

## OPINION

of Mr.Rafiq Abbasov, 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 02 submitted to CEC on September 18, 2015

Baku

19 September 2015

Having investigated the appeal 02 submitted to CEC on September 18, 2015 of Ruslan Teymur Izzatli nominated on his own initiative on Khatai first Con.EC # 33 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015, as a member of Expert Group Rafiq Abbasov, 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.

By applying to the Central Election Commission on September 18, 2015, Ruslan Teymur Izzatli nominated to deputy on its own initiative on Khatai first Con.EC # 33 challenged the decision #6/19 adopted by this Con.EC on September 11, 2015 and asked for cancellation of this 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.

The applicant was informed on the investigation, also noted on his right to take part in the investigation.

Through a full, comprehensive, fair and impartial investigation legal grounds were determined that pursuant to the decision #6/19 adopted by Khatai first Con.EC # 33 on September 11, 2015 R.T.Izzatli nominated to deputy on its own initiative was notified about suspension and removal of campaigning in the social network before the duration.

It was determined by investigation that, information posted by candidate R.T.Izzatli on the social network should not be construed as pre-election campaigning before the duration and the relevant decision of Con.EC should be cancelled.

According to the above-mentioned, 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 "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 # 02 submitted by nominated to deputy Ruslan Teymur Izzatli to the Central Election Commission on September 18, 2015 shall be ensured and the decision #6/19 adopted by Khatai first Con.EC # 33 on September 11, 2015 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

Rafiq Abbasov