

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



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The 2nd Round of the 2018 Presidential Elections: Election Day Observation Results by 14:00

By 14:00, GYLA observers have revealed one case of threatening against precinct election commission member, one case of alleged bribery, also facts of violation of vote secrecy and alleged control over voters □ will, in addition to interference in GYLA observers' rights.

Interference in the rights of observers

- **Gurjaani precincts #1 and #15** □ interference in GYLA observers □ rights □ they were driven out of the polling station;
- **Marneuli precinct #49** □ precinct election commission member from Georgian Dream – Eldar Gajiev has attempted physical assault against GYLA observer;
- **Isani precinct #62** □ precinct election commission chairperson did not allow GYLA observer to perform their duty, did not show the logbook to the observer and has limited their possibility to freely observe the electoral processes. In addition, the chairperson has refused to review the observer □□ complaint. GYLA observer has addressed the district election commission, requesting administrative responsibility of the precinct election commission chairperson.

Despite the CEC warning towards district election commissions to avoid interfering in the rights of observers (in relation to observer certificates), observers were requested to present the new observer certificates - GYLA observer was not allowed to enter the polling station in **Batumi precinct #73**. Later on, following the communication between the CEC and the district election commissions, GYLA observers were allowed to enter the precincts.

Alleged threatening case

Outside **the precinct #21 of Zugdidi district**, two drunk individuals in the yard were threatening to physically harass the precinct election commission member from the United National Movement. The chairperson has called the police. The situation is resolved at the moment.

Alleged vote bribery case

According to GYLA observer, two cases of alleged vote bribery have occurred at the adjacent territory to **the precinct #15 of the Khobi district**. According to GYLA observer, in both cases, money was given away by the same person – in first case, 20 GEL in second case – the amount is unknown.

Voting through mobile ballot box

At **the precinct #54 of the Tskaltubo district**, the mobile ballot box has returned to the polling station without the seal.

Presence of unauthorized persons at the polling station

- The Georgian Dream member of Parliament – Shota Khabareli was present at **the precinct #86 of Samgori district**, under the observer status. Khabareli is registered as an observer under the NGO – and Lawyers – International Observatory. This is the violation of the electoral legislation. According to the Election Code, the state-political official (as defined under the Public Service Law) has no right to be the observer of the observer organization. GYLA is addressing the CEC to terminate the observer status of Shota Khabareli.
- Presence of police was detected on **the precinct #84 of the Zugdidi district**. After GYLA pointed out the violation, police has left the polling station.

Control over voters' will at the adjacent territories to the polling stations

By now, GYLA observers have revealed two new facts of the violation of vote secrecy: the voters were showing their choice on the ballot to different organization observers and/or precinct election commission members, as they were leaving the voting booth and heading towards the ballot box:

- **Precinct #53 of Zugdidi district** □ two voters leaving the voting booth were carrying ballots in unfolded manner, showing their choice to the observers;
- **Precinct #70 of Akhalkalaki district** □ observer from organization □ and Lawyers □ International Observatory A □ Avghan Akopyan was showing to voters some kind of unknown information in his phone, prior to voters heading to the voting booth;
- **Precinct #4 of Akhalkalaki district** □ two voters photographed inside the voting booth;
- There were also facts of mobilizing voters in micro-buses in **precincts #14 and #15 of Khobi district**. At the same time, voter mobilization is revealed in the house nearby the precinct #15;
- At the territory, adjacent to **precincts #73 and #106 of Zugdidi district**, there are unidentified individuals, who are registering the voters coming to the polling station and indicating their choice;
- A fact of voting through the outdated ID card was revealed on **precinct #13 of Tkibuli district**;
- The crowd is visible at the adjacent territory to **precincts #7 and #9 of Samgori district**, where cars are mobilized;
- In **the precinct #49 of Dusheti district**, the individuals sitting in the car are counting the incoming voters.

- At the adjacent territory of **the precincts #3 of Samgori and #34, #39 and #40**
- **of Samgori district** the incoming voters are also being counted.

Violation of inking procedure

Inking examination procedure is not being conducted at **the precincts #48, #13 and #11 of Marneuli district.**

Other procedural violations

- **Precinct #31 of Gardabani district** is located in the open space. For this reason, there are no working conditions arranged. According to the commission members, municipality did not provide a building for accommodating the precinct election commission.

- At **the precinct #65 of Marneuli district**, the voter was followed by unauthorized person into the voting booth □ the observer of □□□□□ Earth A□ Following GYLA remark, the chairperson has resolved the problem.

At this stage, GYLA observers submitted total 34 complaints, of those 21 □ to the precinct election commissions and 13 □ to the district election commissions.

GYLA Observation Mission on the Election Day

On November 28/2018, Georgian Young Lawyers □ Association (GYLA) is observing the Second Round of Presidential Elections in Tbilisi and 9 regions of Georgia □ Kakheti, Mtskheta-Mtianeti, Kvemo Kartli, Shida Kartli, Samtskhe-Javakheti, Samegrelo-Zemo Svaneti, Guria, Imereti and Adjara (through 300 observers).

Static observers are deployed throughout Georgia in 170 polling stations.

Furthermore, through 57 mobile groups and 46 district observers, we are observing problematic polling stations and their adjacent territory in 28 electoral districts.

Based on GYLA's observation experience **we will pay special attention to** the following:

- **Polling stations, revealed to be problematic during the previous elections** (those polling stations were identified through GYLA's observation during the previous elections);
- **The districts, where ethnic minorities and Internally Displaced Persons are densely settled;**
- **The developments around the polling stations and the actions of law-enforcements** (enforcement of the decree of the Minister of Internal Affairs);
- **Inclusiveness of the electoral environment** – among others, towards persons with disability, ethnic minorities, and realization of their political-electoral rights. GYLA also prioritizes the research of women's electoral engagement.

GYLA will hold two more Press Conferences throughout the day in NGO Media Center (address - Shalva Dadiani #2/1). Press Conferences will be held on November 28 on following times: 18:00, and 21:00. On November 29, GYLA will hold the Election Day evaluation Press Conference at 12:00.

The observation mission for the presidential elections was made possible through the financial support of the National Endowment for Democracy (NED), US Agency for International Development (USAID), Norwegian Embassy in Baku, British Embassy in Tbilisi, National Democratic Institute (NDI), and Open Society Georgia Foundations (OSGF). The opinions expressed in this statement belong to GYLA and might not reflect the views of the donor organizations.