

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## Evaluation of the Election Day 2018 Presidential Elections - Second Round

GYLA evaluates the Election Day of the Second Round of 2018 Presidential Elections held on November 28/2018, which GYLA observed with up to 300 observers in Tbilisi and 28 districts of 9 regions of Georgia.

Throughout the Election Day, GYLA observers have submitted total 78 complaints all around Georgia – including 36 complaints at the precinct level and 42 complaints at the district level. In addition, GYLA observers have made 35 remarks in logbooks.

According to GYLA findings, the Election Day was mostly peaceful, however, marked with significant violations and other important tendencies: facts of alleged falsification, vote bribery and threatening; separate cases of violation of the key principle of the elections – vote secrecy and facts of control over voters – will. At separate precincts, GYLA observers were limited in the possibility to perform observer duties, as there were facts of aggression and threat of physical assault against GYLA observers – during both the voting process, as well as during the vote count process.

During the vote count summation process □ procedural violations were revealed in separate precincts. Overall, the vote count and summary process were calm □ except precinct #59 of Marneuli district.

By now, GYLA continues observation of the post Election Day processes (GYLA is examining the summary protocols of the precinct election commissions and is observing the vote summation processes in the upper district election commissions). GYLA is also observing the process of adjudication of complaints submitted by other stakeholders, submitted during both I and II rounds of the 2018 presidential elections. GYLA will present the summary monitoring report after the completion of those processes.

The key violations revealed by the observation mission:

#### **Attempts of alleged falsification and repeated voting:**

- Alleged falsification – precinct #49 of Marneuli district;
- Attempts of repeated voting - precincts #11 of Tsalenjikha district and #7 of Ozurgeti district;
- Voting without the inking examination procedure □ precincts #48, #13 and #11 of Marneuli district;

#### **Alleged vote bribery:**

- Two facts of alleged vote bribery □ precinct #15 of Khobi district (adjacent territory).

#### **Alleged threatening:**

- Alleged case of threatening against the precinct election commission member □ precinct #21 of Zugdidi district;

#### **Violation of vote secrecy:**

- Voters leaving the voting booth were showing their unfolded ballots to various observers and/or commission members on their way to the ballot box (precinct #1 of Akhalkalaki, #4 and #12 of Akhmeta, #19 of Gurjaani, #15 of Tsalenjikha, #53 of Zugdidi districts);
- Two facts of photographing have occurred in the precinct #4 of Akhalkhalaki district.

### **Alleged facts of control over voters' will and voter mobilization:**

- The tendency of control over voters will has continued at the adjacent territories of the polling stations, when voters coming to the polling station were counted/mobilized. This type of violations were revealed at the precincts #79, #80, #81 of Gldani district, #37, #38, #40 of Nadzaladevi district, #7, #9, #32, #34, #39 and #40 of Samgori district, #3 of Krtsanisi district, #15 of Tsalenjikha district, #73 and #106 of Zugdidi district, #49 of Dusheti districts.
- Facts of mobilizing voters with the transportation were revealed in separate precincts of the Dusheti district, also near the precincts #14 and #15 of Khobi districts. At the same time, voter mobilization was revealed in the residential house near the precinct #15 of Khobi district.

### **Facts of attempted interference, aggression and physical assault against GYLA observers:**

- Interference in the observer work of GYLA (observer precinct #62 of Isani district);
- Aggression and attempts of physical assault (precinct #20 of Akhalkalaki district, #65 and #49 of Marneuli district and #98 of Kutaisi districts);
- Driving out the observer of GYLA from the precincts #1 and #15 of Gurjaani districts.

### **Vote count and process of vote summary:**

- According to the information spread in media, confrontation has occurred outside

the precinct #59 of the Marneuli district; GYLA continues examining the case and will provide the information to the public shortly;

- Lack of registrar [ ] signature has caused annulment of 19 ballots in the precinct #10 of the Tsalenjikha district. Of those ballots, in two cases, ballots indicated [ ]A as their choice and in the remaining 17 cases [ ] [ ]A GYLA observer has requested to impose disciplinary sanction towards the registrar;
- 5 ballots were annulled in precinct #2 of Gardabani district, despite the fact that the voter [ ] will was clearly visible; GYLA observer has requested vote re-count and imposing disciplinary responsibility towards the relevant members of the commission;
- The precinct election commission chairperson of the precinct #98 of Kutaisi district [ ] Inga Ashvetia, was gravely violating the norms of ethics of a commission member during the vote count; specifically, each time she saw the ballot with [ ] A circled on it, she openly expressed exclamations of joy/satisfaction. GYLA observer has pointed out the violation, after which the commission chairperson has expressed threats, verbal insults and even an attempt of physical assault;
- The logbooks were delivered unsealed to the district election commissions from the following precincts: #13 of Chughureti, #43 and #48 of Isani, #10, #12, #19, #32, #58, #103 of Gldani district. Also, logbooks were improperly sealed in precincts #21 #34, #69, #81 of the Gldani district;
- The stamp of the precinct #9 of Isani district arrived to the district election commission unsealed.

### Other tendencies:

- Formation of the voters [ ] list of the mobile ballot box (the number of voters registered in Dusheti exceeded by 3% the number of voters registered in the same district [ ] on 11 out of 50 precincts in Dusheti district; precincts #41 and #43 of Batumi district and #42 of Kobuleti district);
- Violation of observation neutrality by the representatives of a number of observer organizations (control over voters [ ] will in precinct #4 of Akhmeta district, #19 of Gurjaani and #65 of Marneuli district); voter mobilization in precinct #43 of Gardabani district, registering unauthorized individual to

represent the observer organization (precinct #86 of Samgori district);

- GYLA positively evaluates the prompt reaction of the Ministry of Internal Affairs to the GYLA request. Specifically, MIA sent the groups to the precinct #58 of Gardabani district and #20 of Akhalkalaki district to prevent the potential escalation.

### **GYLA Observation Mission on the Election Day**

On November 28/2018, Georgian Young Lawyers Association (GYLA) was observing the Second Round of Presidential Elections in Tbilisi and 9 regions of Georgia – Kakheti, Mtskheta-Mtianeti, Kvemo Kartli, Shida Kartli, Samtskhe-Javakheti, Samegrelo-Zemo Svaneti, Guria, Imereti and Adjara (through 300 observers).

Static observers were deployed throughout Georgia in 170 polling stations. Furthermore, through 57 mobile groups and 46 district observers, we are observing problematic polling stations and their adjacent territory in 28 electoral districts.

Based on GYLA's observation experience, we will pay special attention to the following:

- Polling stations, revealed to be problematic during the previous elections (those polling stations were identified through GYLA observation during the previous elections);
- The districts, where ethnic minorities and Internally Displaced Persons are densely settled;
- The developments around the polling stations and the actions of law-enforcements (enforcement of the decree of the Minister of Internal Affairs);
- Inclusiveness of the electoral environment – among others, towards persons with disability, ethnic minorities, and realization of their political-electoral rights. GYLA also prioritizes the research of women's electoral engagement.

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On the election day, GYLA has operated a special hotline (032 2 18 26 30), through which citizens had possibility to receive consultations regarding the voting procedures. GYLA has also consulted journalists and media organizations on electoral procedures, election day violations and methods to respond to them – they also had a possibility to inform us of the violations they revealed on the election day.

On the election day, GYLA – electoral-analytical database has gathered information in real time and analyzed it – through the information, uploaded by observers and analysts throughout entire Georgia.

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