



Second Round of the Elections of the Mayors and Gamgebelis: Evaluation of the Election Day

From the date of its establishment in 1994, GYLA actively observes the elections of the legislative, executive and local self-governments and aims to support conducting the elections in a peaceful, fair environment and to support a steadfast protection of the legislation of Georgia during the electoral processes.

GYLA observed the second round of the June 15/2014 Local Self-Government Executive Body Elections (elections of the self-governing city and community mayors and gamgebelis) in Tbilisi and in the 13 electoral districts through up to 400 observers.

Despite some violations, the electoral process was mainly conducted in a peaceful environment.

In most of the cases, the election administration has adequately responded to the remarks made by GYLA observers and has resolved the procedural problems (violations of the legislation). In case of resolving the problem, as a rule, GYLA observers do not further write complaints.

In separate cases, the facts of physical and verbal confrontation among the supporters of the electoral subjects have occurred at the adjacent territory of the polling stations. GYLA is not aware of whether those facts were adequately responded to, due to which we call upon the law-enforcement bodies to provide the public with the additional information on each of the such cases.

According to the information provided by our observers, in a number of cases, both in Tbilisi and in the regions, the representatives of the electoral subjects were present at the adjacent territories of the polling stations; those representatives counted the number of the arriving voters. According to the information, provided by the GYLA observers, the representatives of the electoral subjects have also provided the transportation for the voters.

Although, counting the arriving voters is not directly prohibited under the law, such facts might represent an indirect control over the voters' will. Voter has right, guaranteed under the legislation – to make a decision independently, free of any direct or indirect impact, on who to vote for, or whether to participate in the elections at all. This problem was discussed by GYLA for years, and we hope that proper legislative amendments will be introduced to resolve this problem prior to the next elections.

GYLA observers have submitted 43 complaints and made 34 remarks in the logbooks. The complaints related to the following violations:

- Violations relating to the casting of lots – **3** cases;
- Violations relating to the control sheets – **18** cases;
- Limitation of the observer's right – **2** cases;
- Improper implementation of the duties by the commission members – **4** cases;
- Voting through improper/invalid documentation – **2** cases;
- Problems relating to the voters' lists – **3** cases;
- Giving out the ballots incorrectly (giving out too many ballots, giving out the ballots without making a signature in the voters' list, giving out the ballots without a stamp and/or a signature) – **4** cases;
- Voting by an unauthorized person – **1** case;
- Violation of the vote counting procedures – **4** cases;
- Improperly filling out the summary protocols – **2** cases.

GYLA observers have also made the remarks in relation to other violations as well. Majority of the violations were eliminated following the remarks by GYLA observers.

During the vote count and the vote summarizing at the precinct #6 of the Isani district, GYLA observers were not given the possibility to observe the vote count and

later – to submit the complaint. With the assistance from the CEC (the Central Election Commission), the observer was given the possibility to resume the observation. However, this violation requires an additional examination and response by the electoral administration.

Due to the significant violations, GYLA observers requested invalidation of the results at the precinct #21 in Martvili district.

Based on the complaints submitted by GYLA observers, the results of the mobile box voting at the precinct #20 of the Telavi district and at the precinct #60 of the Saburtalo district were invalidated.

After summarizing the elections is completed GYLA will present the comprehensive report, in which the elections will be analyzed in entirety –the pre-election period, election day, complaint consideration and the process of summarization of the results. Based on that report GYLA will address the electoral administration and the government with the recommendations to ensure that the elections are conducted in a more democratic, free and fair environment.

The observation of the second round of the June 15/2014 Local Self-Government Executive Body Elections (elections of mayors and gamgebelis of the self-governing cities and communities) was made possible through the financial support of the “Open Society – Georgia Foundations” (OSGF). The opinions expressed in the statement belong to the “Georgian Young Lawyers’ Association” and might not reflect the views of the donor organization.