

OPINION

of Mr.Ramiz Ibrahimov, member of the Expert Group established under the Central Election Commission for investigating the complaints about the actions (inactions) violating citizens' election rights

on the appeal #1 filed to the Central Election Commission, dated January 19, 2024, in the early Presidential elections of the Republic of Azerbaijan on February 7, 2024

Baku city

20 January 2024

Having investigated the appeal #1, dated January 19, 2024 by Mr.Matlab Mutallimli, who was nominated on his own initiative in the Presidential elections of the Republic of Azerbaijan appointed to February 7, 2024, as a member of Expert group – Mr.Ramiz Ibrahimov, I determined that:

Mr.Matlab Mutallimli, who was nominated on his own initiative, claimed that his supporters faced resistance during the collection of signatures in support of his candidacy, signature sheets were taken by different people in Sumgayit and Ganja and other violations of the law had occurred.

The appeal has been examined by me in comply with Articles 112 and 112-1 of the Election Code of the Republic of Azerbaijan (hereinafter – Election Code) and "Instruction on the rules for the considering and filing the appeals and complaints to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions" and it was concluded to issue an opinion on sending the appeal to the Office of Prosecutor's General of the Republic of Azerbaijan for the investigation due to the supposition of criminal actions, as implied in the Criminal Code of the Republic of Azerbaijan.

So that, according to the requirement of Article 112-1.5.5 of the Election Code, when concluding that there is supposition of criminal actions in the violations claimed in the appeal, enshrined in the Criminal Code, the expert group member shall provide an opinion on reporting to the relevant prosecutor's office to make a decision about those actions.

Furthermore, it is stated in Article 112-1.6 of the Election Code that in addition to those implied in Article 112-1.5 of the Code, the expert group member shall compile an opinion for CEC to make a decision in regard with complaints related to other election-related illegal actions of other institutions or incumbents which are not related to the actions (inactions) and decisions of election commissions, as in compliance with Articles 60.6, 68.5, 87.9, 88.7, 88.8, 113, 115 and 116 of the Code.

Based on the above-mentioned, the appeal of Mr.M.A. Mutallimli, who was nominated on his own initiative shall be sent to the Office of Prosecutor's General of the Republic of Azerbaijan for the investigation.

Taking the above-mentioned as a basis, Pursuant to Articles 19.4, 28.2, 112, 112-1 of the Election Code of the Republic of Azerbaijan and part 7 of "Instruction on the rules for the considering and filing the appeals and complaints to the Central Election Commission of the Republic of Azerbaijan and Constituency Election Commissions", **I arrived at an opinion:**

1. The appeal #1 filed to the Central Election Commission on January 19, 2024 by Mr. Matlab Azizulla oghlu Mutallimli, who was nominated on his own initiative in the early Presidential elections of the Republic of Azerbaijan appointed to February 7, 2024 shall be sent to the Office of Prosecutor's General of the Republic of Azerbaijan for the investigation.
2. The opinion shall be published within 18 hours upon its adoption (shall be posted on the webpage of the Central Election Commission) and a copy shall be sent to the applicant.

Member of Expert group

Ramiz Ibrahimov