

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA and Transparency International - Georgia Release a Statement on New Regulations in the Law of Georgia on Political Unions of Citizens

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Recently new regulations in the Law of Georgia on Political Union of Citizens adopted by the parliament have been discussed. As questions about the topic still remain, we would like to draw public attention to the procedures that were followed in the process of adoption of the Law.

We believe that the law on changes in the law on Political Unions was adopted by the parliament in violation of the procedures prescribed by the Regulations. Article 2 of the law (obligation of political unions and entities that are directly or indirectly affiliated with them to return unspent donations that they have received in violation of the law to their provider) was inserted in the draft law following the third committee reading, which constituted violation of the Regulations of the Parliament of Georgia. Under para. 4 of Article 155 of the Regulations, “at the third reading of the draft law, only editorial corrections shall be adopted”.

Furthermore, the formulation of Article 2 of the draft law as presented during the third reading is different from the one posted on the official website of the Legislative Herald of Georgia, which creates ambiguity in view of the fact that MPs have not expressed any comments about the content and the formulation of the Article.

Hereby, we would also like to note that we have the version of the draft law published on December 29, 2011 at around 15:30 on the official website of the Legislative Herald, where Article 2 is formulated as follows: “political unions of citizens and entities envisaged in para. 6 of Article 1 and defined by para 1 of Article 261 of this Law, who have received funding in violation of legal requirements and have not spent the funds by the time of coming into force of this Law, shall return the noted funds within no less than three calendar days after coming into force of this Law to the provider. In an event of failure to fulfill the obligation, the funds will be transferred into the ownership of the State.”

As of now, this is the wording of Article 2 in the law on changes in the Law of Georgia on Political Unions of Citizens published on the official website of the Legislative Herald, meaning that there were no changes made to the wording of the Article after 15:30 on December 29.

Therefore, it is important for public to know at which stage the wording of the Article underwent changes. We call on the Parliament of Georgia to publish that version of the new regulations introduced in the Law on Political Unions of Citizens which was

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voted on at the third reading and sent to the President of Georgia for signature.