

## OPINION

**of Bakhsheyish Asgarov, member of Expert Group under CEC to investigate the complaints against actions (inactions) and decisions violating citizens' election rights in the Municipal Elections on December 23, 2014**

**on the appeal 24 submitted to CEC on December 24, 2014**

Baku

December 24, 2014

Having investigated the appeal # 24 submitted to CEC on December 24, 2014 by a group of registered candidates and Shanlik village inhabitant regarding the falsification of the election results in the polling stations # 16 and 17 of Aghjabadi Con.EC # 82 in the Municipal elections on December 23, 2014, as a member of Expert Group, I have determined that:

The complaint has not been sent in comply with Articles 112.2 and 112.3 of the Election Code of the Republic of Azerbaijan. So that, pursuant to Article 112.2, the persons implied by Article 112.1 of the Election Code may submit a complaint to relevant superior election commission. Article 112.3 defines that if the complaint is not implemented preliminarily by superior election commission, then those persons may complain to the Central Election Commission against a decision or action (inaction) of the Constituency Election Commission.

Obviously, the appeal has been submitted by offending destination rules. In this case when a complaint or appeal is submitted through offending destination rules, pursuant to the item # 8.6 of the above-mentioned Instruction, a decision shall be adopted on sending that appeal on destination.

Pursuant to Articles 112, 112-1 of the Election Code of the Republic of Azerbaijan and item # 8.6 of "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", **I have determined that:**

1. The appeal # 24 submitted to CEC on December 24, 2014 by a group of registered candidates and Shanlik village inhabitant shall be sent to Aghjabadi Con.EC # 82 for investigation on destination.
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 Asgarov**