

**DECISION**  
**of Central Election Commission**  
**of the Republic of Azerbaijan**

**on the consideration of the appeal #16 dated 12 October 2013 by**  
**Gulagha Aslanli, authorized representative of Jamil Hasanli, registered candidate in**  
**Presidential Elections of the Republic of Azerbaijan on October 9, 2013**

Applying to the Central Election Commission of the Republic of Azerbaijan in written form on October 12, 2013, Gulagha Aslanli, authorized representative of Jamil Poladkhan oghlu Hasanli, registered candidate for presidency in the Presidential elections conducted on October 9, 2013 informed that different law violations were committed in some constituencies and polling stations on the voting day and requested to undertake relevant measures in a manner defined by legislation. Furthermore, the application indicated that attaching the photocopies of the acts compiled by the persons who had conducted observation and which claimed that this or another law violation were justified to have been committed, the original documents would be presented for the investigation process. As the appeal had been compiled in comply with Article 112-1 of the Election Code of the Republic of Azerbaijan and "Instruction on the rules for filing and consideration of the appeals and complaints to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan", it was adopted to the implementation, a member of the Expert Group under the Central Election Commission undertook relevant measures for gathering possible materials as an evidence necessary for determining the claimed law violations and provided relevant opinion on the investigation of the appeal and it was reviewed at the session of the Central Election Commission.

The Central Election Commission of the Republic of Azerbaijan reckons that as the photocopies without any importance, not the original of the acts which claim to record the violations have been attached to the appeal, it became impossible to determine the content of the claimed cases during the investigation and the appeal was considered groundless and was not implemented as any other evidence document or materials had not been presented.

Thus, applicant Gulagha Aslanli was invited to the investigation and as the photocopies attached to the appeal had not led to any legal consequences, he was requested to present the original of these acts if he has got, as well as, in case of presenting other documents and materials as evidence, he was informed on the readiness of the Central Election Commission to investigate them. The applicant was also explained that as concrete cases indicated generally in the complaint submitted by him and claimed to have been committed were included only in these acts and the application could not determine the content of the violation without the acts, the investigation could be legally valid only after the submission of the originals of these acts for the investigation. Otherwise, he was informed on impossibility of the investigation.

And the applicant firmly indicated on the possibility of submitting these materials only during the court investigation after reviewing the attitude of Jamil Hasanli, registered candidate represented by him, so, he refused to submit any act or other material as evidence to the Central Election Commission and presented this as the position of him and Jamil Poladkhan oghlu Hasanli, registered candidate for presidency represented by him. The foregoing cases were made official during the investigation process in comply with the Election Code of the Republic of Azerbaijan and "Instruction on the rules for filing and consideration of the appeals and complaints on violation of election rights to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan".

Taking the above mentioned as a basis and pursuant to Articles 19.4, 28.2, 112, 112-1 of the Election Code of the Republic of Azerbaijan and items 1, 2, 4, 6, 7, 8 of the Instruction, Central Election Commission of the Republic of Azerbaijan **decides:**

1. The appeal #16 dated 12 October 2013 by Gulagha Aslanli, authorized representative of registered candidate to presidency Jamil Hasanli in Presidential Elections of the Republic of Azerbaijan on October 9, 2013 shall not be implemented due to groundlessness.

2. This decision shall be enforced since the day of its publication.

Chairman

Mazahir Panahov

Secretary

Arifa Mukhtarova

Secretary

Mikayil Rahimov