

OPINION

of Gabil Orujov, member of Expert Group established under Central Election Commission for investigating the complaints about the actions (inactions) violating citizens' election rights on the appeal #13 dated October 02, 2013 by Aliyev Rufat Idris oghlu, authorized representative of registered candidate to presidency Jamil Hasanli in Presidential Elections of the Republic of Azerbaijan to October 9, 2013

Baku city

02 October 2013

Investigating the appeal #13 dated October 02, 2013 by Aliyev Rufat Idris oghlu, authorized representative of Jamil Hasanli, registered candidate to presidency in the Presidential elections of the Republic of Azerbaijan appointed to October 9, 2013, as a member of Expert group – Gabil Orujov, I determined that:

Applying to the Central Election Commission, Rufat Idris oghlu Aliyev, authorized representative of Jamil Poladkhan oghlu Hasanli, registered candidate in the Presidential elections of the Republic of Azerbaijan appointed to October 9, 2013 informed that membership of Ogtay Misir oghlu Aliyev, member having decisive right at Surakhani first Con.EC # 30 suffered contusion due to fight was in contradiction with legislation and therefore, requested to early terminate his authorities.

As the appeal had been compiled 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 on the violation of election rights to Central Election Commission and Constituency Election Commissions and their consideration by these commissions”, it was accepted for investigation by me – as a member of the Expert Group established under Central Election Commission.

The applicant was kept contact in the process of investigation and was informed on the right to participate in the investigation and he was invited to assist the investigation.

Assuming the principle of ensuring citizens election rights more effectively as a basis, the applicant's appeal was reviewed by Central Election Commission in a manner defined by law.

Any fact proving the illness of Con.EC member Ogtay Aliyev had not been found out during the investigation. Thus, excluding the cases implied by

article 22.4.5 of the Election Code of the Republic of Azerbaijan, any grounds for early termination of the authorities of election commission member due to illness were not determined in the Election Code.

Therefore, the applicant's appeal shall not be implemented.

Taking the above mentioned as a basis, Pursuant to Articles 112, 112-1 of the Election Code of the Republic of Azerbaijan and Articles 1, 2, 4, 6, 7 and 8 of the Instruction "On the rules for filing the appeals and complaints on 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 #13 dated 02 October 2013 by Aliyev Rufat Idris oghlu, 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.

2. The opinion shall be published within 18 hours from the moment of its adoption (on the web site of Central Election Commission) and a copy should be sent to the applicants.

Member of Expert group

Gabil Orujov