

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



The violations and tendencies outlined during the pre-election period

GYLA continues to monitor 2016 Parliamentary Elections of Georgia. On this stage, we would like to draw the attention of society to violations and tendencies outlined in current period, during pre-elections process, that took place in different regions of Georgia and that, besides being violation of Election Code of Georgia, can negatively affect free, peaceful and equal elections environment.

Outlined violations and tendencies:

1. September 19, Irakli Kobakhidze, Executive Secretary of "Georgian Dream" made a statement regarding the activists of "National Movement" entering office of

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Levan Gogichaishvili, Majoritarian MP Candidate of “Georgian Dream” early in the morning on September 19, two activists out of them being the members of Sevdia Ugrekhelidze election staff. According to Kobakhidze, the mentioned persons were wearing “Georgian Dream” t-shirts and were armed with guns. Their aim of this act was video capturing to show that people with criminal mentality are gathering in the election staff of “Georgian Dream”. Executive Secretary of “Georgian Dream” also stated that activists that were on place at that time called for police and the [police examined the situation on ground](#).

On the same day, Sevdia Ugrekhelidze, Majoritarian MP Candidate of “National Movement” for Saburtalo region responded on the mentioned statement and assessed it as a false accusation. Sevdia Ugrekhelidze [stated](#) that the mentioned persons are dismissed from election staff and at the moment of abovementioned act they had no connection with “National movement”.

Later, media [reported](#) that Ministry of Internal Affairs of Georgia started investigation of this fact under Article 236, part 2, illegal purchase, possession, carrying of gun, however no official statement was made by MIA regarding this issue.

1. On September 13, representatives of initiative group of Irakli Okruashvili, Gori Majoritarian MP Candidate, delivered different types of food to residents of building 11, 13 and 15 in Gori, Shindisi highway. It is noteworthy that before delivering the products, Irakli Okruashvili, Gori Majoritarian MP Candidate had meeting with residents. Mamuka Nozadze, Majoritarian MP Candidate of “Patriotic Alliance – United opposition” for Gori, appealed to Prosecutor’s Office regarding this fact and according to [media information](#). One of the residents confirms the fact of delivering the products.

1. September 18, “Color festival” took place in Poti with funding of Otar Kharchilava, Majoritarian MP Candidate of Poti from political party “National Forum” and with initiative of youth wing of the mentioned party [according to](#)

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. Photos and information regarding the abovementioned event were also posted on candidate's agitation [facebook page](#).

Colored powders were free on the festival and were available to anybody. Adults and children were participating in the festival. Event organizers (representatives of youth wing of Otar Kharchilava, Majoritarian MP Candidate) were wearing agitation t-shirts. The Candidate himself was also participating in the event.

1. Also, according to media information, [flyers were distributed in Poti streets](#) for several days, according to which youth wing of Otar Kharchilava, Majoritarian MP Candidate of political party "National Forum" invites youth of Poti 17 to 30 years old, to participate in different recreational activities (excursion, karaoke, photo-sessions etc.) The article indicates that "National Forum" covers all costs.
1. According to information received from different sources by GYLA, political parties are recording personal information of voters (name, surname, personal ID number); however, they do not explain the aim of gathering this kind of personal information. The most significant is the fact that target groups for the mentioned persons are socially vulnerable citizens, representatives of ethnic minorities and refugees.

It is noteworthy that name, surname and personal ID number is personal information and can only be processed with consent of the subject.

Gathering personal data of citizens implies the dangerous tendency of indirect influence on voters will, that is most significant when the data subjects are socially vulnerable, representatives of ethnic minorities and refugees.

1. Furthermore, according to information provided to GYLA monitors, one of the representatives of local self-government tasked all the employees of non-commercial legal entity for each of them to bring 10 supporters on Parliamentary elections on October 8, 2016 and before that even bring the copies of the IDs.
1. [According to information](#) published in Guria News, Bela Shatirishvili, representative of Chokhatauri Municipality Gamgebeli participated in pre-elections campaign held in administrative entity of village Shua Amagleba during the working hours.

In order to held elections in peaceful, competitive and free of violence environment we urge state agencies and electoral subjects with recommendations, namely:

Ministry of Internal Affairs:

Ensure timely and thorough investigation of all those facts or alleged violations related to elections process that are under their competence in accordance with law. It also is important that the Ministry of Internal Affairs of Georgia conduct investigation of all facts that has taken place recently and pays special attention to cases that may contain different types of threat, coercion, intimidation or violence and can pose a threat to conducting pre-election processes in peaceful environment.

Audit Office and Elections Administration:

Study the circumstances described above within their competence and take proper legal actions;

Inter-Agency Commission for free and fair elections:

Study alleged facts of violation of Election legislation of Georgia by public servants and develop proper recommendations;

Representatives of local self-government:

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Maintain political neutrality and do not exceed the scope of authority granted to them by law;

Personal Data Protection Inspector:

Do not allow violation of requirements of the Law of Georgia on Personal Data Protection and take appropriate actions, within its competence, considering principles of Inspector's activities.

Election subjects, representatives of Parties and activists:

Refrain from any kind of provocation and violent actions and facilitate conducting pre-elections period in accordance with legal norms and standards.

Citizens:

You have rights, not to give out personal data, **and representatives of political parties, public servants do not have rights to force you on giving out information of this kind.**

In case of revealing elections violation, please write us on GYLA web page:
<https://gyla.ge/ge/contact>

Also, you can visit GYLA Tbilisi Central and regional offices: Adjara (Batumi), Guria (Ozurgeti), Imereti (Kutaisi), Kvemo Kartli (Rustavi), Kakheti (Telavi), Samegrelo (Zugdidi), Mtskheta-Mtianeti (Dusheti), Shida Kartli and Samtskhe Jabakheti (Gori) <https://gyla.ge/ge/mod/regions>

GYLA continues monitoring mission of October 8, 2016 elections and will provide society with monitoring outcomes.