

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA Responds to the Draft of the Constitutional Law on Increase of Seats in Parliament and to the Processes Related to its Consideration

On November 8, 2011, 83 Georgian MPs proposed draft of the constitutional law increasing seats in parliament from current 150 to 190.

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The Constitution of Georgia stipulates that for partial revision of the Constitution, it is necessary to set up an organizational commission for public discussion of the draft law. The commission should examine all relevant materials within one month before Parliament considers the draft.

On November 11, 2011, Parliament of Georgia adopted a resolution on setting up a commission consisting of 28 members. GYLA is one of the members; however, we became aware of our membership only after the resolution was published. We remain hopeful that our membership in similar commissions will be coordinated with us first.

With regard to the noted draft we would like to inform public about the following:

1. GYLA once again reaffirms its position and assesses proposed Constitutional amendments as a negative step. According to the draft, number of seats in parliament will be increased from current 150 to 190, which would contradict outcomes of the November 2, 2003 referendum. The referendum demonstrated that most of the Georgian citizens support decrease of seats in parliament. Under the organic law of Georgia on Referendum, “decisions made in referendums shall be annulled or changed by means of a referendum only”.
2. As GYLA was incorporated in the composition of in the work of the commission, we intend to submit to the commission and its members GYLA’s written position and corresponding legal arguments concerning lawfulness and fairness of the Constitutional amendment as we expect that our arguments about unacceptability of the proposed Constitutional amendments will receive clear and public response.
3. GYLA intends to utilize all means available for keeping broad masses of public informed about legal position of GYLA. For effective realization of its intention, GYLA applies to the Commission to publish the schedule of future working meetings in a timely manner. Regrettably, during the latest consideration of Constitutional amendments, GYLA had no opportunity to get actively involved in the work of the Commission. We remain hopeful that we will be able to participate to the full extent in public discussions of the draft.