



GYLA and the International Society for Fair Elections and Democracy Release a Statement about the Developments in Local Self- Governments

Georgian young Lawyers' Association and the International Society for Fair Elections and Democracy once more respond to the developments in local self-governments following the elections and express their concern over illegal dismissals of public servants from municipalities.

This time, important problems were identified in Gurjaani Municipality , where, apparently, public servants are dismissed by exerting pressure openly or in secret. Newly appointed officials are acting ultra vires, disregarding stipulations of law.

A clear example of the foregoing practice is Deputy Gamgebeli Mr. Zurab Danelishvili openly expressing his position on TV (Power to the Powerless TV program broadcasted on Gurjaani TV) and saying that is deciding about matters of HR based on his moral principles, as opposed to stipulations of law and he intends to continue to do so. "...This would mean that I, a public servant, should be guided by some provisions of law; this would mean that I, a robot, a machine, should look into individual provisions of law when making decisions..." According to the Deputy Gamgebeli, he was trying to persuade village trustees to realize the moral responsibility and resign willingly. The Deputy Gamgebeli openly stated that he instructed one of the department heads to have his three employees write letters of resignation for personal reasons.

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Further, the video footage released Kakheti Information Center on February 7 clearly shows [Zurab Danelishvili demanding Nino Kakhaberi, specialist of Chandari territorial agency, to resign](#). Nino Kakhaberi confirmed in private conversations with coordinators of GYLA and ISFED that she had been subjected to physiological pressure.

Apparently, Gamgeoba of Gurjaani Municipality does not take a particular interest in qualifications of newly appointed servants, who are not required to submit any official document certifying their qualifications. For instance, following GYLA's request of public information it turned out that most of the forty-six public servants recently employed in Municipality Gamgeoba have not submitted any such official document or employers have not requested them to do so. Either way, it is clearly a problem.

GYLA and ISFED call on all public officials once more to act in compliance with the principle of the rule of law and refrain from acting beyond their power. When making decisions about dismissal of employees or any other issues, public officials must be guided by stipulations of the Georgian legislation, which is their direct obligation. Those who are unable or refuse to duly realize these obligations should not be in public service.

Further, we call on the authorities to launch a probe in the foregoing cases and take appropriate measures for preventive discrimination on political grounds, for protecting human rights and the rule of law. Any illegal actions (pressure, threats, intimidation...) that may be perpetrated by or against self-government agencies or their employees, should be investigated in a timely, effective and objective manner, and be acted upon where appropriate.

Both GYLA and ISFED continue monitoring of the developments around local self-governments. Anyone who believes that his/her rights have been violated or there is a risk of violation, should apply to central and regional offices of the organizations.