

საკონსტიტუციო სასამართლოს
გადაწყვეტილების სრულყოფილად
აღსრულების მიზნით საია პარლამენტს
საკანონმდებლო წინადადებით
მიმართავს

GYLA PRESENTS A LEGISLATIVE PROPOSAL TO THE PARLIAMENT FOR COMPREHENSIVE EXECUTION OF THE CONSTITUTIONAL COURT'S DECISION

The Constitutional Court of Georgia, in its decision №1/5/1271 of 4 July 2019 into the case "*Besik Katamadze, Davit Mzhavanadze and Iliia Malazonia v. Parliament of Georgia*," [found unconstitutional](#) the normative content of the words "also placing posters, slogans, banners in the places that are not allocated for this purpose" in Article 150(1) of the Administrative Offences Code of Georgia that excluded the possibility of putting up posters, slogans, banners by the owner or with the consent of the owner of a residence temporarily for a short period during a spontaneous protest manifestation in the places not allocated for this purpose in relation to the first sentence of paragraph 1 and paragraph 5 of Article 17 of the Constitution of Georgia.

Although the Constitutional Court of Georgia has found the aforementioned normative

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



content of Article 150 (1) of the Administrative Offences Code of Georgia unconstitutional, the above provision only regulates the distortion of the appearance of a building of a self-governing unit and does not apply to the territory of Tbilisi, to which Article 150²(1) with the identical content shall apply. The provision reiterates Article 150 (1) and differs only in the jurisdiction and in a different amount of administrative fine.

Accordingly, GYLA considers that an amendment should be introduced to Article 150² of the Administrative Offences Code of Georgia in accordance with the principles laid down in the decision №1 /5/1271 of the Constitutional Court delivered on July 4, 2019 to stipulate that paragraph 1 of the above Article shall not apply to posters, slogans and banners placed by the owner or with the consent of the owner of a residence in the course of a spontaneous protest manifestation for a short period and temporarily.