

OPINION

of Mrs. Valida Kazimova, Member of Expert Group under Central Election Commission of the Republic of Azerbaijan established with the aim of investigating the complaints of actions (inactions) and decisions that violate citizens' suffrage on investigating the appeal # 177 dated on December 26, 2009 submitted by the citizen Sultanov Bahruz Rafiq, in municipal elections conducted on December 23, 2009

Baku city

29 December 2009

At 12.00

On December 26, 2009, Sultanov Bahruz Rafiq from Gobustan-Khizi-Guba election constituency # 50, applied to the Central Election Commission of the Republic of Azerbaijan with a written appeal, related to the municipal elections conducted on December 23, 2009, asking to undertake appropriate measures regarding falsifications in election precincts # 58 of this constituency election commission.

As the appeal was compiled in accordance with Articles 112 and 112-1 of Election Code and Instruction "on rules for filing and processing of complaints and appeals on the violation of election rights by the Central Election Commission of the Republic of Azerbaijan and constituency election commissions", it was accepted for investigation. The appeal was fully, thoroughly and objectively investigated.

According to the Election Code of the Republic of Azerbaijan and Provision 8.6 of the above mentioned Instruction, decision on forwarding the complaint to the relevant constituency election commission must be made, if the processing of a complaint received is not under the jurisdiction of a respective commission.

Based on the statements mentioned above and in accordance with Articles 19.4, 28.2, 112 and 112-1 of Election Code of the Republic of Azerbaijan and provisions 1, 2, 4, 6, 7 and 8 of the Instruction "on rules for filing and processing of complaints and appeals on the violation of election rights by the Central Election Commission of the Republic of Azerbaijan and constituency election commissions", **I came to decision:**

1. To send the appeal submitted by the citizen Sultanov Bahruz Rafiq for investigation to the constituency election commission of Gobustan-Khizi-Guba election constituency # 50;

2. The opinion shall be published within 24 hours from the moment of its adoption (it shall be located on the web site of Central Election Commission) and a copy should be sent to the applicant.

Expert group member

Valida Kazimova