



საქართველოს ახალგაზრდა იურისტთა ასოციაცია

კენჭისყრის დღის დაკვირვების შედეგები **18:00** საათისთვის

## Results of observation of the polling day as of 6 PM

According to information provided by the GYLA's observers as of 6 PM, polling procedures are still proceeding with significant violations in individual precincts.

The violations mainly concern the secrecy of the vote, control of voters' will, and interference with the exercise of observers' powers.

As a general trend, one can observe the mobilization of large numbers of suspicious individuals in areas adjacent to polling stations across Georgia. In some cases, violent acts take place, which interferes with and poses a threat to the conduct of the electoral process in a calm environment and within the limits of law.

At this stage, observers of the GYLA's monitoring mission have filed 64 complaints in total, including 37 complaints at precinct commissions and 27 at district commissions.

Below we present a relatively extensive account of the most important violations observed during the period from 2 PM to 6 PM:

### **Interference with the exercise of observers' powers:**

- At precincts no. 51 of Samtredia and no. 5 of Telavi, the GYLA's observers were expelled from the precincts without any grounds and were not allowed to observe the voting (complaints have been filed regarding both cases);
- At precinct no. 95 of Samtredia, the GYLA's observer was not allowed to familiarize himself with the information in the log-book and enter a remark in it. The GYLA has filed a complaint regarding this fact both at the precinct and district commissions.

### **Control of voters' will:**

- At precinct no. 42 in the village of Iormughanlo, Sagarejo Municipality, cases of violation of the secrecy of the vote continue to take place. The same individual who was mentioned in the previous statement systematically enters the voting booth together with voters and casts a vote instead of them. The GYLA is going to appeal this violation at the district election commission;
- Cases of control of voters' will have been observed within precincts. In particular, at precinct no. 19 of Dmanisi, voters showed marked ballot papers to observers who recorded this information. The GYLA has filed a complaint regarding this fact. At precinct no. 9 of Dusheti, a representative of a monitoring organization records the data of voters who have turned out;
- Several cases of controlling voters' will were observed in the areas adjacent to precincts no. 79 and no. 84 of Gldani – representatives of the United National Movement and the Georgian Dream call on “coordinators” to ensure that pre-determined individuals turn out at the polling station; coordinators have also been mobilized at precincts no. 74 and no. 75 of Rustavi, who identify voters who have turned out.

### **Violation of inking and voting rules:**

- At precinct no. 7 of Marneuli, a voter who had been inked entered the polling station and cast a vote for a second time.

### **Violation of the principle of secrecy of the vote:**

- At precinct no. 10 of Marneuli, voting booths are arranged in such a way that it is possible to see the choice made by a voter.

### **Voting with inappropriate documentation:**

- At precincts no. 2 of Baghdati, no. 21 of Teetritskaro, and no. 80 of Gldani, voters were allowed to vote with inappropriate documentations, specifically, with a driver's licence.

### **Cases of violence near polling stations:**

- Near precinct no. 79 of Gldani, a journalist of Publika was assaulted by an individual standing in the area adjacent to the polling station. It should also be noted that this individual also got into confrontation with other representatives of the media and publicly swore at them. At the time of the scuffle near the same precinct, a journalist of TV Pirveli, Ana Akhalaia, also suffered an injury in the face. The Ministry of internal Affairs (MIA) has launched an investigation with the qualification of damage of property (Article 187 of the Criminal Code), which is an incomplete qualification, as the investigation should also have been launched under Articles 126 (violence) and 154 (interference with journalist's professional activities) of the Criminal Code. The GYLA calls upon the MIA to respond in a timely and effective manner to the violent acts against the journalists and ensure the safety of representatives of the media when they cover the polling day;
- In the same territory, observers also got into a physical confrontation with one another. As far as we know, on one side of the confrontation were presumably individuals affiliated with the Georgian Dream, while on the other side were observers whose identity we do not know and who were being forced to leave the territory and stop their activities. The violent individuals called the observers "UNM members" and assaulted them both physically and verbally. Those present at the scene also note that demonstration of firearms took place at the time of the incident. Therefore, we call on the MIA to stop and investigate this fact in a timely manner, which presumably involves signs of the crime punishable by Article 162<sup>1</sup> (violence or threat of violence at a polling station, election commission or in the area adjacent to them, or at the time of canvassing or an election campaign event) of the Criminal Code, as well as the crime punishable by Article 236 (Illegal purchase, storage, carrying, manufacturing, transportation, forwarding or sale of firearms (other than hunting smooth-bore firearms (shotguns)), ammunition, explosives or explosive devices) of the same Code.

### **Violation of photo and video filming rules:**

- Representatives of the Newpost media outlet continue to take photos of voters from up close. They do it by means of a special program which scans voters faces and unlawfully processes personal data.

### **Other procedural violations:**

- Violations of the procedure of issuance of ballot papers and putting them in a ballot box have been observed; at precinct no. 2 of Khulo, in one case, a citizen was given two ballot papers of the same type; at precinct no. 9 of Sachkhere, the supervisor of the ballot box allowed a voter to place the ballot paper in the ballot box without a special envelope.

### **Violations identified on the polling day at precincts located abroad (as of now, the polling procedures have started in the following precincts: Barcelona, Oslo, Rome, Frankfurt, Berlin, Paris, Brussels, London, Washington D.C., Athens):**

- Citizens at the precinct in Barcelona declare that they have applied to relevant agencies and are registered, but they are not in the lists;
- At electoral precinct no. 30 of Athens, an observer was only registered after the GYLA's demand; before that, he was told that observers were supposed to be present at the precinct by rotation;
- As a general trend, everywhere, save for rare exceptions, members of precinct election commissions find it difficult to conduct the process in a consistent manner.

### **Violations related to measures to be taken against the Covid-19 pandemic:**

- Commission members and observers at the precincts wear masks inappropriately.

### **The GYLA's Observation Mission on the polling day**

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



The Georgian Young Lawyers' Association has deployed more than 800 observers at district and precinct election commissions across the country for the elections of the Parliament of Georgia of October 31, 2020.

The GYLA will pay a particular attention to the observance of electoral procedures (the process of opening of electoral precincts, voting, and summarization of voting results) as well as monitor the developments unfolding in areas adjacent to polling stations. In connection with revealed violations, the organization will also use the mechanism of strategic litigation in district election commissions and courts.

On Election Day, the GYLA will also operate a hotline number for journalists and media organizations. By calling at the hotline, journalists and media organizations will be able to receive information they are interested in and legal consultation regarding electoral procedures, violations on the polling day, and ways of responding to them.

**The hotline number is 577 36 15 20.**

The GYLA will hold four press conferences regarding the process of Election Day observation at the NGO Media Center during the day. **The press conferences will be held at 10 AM, 2 PM, 6 PM, and 9 PM. On November 1, the GYLA will evaluate the Election Day and hold a press conference at 12:30 PM.**

*The GYLA's monitoring mission of the polling day of the parliamentary elections was made possible with the funding of the embassies of Norway and Great Britain, the EU Delegation to Georgia, and the Open Society Georgia Foundation. The opinions expressed in the statement are those of the Georgian Young Lawyers' Association and its content may not express the views of the donor organizations*