



**The mechanism of inspection was
presumably used in schools to exert
an influence on the electoral
environment**

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



The Georgian Young Lawyers' Association (GYLA) continues to study the issue of the conduct of inspection in Public School No. 6 of Zugdidi in 2018. At this point, we would like to provide the public with new information at our disposal, which is related to the inspection conducted by the Ministry of Education, Science, Culture and Sports (hereinafter referred to as Ministry A) in public schools in 2018 and raises well-founded doubts regarding the use of the inspection mechanism with the aim of exerting an influence on the electoral environment. In particular:

- **Inspection between the first and second rounds** □ According to the official information at the GYLA's disposal, in 2018 a total of 288 applications were registered at the Ministry with the aim of inspecting public schools, out of which the Ministry only conducted an inspection in 7 cases.[1] **It is noteworthy that 6 of the 7 inspections were conducted between the first and second rounds of the presidential elections of 2018, which amounts to more than 85% of all the inspections conducted in 2018.**

- **Formal proceedings that only took minutes to be completed** □ It is also noteworthy that **the 6 inspections conducted after the first round and before the second round of the presidential elections of 2018 were based on applications filed in November of the same year,** [2] in response to 3 of which [3] (including in connection with Public School No. 6 of Zugdidi) **the Minister made a decision on the same day to carry out inspections in the period from November 9 to November 15.** [4]

As the public is informed, the application in connection with possible infractions (violations) committed by the principal of Public School No. 6 of Zugdidi was registered at the Ministry at 1:34 pm on November 8, 2018. After the foregoing, the application:

>>> was assigned to the Minister, Mikheil Batiashvili, at 1:36 pm,

>>> was assigned to the Inspection Service at 1:38 pm,

>>> was assigned to the Department of Internal Audit/Analyst at 1:42 pm,

>>> was assigned to a specialist of the first category of the Inspection Service at 1:42 pm.

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>>> The report prepared on the basis of the application was uploaded to the system at 2:35 pm on the same day and was assigned to the Minister of Education, Mikheil Batiashvili, at 2:42 pm.

>>> The Minister issued an order on conducting an inspection at 6:00 pm. of the same day.[5]

In addition to the foregoing, we should also emphasize that **the information obtained by the GYLA establishes the existence of a practice whereby the Inspection Service searches additional information in connection with applications filed at the Ministry.** In particular, in a number of cases (Public School of Tsinandali, Public School No. 4 of Telavi), when the Inspection Service of the Ministry of Education responds to applications related to violations committed by principals of various schools, the Ministry requires that the applicant provide information on concrete violations (the incident of violation, the person who committed the violation, the period of violation and possible evidence). **As for the application that was used as the basis of the inspection in Public School No. 6 of Zugdidi, it only referred to general doubts rather than a concrete incident or the period of commission of violation, and it didn't show any need to conduct an inspection.** [6]

Conclusion □ The fact that **five officials** of the Ministry of Education **examined the application** used as the basis of the inspection **for the duration of eight minutes raises doubts that the letter was not studied properly and its** □□□□□□□□□□ **A within as short time as possible** may have been a **purposeful, previously planned formal process.** Therefore, we believe that conducting the inspection before the second round of the presidential elections (until November 2018) **was presumably aimed at exerting political pressure on the school principal (and indirectly on the principals of other schools),** which has been observed in more than one election. [7]

Due to all the aforementioned, the GYLA calls upon:

- **the Chief Prosecutor** □□ **Office of Georgia** to study the possible use of inspections

for electoral purposes by the Ministry of Education as part of the ongoing investigation into the death of Ia Kerzaia.

Inspections Conducted in 2018					
No.	School	Grounds for Inspection	Minister's Order on Inspection	Period of Inspection	Date of Report
1	LEPL – Public School of the Village of Jandara of the Gardabani Municipality	Citizen's application – 1584637, 27/12/2017; Report to the Minister requesting consent to carry out inspection – 151008, 12/02/2018	Order No.134, 14/02/2018	From 15 February 2018 up to 23 February 2018	6/28/2018
2	LEPL – Public School No. 6 of the City of Zugdidi	Citizen's application – 1441086, 08/11/2018; Report to the Minister requesting consent to carry out inspection – 1441455, 08/11/2018	Order No.414, 08/11/2018	From 9 November 2018 up to 15 November 2018	11/22/2018

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3	LEPL – Public School No. 8 of the City of Poti	Citizen’s application – 1447502, 09/11/2018; Report to the Minister requesting consent to carry out inspection – 1448149, 09/11/2018	Order No. 421, 09/11/2018	From 12 November 2018 up to 15 November 2018	11/26/2018
4	LEPL – Public School No. 145 of the City of Tbilisi	Citizen’s application – 1441585, 08/11/2018; Report to the Minister requesting consent to carry out inspection – 1441915, 08/11/2018	Order No. 415, 08/11/2018	From 9 November 2018 up to 15 November 2018	12/6/2018
5	LEPL – Public School No. 94 of the City of Tbilisi	Applications – 1451976, 12/11/2018; 1457267, 13/11/2018; Report to the Minister requesting consent to carry out inspection – 1463516, 14/11/2018, 1505197, 22/11/2018	Order No. 446, 14/11/2018; Order No. 477, 22/11/2018	From 14 November 2018 up to 27 November 2018	1/22/2019

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6	LEPL – Mikheil Javakhishvili Public School No. 124 of the City of Tbilisi	Citizen’s application – 1440651, 08/11/2018; Report to the Minister requesting consent to carry out inspection – 1441016, 08/11/2018	Order No. 416, 08/11/2018	From 9 November 2018 up to 15 November 2018	1/22/2019
7	LEPL – Public School of the Village of Zeda Etseri of the Zugdidi Municipality	Citizen’s application – 1503397, 21/11/2018; Report to the Minister requesting consent to carry out inspection –1505502, 22/11/2018	Order No. 473, 22/11/2018	From 22 November 2018 up to 27 November 2018	12/20/2019

[1] According to the information provided by the Ministry, 2 of the 8 applications were filed in connection with one and the same fact; accordingly, inspections were conducted in 7 cases.

[2] Including 3 applications filed on November 8.

[3] One application concerned Public School No. 145 of Tbilisi and another dealt with Public School No. 124 of Tbilisi.

[4] In the same way, the Minister made a decision on conducting an inspection in Public School No. 8 of Poti on November 9, a day after the application was filed, while the inspection was scheduled for the period of November 12-15, 2018. In November

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2018, the Ministry received applications and took decisions on conducting inspections in Public School of Zeda Etseri, Zugdidi Municipality (application of 21/11/2018) and Public School No. 94 of Tbilisi (applications of November 12 and 13).

[5] Letter No. MES 91900010874 of the Ministry of Education, Science, Culture and Sports of Georgia of January 8, 2019.

[6] The GYLA continues to further study the issue, including the litigation in court to obtain the Statute of the Inspection Service of the Ministry. Accordingly, at this point, we cannot evaluate the criteria according to which the Ministry takes decisions on conducting inspections. As soon as we obtain updated information, we will provide the public with additional information.

[7] See the GYLA reports on election [here](http://mes.gov.ge/uploads/komiisiis%20angarishi.pdf);
<http://mes.gov.ge/uploads/komiisiis%20angarishi.pdf>.