



# Results of the Election Day Monitoring as of 20:00

Georgian Young Lawyers' Association (GYLA) has been monitoring October 31, 2015 majoritarian by-elections in Martvili and Sagarejo.

Notably, certain distinctive characteristics set October 31 by-elections apart from other elections in Georgia as somewhat different. In particular:

- oThe by-elections were held amid a political boycott; most of the parliamentary and non-parliamentary opposition parties refused to partake in the elections;

- oit was characterized by low voter turnout but with a high level of engagement from central and local authorities in pre-election processes and on the Election Day;

- oSimilar to previous elections, unidentified individuals were observed outside polling stations, actively registering voters who had arrived at the polls and thus exercising indirect control over their free will.

The by-elections of October 31 illustrated yet again the need to reform the election legislation ahead of the 2016 parliamentary elections in a number of ways. For instance, the elections once again reminded us of flawed legal norms that regulate the so-called special polling stations. For many years GYLA had been urging the government to improve the regulations, in order to avoid any suspicions about manipulation of votes of special categories of voters (in this case, the military servicemen) by the ruling political force.

Below are procedural violations detected by GYLA's observers as of 20:00.

## Acts of confrontation outside polling stations

GYLA's observers reported acts of confrontation outside electoral precincts no.42 and no.20 of Sagarejo. For instance, supporters of majoritarian candidates from the Georgian Dream and the Alliance of Patriots clashed outside the electoral precinct no.42. Based on GYLA's observers, total of 7 people were involved in the incident. Although both acts of alleged violence occurred outside polling stations, such incidents create tension and interfere with peaceful administration of election processes. PEC

Chairperson called police to the scene of the incident outside Sagarejo electoral precinct no 20, to  
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# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



maintain order and avoid further confrontation.

GYLA released a special statement urging election stakeholders to refrain as much as possible from any kind of violence, to remain patient in anticipation of completion of polling process and tabulation of votes.

## Presence of unauthorized individuals outside polling stations

Presence of unauthorized individuals was reported outside electoral precinct no.2 of Martvili and electoral precincts no.14, no.15 and no.31 of Sagarejo. They were registering voters who had arrived at the polls, which constitutes indirect control of voters' free will and suggests the necessity to establish applicable legal regulations and introduce the notion of 'area outside a polling station' in the Election Code.

Mikheil Nachkebia, a majoritarian member of Martvili Sakrebulo from Village Martvili was present at the electoral precinct no.13 of Martvili wearing a badge of Martvili Newspaper. The issue is rather problematic, because in absence of applicable prohibitions, political officials are able to monitor the process as a representative of press and other media. The said incident illustrates a legislative gap that allows a member of Sakrebulo to participate in and monitor the process of elections as a representative of press and other media.

## Irregularities in filling out of control sheets

Control sheets filled out at electoral precincts no.3 and no.8 of Sagarejo and no.37, no.32 and no.20 of Martvili were missing information about place of registration of the first voter. GYLA's representatives filed subsequent complaints seeking imposition of disciplinary liability on PEC members concerned.

## Irregularities in setting up of polling stations

Voter lists at several electoral precincts in Sagarejo District had not been posted at a place visible and easily accessible to voters. In individual cases, voters who wished to verify their names on the list had to enter the polling room, which resulted in chaos at the electoral precinct (e.g. electoral precincts no.36 and no.40 in Sagarejo). The issue was resolved at electoral precinct no.36 after GYLA's observer intervened. GYLA referred the information to the Central Elections Commission for further actions. We believe that the election administration should address the issue, in order to enable voters to participate in polling without any obstacles and maintain order at polling stations.

## Failure to adequately fulfill obligations of a PEC member

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One of the registrars at Martvili electoral precinct no.13 tore out a ballot paper from a stack and tried to hide it.

A voter not inked before casting a ballot

At Martvil electoral precinct no.37 a voter cast a ballot without being inked first.

GYLA's observers have already filed 16 complaints and entered reprimands in election logbooks over the above incidents.

## Additional information

Up to 20 observers of GYLA are implementing Election Day monitoring, both statically and through mobile teams. Based on GYLA's past experience, the monitoring focuses on precincts that proved to be especially problematic in previous elections – the so-called special precincts and precincts set up in areas predominantly populated by ethnic minorities.

GYLA has been actively monitoring legislative, executive and local self-government elections in Georgia since the day it was founded in 1994, with the aim of promoting peaceful and fair administration of elections, and strict adherence to applicable election legislation.