

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



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2018 Presidential Elections: General Evaluation of the Election Day

Overall, the Election Day was calm and voters had a possibility to express their will in the free environment. According to information provided by GYLA observers, the violations, identified during the voting process (between 08:00 and 20:00) did not have a significant impact on the electoral process.

Throughout the entire day, voter mobilization and alleged control over voters □ will was quite intensive Despite the legislative amendments, which regulated the personal data processing at a polling station, **the regulations omit the personal data processing outside the polling station.** GYLA has been indicating this damaging practice for years, which requires a proper legislative regulation.

It must be stressed that alleged control over voters □ will and their personal data processing is problematic not only on the Election Day, but also in the pre-election period.

In comparison with the previous elections, 2018 elections were marked not only with the alleged control over voters □ will by the political party coordinators, but also, the new tendency evolved: the electoral headquarters of ruling party-supported Salome Zurbashvili, calling voters for the same purpose.

Furthermore, **substantial violations were revealed, including alleged vote bribery, which might indicate the elements of a criminal offence** (precinct #56 of Samgori district); **physical confrontation** (precinct #59 of Marneuli district) and **the fact of taking the ballot from the polling station** (precinct #52 of Saburtalo district and precinct #78 of Samgori district).

Apart from the substantial violations, **procedural violations were also identified**, among others:

- Violation of the casting of lots procedure;
- Arbitrary exchange of functions that were assigned through the casting of lots;
- Voting with expired ID card;
- Violation of the inking procedure;
- Illegal campaigning at the polling station;
- Damaging the voters' table list.

Vote Count and Results' Summary Process

During the vote count and results □ summary, in a number of cases (in Marneuli, Chugureti and Mtatsminda districts), GYLA observers faced difficulty in entering the precinct after 20:00, when the police did not allow them to enter the polling station. Following the interference of the relevant precinct election commission chairpersons, the problem was resolved and GYLA observers were given the possibility to observe the elections.

GYLA observer □ right was harshly violated at the precinct #49 of the Marneuli district. Specifically: when the vote count started and the observer was observing the ballots right next to the counters, the precinct election commission chairperson has pushed them aside, which did not allow the observer to stand right next to the counter and to observe the ballot counting process.

Verbal and Physical Confrontation Incidents

Verbal confrontation has occurred in the **Vake district election commission**. The representatives of the United National Movement in the district election commission have blamed the district election commission in fraud. Verbal and physical confrontation also took place in **Didube district election commission**.

Apart from the above, **procedural violations were revealed** during the vote count and summary process, as well as in the document delivery process, including:

- Treating invalid ballots as valid and vice versa;
- Delivery of the electoral documentation to the district election commission, without the proper seal (for example, precincts #5 and #35 of the Didube district, also precinct #9 of the Krtsanisi district, #62 of Gldani district – the logbooks were delivered without a seal; in precinct #4 of the Didube district the precinct election commission did not present the logbook at all. According to the commission members, they might have accidentally sealed the logbook with other documentation.)

Other Findings

The elections have once again demonstrated a number of legislative and practical problems, which must be resolved through systemic legislative and institutional changes. The changes must cover, among many others, the rules of delivering the electoral documentation to the district election commissions and the issue of improvement of the district election commission infrastructure, to allow avoiding chaos in the process of delivery of documents and inventory from the precinct to district level. This will ensure proper delivery of the documentation in one space. This will promote the transparency standard and will improve the possibility of observers to follow all steps of the process.

GYLA Observation Mission

The election administration, in most of the cases, properly responded to the remarks, made by GYLA observers and was fixing the procedural violations of the electoral legislation. Whenever the procedural problems were resolved following GYLA

observers' indication, they usually did not lodge the formal complaint anymore.

Overall, GYLA observers lodged over 100 complaints on the Election Day.

There were also cases, when the problem was resolved at a later stage, based on the complaint (advice from the upper election commission or GYLA).

GYLA continues monitoring of the vote count and dispute examination at the district level, of which we will inform the public shortly.

GYLA ☐ 2018 Observation Mission for Presidential Elections covered Tbilisi and 9 regions of Georgia: Imereti, Guria, Adjara, Samegrelo-Zemo Svaneti, Shida Kartli, Samtskhe-Javakheti, Kvemo Kartli, Mtskheta-Mtianeti, Kakheti and Tbilisi (**through 400 observers**).

Static observers are present at the 250 polling stations throughout Georgia. We observe the problematic precincts and adjacent territory across 33 districts through 50 mobile groups and 59 district observers.

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