

OPINION

of Mr. Bakhshyish Asgerov, member of Expert Group under CEC to investigate the complaints against actions (inactions) and decisions violating citizens' election rights in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015

on the appeal 07 submitted to CEC on September 24, 2015 by candidate to deputy Karamat Salam Salayev nominated on its own initiative

Baku

25 September 2015

Having investigated the appeal # 07 submitted to CEC on September 24, 2015 by non-party candidate to deputy, Karamat Salam Salayev nominated on its own initiative on Sumgayit third Con.EC # 43 in the Election to the Milli Majlis on November 1, 2015, as a member of Expert Group, Bakhshyish Asgerov, I have determined that:

Since the appeal had been submitted in comply with the Election Code of the Republic of Azerbaijan and the Instruction "On the rules for submission and processing of appeals and complaints on the violation of election rights to the Central Election Commission and Constituency Election Commissions of the Republic of Azerbaijan" and within the specified time period for submitting a complaint, it was accepted for implementation.

Candidate to deputy, Karamat Salam Salayev nominated on its own initiative on Sumgayit third Con.EC # 43 appealed to the Central Election Commission on September 24, 2015 in the Election to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, challenged the decision of the mentioned Con.EC # 14/40, dated September 21, 2015 and requested to cancel the same decision.

The appeal was adopted for the implementation by me 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" and basing

on the principle of ensuring citizens' election rights, it was investigated in a legal manner.

During investigation it was kept in touch with the applicant, he was informed on right to participate in investigation.

Through a thorough, comprehensive, fair and impartial investigation it was defined that decision # 14/40 of Sumgayit third Con.EC # 43 dated September 21, 2015 on rejection for registering the candidacy was groundless.

During investigation for registration of a candidate by Working Group acting under Central Election Commission at the result of examination of the necessary documents from composed protocols and opinions (dated September 25, 2015) are seen that for the registration of K.S. Salayev as a candidate voters' signatures in the signature sheets submitted by him were collected in accordance with rules defined in the Election Code. Thus, from 550 voters signatures collected by candidate, 486 signatures are considered to be valid. And this, pursuant to the Article 147.1 of Election Code is sufficient for the registration of a candidate in the Elections to the Milli Majlis.

Pursuant to the mentioned, complaint being valid shall be provided, decision #14/40 (dated September 21, 2015) on rejection for registration K.S. Salayev as a candidate on Sumgayit third Con.EC # 43 shall be cancelled and he shall be registered as a candidate in the same Con.EC.

Taking the above mentioned as a basis, pursuant to Articles 19.4, 28.2, 112, 112-1 of Election Code of the Republic of Azerbaijan and item # 1, 2, 4, 6, 7 and 8 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" I made an opinion::

1. The appeal # 10 (dated September 24, 2015) on nomination of Karamat Salam Salayev on its own initiative on Sumgayit third Con.EC # 43 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall be ensured, the decision # 07 dated September 21, 2015 of the same Con.EC on rejection for registration him as a candidate shall be cancelled.

2. The opinion shall be published no later than 18 hours upon its adoption (shall be posted on the website) and its copy shall be sent to the applicant.

Expert Group member

Bakhsheyish Asgerov