

## OPINION

of Mr.Samir Taghiyev, 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 16 submitted to CEC on September 27, 2015 by candidate to deputy Dadash Rashid Ahmadli

Baku

28 September 2015

In his apply addressed to the Central Election Commission of the Republic of Azerbaijan on September 27, 2015, Dadash Rashid Ahmadli nominated its candidacy on "Musavat" Party on Barda village Con.EC # 94 challenged the decision of Con.EC on rejection for his registration as a candidate and requested to restore violated rights by adopting appropriate decision.

I, Samir Taghiyev, member of Expert Group examining the same decision defined the following:

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.

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 compiled minutes and opinions during investigation by Working Group under Central Election Commission at the result of examination of necessary documents for registration of candidate dated September 28, 2015, reveal that from 550 voters included in signature sheets, signatures of 192 voters having wrong information confirming their personality are considered to be invalid.

Pursuant to the Articles 59.7 and 59.7.1 the signatures of voters who do not have the right to vote or who provided incorrect information, as determined by the opinion of the specialists mentioned in article 59.2 of this Code or by a statement given by the relevant executive authority, signatures shall also be considered incorrect.

Pursuant to the Article 59.12 of Election Code, a candidate shall not be registered if the number of valid signatures after removal of invalid signatures is less than the number of signatures required for registration.

Pursuant to Article 147.1 of Election Code of the Republic of Azerbaijan at least 450 voters' signatures should be collected in support of a candidate within the territory of the constituency for which he/she has been nominated.

Through a thorough, fair and impartial investigation at the basis of handed information, complaint being groundless shall not be implemented, decision # 12/36 (dated September 26, 2015) on rejection for registration D.R. Ahmadli as a candidate on Barda village Con.EC # 94 shall stay in force without changes.

Taking the above mentioned as a basis, pursuant to Articles 112, 112-1, 147.1, 148.1 of Election Code of the Republic of Azerbaijan and item # 1, 2, 4, 6, and 7 of the "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" I made an opinion::

1. The appeal # 16, dated September 27, 2015, on nomination of Dadash Rashid Ahmadli on "Musavat" Party on Barda village Con.EC # 94 in the Elections to the Milli Majlis of the Republic of Azerbaijan on November 1, 2015 shall not be implemented due to groundlessness, decision # 12/26 of the same Con.EC, dated September 23, 2015 shall be kept in force.

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

Samir Taghiyev