

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA statement regarding the competition for selection of Precinct Election Commissions' members

Recently media have reported about intentions of possible improper interference in the process of staffing of Precinct Election Commissions (PCE) and completing commissions with persons associated with ruling party.[\[1\]](#)

Georgian Young Lawyers' Association studies carefully the media information regarding this issue (and legitimacy of gathering and dissemination of this information), and furthermore will monitor the process of competitions and will provide the society with comprehensive, factual and legal assessment regarding the

mentioned process.

But before that we would like to emphasize the following:

- From September 1, 2017 to September 5, 2017, the competition for selection of Precinct election commissions' members will be held in PECs. Precinct Commissions are staffed with members appointed by political parties as well as on professional basis (7 members appointed by parties and 6 members on professional basis). Accordingly, it is important **that independent, competent staff with quota of members on professional basis is selected within the commission and not persons associated with or loyal to any political party.**

- Filling quota of members on professional basis with politically non-neutral persons threatens and questions trust of society towards the election administration. Additionally, similar practice, that was observed on number of previous elections, including 2016 Parliamentary elections, directly contradicts purpose and aspiration of the legislation and should be eliminated.^[2]

- Therefore, process of selection of members of PECs should be conducted openly and transparently and objectivity and openness of the process and impartiality during decision making will be ensured.

Here, we would like to note once more that possibility of implementation of such vicious practices is significantly supported by defective legislative base; GYLA and partner observer organizations have been discussing the necessity of reforming of the base for many years.^[3] Regardless, rather than eliminating the problem this year, the amendments were made to the Election Code of Georgia and not only these amendments cannot solve the mentioned problems but also create additional challenges in terms of maintaining political neutrality of the election commission and confidence of public towards the administration.^[4]

Georgian Young Lawyers' Association urges:

District Commissions:

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- To conduct selection process of precinct commission members openly and transparently, ensuring objectivity and impartiality during decision making;
- Select only independent, with credible reputation and highly qualified personnel during the selection process of PEC members;

Central Election Commission

- To pay particular attention to ongoing process and provide the society with information regarding competition and results;
- Furthermore, to study and respond within the competence on the revealed facts of alleged improper interference in the process of stuffing PECs;
- To continue works on improvement and refinement of regulations of conducting competition for selection of members of election commission, in order to ensure that the best candidates are chosen among the participants of the competitions. [5]

Parliament of Georgia:

- To initiate discussion and conduct fundamental reform of legislation regulating staffing of election administration within the frameworks of which higher bodies (CEC, DEC) will be staffed on professional basis with apolitical and independent members.

[1] <http://rustavi2.ge/ka/news/83523>

[2]

[https://gyla.ge/files/news/2008/%E1%83%90%E1%83%A0%E1%83%A9%E1%83%94%E1%83%95%E1%83%96%E1%83%97%E1%83%98%E1%83%99%E1%83%A1%E1%83%A2%E1%83%A3%E1%83%A4%E1%83%A5%E1%83%A6%E1%83%A7%E1%83%A8%E1%83%A9%E1%83%AA%E1%83%AB%E1%83%AC%E1%83%AD%E1%83%AE%E1%83%AF%E1%83%B0%E1%83%B1%E1%83%B2%E1%83%B3%E1%83%B4%E1%83%B5%E1%83%B6%E1%83%B7%E1%83%B8%E1%83%B9%E1%83%BA%E1%83%BB%E1%83%BC%E1%83%BD%E1%83%BE%E1%83%BF](https://gyla.ge/files/news/2008/%E1%83%90%E1%83%A0%E1%83%A9%E1%83%94%E1%83%95%E1%83%96%E1%83%97%E1%83%98%E1%83%99%E1%83%A1%E1%83%A2%E1%83%A3%E1%83%A4%E1%83%A5%E1%83%A6%E1%83%A7%E1%83%A8%E1%83%A9%E1%83%AA%E1%83%AB%E1%83%AC%E1%83%AD%E1%83%AE%E1%83%AF%E1%83%B0%E1%83%B1%E1%83%B2%E1%83%B3%E1%83%B4%E1%83%B5%E1%83%B6%E1%83%B7%E1%83%B8%E1%83%B9%E1%83%BA%E1%83%BB%E1%83%BC%E1%83%BD%E1%83%BE%E1%83%BF%E1%83%90%E1%83%91%E1%83%92%E1%83%93%E1%83%94%E1%83%95%E1%83%96%E1%83%97%E1%83%98%E1%83%99%E1%83%A1%E1%83%A2%E1%83%A3%E1%83%A4%E1%83%A5%E1%83%A6%E1%83%A7%E1%83%A8%E1%83%A9%E1%83%AA%E1%83%AB%E1%83%AC%E1%83%AD%E1%83%AE%E1%83%AF%E1%83%B0%E1%83%B1%E1%83%B2%E1%83%B3%E1%83%B4%E1%83%B5%E1%83%B6%E1%83%B7%E1%83%B8%E1%83%B9%E1%83%BA%E1%83%BB%E1%83%BC%E1%83%BD%E1%83%BE%E1%83%BF) page22

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<https://gyla.ge/files/news/gamocemebi2012->

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[3] <https://gyla.ge/ge/post/proeqtis-saarchevno-kanonmdeblobis-gaumjobeseba-shemajamebeli-konferencia#sthash.9h4gVvls.dpbs>

[4] <https://gyla.ge/ge/post/arasamtavrobo-organizaciebis-mosazrebebi-saqartvelos-organul-kanonshi-saqartvelos-saarchevno-kodeqsi-shesatan-cvlilebebze#sthash.HIQQhYao.dpbs>

[5] <http://www.osce.org/ka/odihr/elections/georgia/299306?download=true>