

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



The Georgian Young Lawyers Association responds to the President's decision regarding the appointment of elections

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In accordance with the Decree of the President of Georgia, Giorgi Margvelashvili, the upcoming parliamentary elections will be held on October 8, 2016. The said act of the President has already been sent to the Prime Minister for counter signature which determined that the Decree will enter into force from [August 8, 2016.\[f1\]](#)

The Presidential Administration has explained that the announcement of the election date six months earlier [serves to ensure a more predictable political environment and better planning of the election campaign](#). According to the Administration, the Decree's entry into force from August 8, 2016, aims at avoiding [multi-million lari expenses from the state budget](#).

However, the aforementioned arguments are devoid of legal substantiation. Specifically, the said decision creates a risk of postponement of the starting date of the election campaign unlawfully and artificially, as, according to the Election Code of Georgia, election campaign starts **immediately after the promulgation** of the legal act on the appointment of elections. **Therefore, the provision of the President's Decree that determines August 8 as the date of the act's entry into force contradicts the electoral legislation.**

It should also be noted that, according to the legislation, a number of regulations that are supposed to ensure fair and equal pre-election environment (e.g. the procedures of using administrative resources, rights and obligations of political parties) start to enter into force from the moment of promulgation of the legal act on the appointment of the elections. **Therefore, the uncertainty about the starting date of the election campaign may exert an essentially negative influence on the pre-election environment.**

We believe that the Government of Georgia should be guided by the powers determined by the [Law of Georgia on the Structure, Powers and Rules of Procedure of the Government of Georgia](#) and return the Decree to the President of Georgia with motivated remarks.

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[f1] აქ 2018 წელი წერია ქართულ ვერსიაში.