

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA Welcomes Making of Decision on Registration of Giorgi Glunchadze, an Independent Candidate, by Kharagauli N48 District Election Commission

On August 10, 2012, an initiative group of voters submitted necessary documentation in Kharagauli District Election Commission (DEC) for registration of an independent

majoritarian candidate - Giorgi Glunchadze, including list of voters supporting the candidate. Having invalidated some of the signatures on the list, the DEC gave a two-day term to the initiative group to fill the void. The initiative group presented signatures requested by the DEC. The same day, court delivered a decision based on the motion filed by Zestaponi District Office of the Prosecutor to seize lists of voters supporting Giorgi Glunchadze and related documents from the DEC. On August 16, 2012, statement of Kharagauli DEC N48 was published on the website of the Central Election Commission (CEC), saying that registration of an independent candidate Giorgi Glunchadze had been suspended for an indefinite period of time, due to the fact that originals of documents necessary for registration of the candidate had been seized from the Commission.

GYLA believes that in the present case relevant agencies should have been guided by para.3 of Article 78 of the Criminal Code of Georgia, stipulating that "if a document seized or enclosed to a criminal case is necessary for an ongoing registration, reporting and other legitimate objective, the document or its copy can be returned to its legal owner or given for a temporary use." Fulfillment of the obligation of an administrative agency - the District Election Commission - by making a decision about registration of a candidate certainly amounts to the legitimate objective.

In its public statements made through media, GYLA applied to Kharagauli DEC N48 a number of times, calling the Commission to request immediate return of the document seized, and calling the investigating authorities to immediately submit the documents to the DEC. GYLA reported the issue to the Inter-Agency Task Force for Free and Fair Elections (IATF). To the best of our knowledge, GYLA's recommendation has been taken into account. Yesterday, on August 21, documents necessary for registration of the candidate were returned to the DEC, whereas on August 22, based on the documents the DEC made a decision to register an independent candidate, Giorgi Glunchadze.

We would like to reiterate that putting the right of Georgian citizens to run in parliamentary elections at risk by any artificial reason is unacceptable. GYLA welcomes the decision of Kharagauli DEC and the office of the prosecutor made in compliance with the Georgian legislation and allowing an independent candidate,

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Giorgi Glunchadze, to realize his passive electoral right.