

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA Submits its Opinion about Changes to the Electoral System of the Parliament of Georgia

A draft of new regulations has been initiated in the Parliament of Georgia for redrawing single-mandate districts, in order to provide equality of suffrage ahead of the 2016 parliamentary elections in Georgia. This is based on the decision of the Constitutional Court of Georgia on May 28th 2015.

Over many years, international organizations have been urging the Government of Georgia to redraw electoral districts to provide equality of suffrage. [1] However, this measure alone is inadequate to achieve a fair electoral system and environment in Georgia, because it fails to address all the challenges in the existing mixed electoral

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system (for instance, it fails to ensure that votes are translated into seats in a proportionate manner). Therefore, in order to solve the existing challenges, it is important to abolish the majoritarian component of the existing electoral system and hold parliamentary elections in 2016 under a proportional system.

The draft law introduces new boundaries for electoral districts, but without offering any clear and unambiguous criteria. It offers an uneven approach to solving the problem, while the explanatory note does not offer any sound justification for the proposed changes. This affects electoral districts with fewer voters. For instance, Mestia will maintain its current boundaries and keep the status of a single-mandate district, while the number of voters in Mestia are 8315; on the other hand, Kazbegi district with 5242 voters and Ambrolauri district with 11717 voters are merged with other electoral districts. As a result, both electoral districts will no longer have a majoritarian representative. [2] The above changes raise a number of suspicions about the legitimacy of the proposed redrawing of electoral districts, and about the circumstances that served as the grounds for making these decisions.

Notably, these changes have been planned and implemented without adequate citizen participation, in violation of international standards for revising boundaries of electoral districts. [3] In addition, it is highly likely that the splitting and merging of districts will confuse constituents and create additional barriers. This raises questions about the administration of electoral processes.

In light of the foregoing, we believe that the majoritarian component of the electoral system must be abolished ahead of the 2016 majoritarian elections. The government's initiative about redrawing electoral districts to ensure equal suffrage will be inadequate to address all the challenges in the electoral system; instead, it will result in the unreasonable spending of public finances.

Please see the document below for additional information about GYLA's opinion.

[1] Joint Opinion of Venice Commission and OSCE/ODIHR about the Draft Election Code of Georgia, December 19th 2011, p7.

[2] Kazbeti District will be merged with Dusheti and Tianeti Districts. They will all share one majoritarian representative. Similarly, Ambrolauri Municipality will be

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merged with Oni Municipality and both will share one majoritarian representative.

[3] Initial Report: OSCE Guidelines for democratic Elections. Part 3, p. 55