the session was ensured.

Constituency election commission based its Decision No. 29/2 dated August 6, 2024 of refusal to register N.Z.Tagiyev nominated by Azerbaijan Hope Party as a candidate for deputy on the fact that 10 signature sheets with 500 voters' signatures and other election documents attached to them were submitted to the constituency election commission and taking into account that some signatures raised doubts during the verification of signature sheets by the working group operating under the commission, and the necessity of conducting a related inspection arose, working group had applied to the Central Election Commission for the allocation of calligrapher experts to verify the signatures on the signature sheets submitted by the candidates. For this purpose, calligrapher experts were selected from among the specialists of the Working Group operating under the Central Election Commission, and it is obvious from the opinions of those experts and the protocol of the Working Group on checking the correctness of signatures on the signature sheets that 350 signatures submitted out of 500 signatures in 10 signature sheets were checked, so 268 voter signatures were considered incorrect. As the number of valid (correct) voter signatures submitted was less than the required number, it was the basis for refusal of registration of the candidate.

During the research process, the signature sheets submitted by the candidate N.Z.Tagiyev and the election documents attached to it were taken by request from the Con.EC and submitted to the working group operating under the Central Election Commission for repeated verification. The disputed and registered voter's signatures, which were the basis for rejection, were repeatedly checked by other calligrapher experts, 268 out of 350 signatures were invalid, it was confirmed once again by the protocol and expert opinion dated August 7, 2024.

According to Article 59.2 of the Election Code, the opinions of the experts involved in the working group from among the specialists of the relevant bodies shall be accepted as the basis for confirming the correctness of the information contained in the signature sheets.

According to Article 147.1 of the Election Code, at least 450 signatures of voters in support of the candidate shall be collected in the territory of the electoral constituency where he was nominated.

According to the requirements of Article 60.2.4 of the Election Code, less than the required number of valid (correct) voter signatures submitted in support of the candidate shall be the basis for refusing from registration of the candidate.

It is determined from the above-mentioned that since the number of valid (correct) voter signatures was not enough for the registration of N.Z.Taghiyev's candidacy, the legal conclusion of the constituency election commission on refusing to register his candidacy was in accordance with the requirements of the Election Code.

Thus, the application of T.M.Aliyev, authorized representative of Azerbaijan Hope Party shall not be implemented as it is groundless and the Decision #29/2 dated August 6, 2024 of the Khatai second Con.EC #34 Constituency Election Commission on refusal to register the candidacy shall be remained unchanged.

Taking the above mentioned as a basis pursuant to 19.4, 28.2, 56, 57, 59, 60, 112 , 112-1, 147 and 148-1 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 #15 submitted August 7, 2024 by T.M.Aliyev, authorized representative of Azerbaijan Hope Party in the early Elections to the Milli Majlis of the Republic of Azerbaijan, appointed to September 1, 2024 shall not be implemented due to groundlessness and the decision # 29/2, dated 6 August, 2024 by Khatai second Con.EC #34 on the refusal from the approval of Taghiyev Nuran Ziraddin's candidacy to deputy shall be remained in force without making amendments.

2. The decision shall be enforced upon its publication.

CEC Chairman Mazahir Panahov

CEC Secretary Arifa Mukhtarova

CEC Secretary Mikayil Rahimov

