

OPINION

of Bakhsheyish Asgarov, member of Expert Group established under Central Election Commission for investigating the complaints about the actions (inactions) violating citizens' election rights on the appeal #17 dated 12 October 2013 by Subatay Khidir oghlu Guluzadeh, observer at PEC # 10 of Goygol-Dashkasan Con.EC # 101 in Presidential Elections of the Republic of Azerbaijan on October 9, 2013

Baku city

October 12, 2013

Investigating the appeal #17 dated 12 October 2013 by Subatay Khidir oghlu Guluzadeh, observer at PEC # 10 of Goygol-Dashkasan Con.EC # 101 in Presidential Elections of the Republic of Azerbaijan on October 9, 2013, as a member of Expert group – Emin Guliyev, I determined that:

As the appeal was compiled in in comply with Articles 112 and 112-1 of the Election Code and Instruction “on rules for submission and processing of complaints and appeals on the violation of election rights filed to the Central Election Commission of the Republic of Azerbaijan and constituency election commissions” dated August 12, 2008 and submitted within the period implied for the complaint, it was accepted for investigation.

As the appeal was revealed through the investigation to have been submitted by violating the Election Code and requirements of the relevant Instruction, it shall be sent to the authorized Con.EC for investigation.

Pursuant to Article 112 of the Election Code of the Republic of Azerbaijan, election actors may file a complaint to the relevant election commission. If the complaint is not implemented primarily by superior election commission, it could be complained against the decision or action (inaction) of the Con.EC to the Central Election Commission.

Pursuant to Article 112-1.12 of the Election Code of the Republic of Azerbaijan and item 8.6 of the above-mentioned instruction, if the appeal or complaint does not refer to the competence of the expert group considering it and it has been submitted by violating the destination rules, then a decision shall be adopted on sending this appeal on destination.

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 and 8 of “Instruction on the rules for filing appeals and complaints on the

violation of election rights to Central Election Commission and Constituency Election Commissions and their consideration by these commissions”, **I came to opinion:**

1. The appeal # 17 dated 12 October 2013 submitted to the Central Election Commission of the Republic of Azerbaijan by Subatay Khidir oghlu Guluzadeh, observer at the PEC # 10 of Goygol-Dashkasan Con.EC # 101 in the Presidential elections of the Republic of Azerbaijan shall be sent on destination to this Con.EC for investigation.
2. Araşdırmanın nəticəsi barədə şikayətçiyə məlumat verilməsi təmin edilsin.
3. Rəy qəbul edildiyi andan 18 saatdan gec olmayaraq dərc olunsun (internet saytına yerləşdirilsin), surəti müraciət etmiş şəxsə və müvafiq qurumlara göndərilsin.

Member of Expert group

Bakhsheyish Asgarov