

## DECISION

of the Central Election Commission of the Republic of Azerbaijan on consideration of the appeal # 23 submitted to the Central Election Commission on August 10, 2024 in the early Elections to the Milli Majlis of the Republic of Azerbaijan on September 1, 2024

In his written apply addressed to the Central Election Commission (hereinafter – Central Election Commission) on August 10, 2024, Farajov Agshin Akif oghlu, self-nominee to deputy on Yasamal third Con.EC # 17 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024 challenged the decision # 18/58, dated August 8, 2024 of Con.EC on refusal to register his candidacy and requested the restoration of violated rights through the adoption of an appropriate decision.

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 candidate A.A. Farajov informed in his complaint that, his candidacy had been nominated by him for Yasamal third Con.EC # 17 in the early Elections to the Milli Majlis of the Republic of Azerbaijan appointed to September 1, 2024, signature sheets and other documents attached to them were submitted to Con.EC on August 2,2024, however due to non-submission of income declarations by his limited liability company, his registration as a candidate was refused by the contested decision of Con.EC.

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, and his participation in the Commission meeting was ensured.

Con.EC justified its decision to refuse to register the candidate A.A. Farajov as a candidate with the fact that it was determined based on the opinion of the working group on the verification of information on the amount and source of the candidate’s income that he received income from the hired work for the last 6 months of 2024, and the candidate did not correctly indicate the amount and source of his income in the election document, therefore, his candidacy was refused to be registered as in compliance with Articles 58.1.4 and 60.2.3 of the Election Code.

In connection with the investigation, the documents submitted by the candidate A.A. Farajov for the registration of the candidacy were requested from Con.EC and given to the working group under CEC for verification. According to the opinion of the working group dated August 11, 2024, it was found that candidate A.A. Farajov did not indicate the amount and source of his income in the information he provided, but he had 2160.00 (two thousand one hundred sixty) manats income from the hired work for the period covering the last six months of 2024.

According to Article 58.3 of the Election Code, the amount of the candidate's income and the declaration determined by the Central Election Commission about the sources of information in the form of the official publication of the decision (order) on the appointment of elections shall be presented for the one-year period preceding the day. At the same time, a statement on the annual total of those incomes from the organizations is submitted.

The investigation determined that the decision of the constituency election commission was not at all alleged by the appellant, on the income of the limited liability company in his name not due to non-submission of declarations", but because as the head of that institution he failed to indicate information about the amount and sources income in the section "Monthly salary from the main workplace" in Appendix No. 1 to the Rules and that adopted as a basis. While considering the reference dated 2 August 2024 regarding the acceptance of documents for registration of candidacy it was determined that the statement on the annual total of those incomes from the organizations from which the incomes are received was not submitted to the constituency election commission.

Thus, the incorrect information provided by A.A. Farajov to Con.EC about the amount and source of his income shall be the basis for rejection of his candidacy according to Article 60.2.3 of the Election Code, and based on these grounds, Con.EC made the right decision to refuse to register the candidacy of A.A. Farajov.

Basing on these, A.A. Farajov's appeal # 23 dated August 10, 2024 shall not be implemented due to groundlessness, and the decision # 18/58 of the Con.EC dated August 8, 2024 on refusing to register his candidacy 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 148.1 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 # 23, dated August 10, 2024 by Farajov Agshin Akif oghlu, self-nominee to deputy on Yasamal third Con.EC # 17 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 # 18/58, dated August 8, 2024 of that Con.EC 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

