

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Statement of Georgian Young Lawyers' Association about Party Spending on Meetings with Voters

On May 28, 2012, Maestro TV newscast aired a report about a meeting held by representatives of the Unified National Movement with medical professionals in restaurants Monopoli and Triumph. As revealed by the report, Interior Minister Vano Merabishvili, Tbilisi Mayor Gigi Ugulava, head of Tbilisi City Halls' Municipal Department Of Social Services and Culture Mamuka Katsarava and heads of various other departments of the local self-governance held closed meetings with over 1500

people.

According to medical professionals that participated in the meetings, they discussed issues pertinent to the city maintenance, problems and reforms planned in the medical field. In interviews with a journalist doctors also confirm that at the meetings representatives of the UNM hosted a buffet dinner.

According to the report, together with political officials heads of various departments of Tbilisi City Hall also participated in the meetings, whereas venues for the meeting have been included in the City Hall's plan. Participants invited to attend the meeting state that they were invited to meetings organized by the City Hall as opposed to a political party.

Active participation of public officials in agitation meetings highlights once more the blurred line between public and political authorities on the one hand and party activities on the other, which results in mixing activities of the authorities with those of the party creating risks of use of administrative resources in pre-election period. OSCE Document of the Copenhagen Meeting of the Conference calls for clear separation between the state and political parties, obligating states to provide ... the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities".

Further, it is noteworthy that recent agitation meetings of the ruling party with voters is held behind closed doors, without allowing media to attend and cover such meetings and events, which raises certain questions with respect to the content of statements and election promises made during the meetings and hinders media to obtain and impart information about the meetings.

With respect to food provided to voters at agitation meetings Tbilisi Mayor Gigi Ugulava clarifies that the food expenditures constitute legal expenditures of the party and buying food by a party at its own expense does not amount to violation of law . We would like to disagree and note that food expenditure may not be viewed as a legal expenditure of a political party since food is purchased for agitation meetings and offered/provided to voters free of charge at these meetings. Consequently, we find violation of Article 252 of the Law of Georgia on Political Union of Citizens prohibiting a party from providing or distributing goods or services free of charge to citizens of Georgia via a candidate, a representative or any other individual (except as

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prescribed by law).

Further, in the given case there may also be signs of vote-buying which envisages criminal liability for direct or indirect offer, promise, transfer or provision of money, other property, property rights, service or any other benefit for election purposes.

In this light, we apply to the financial monitoring service of the Chamber of Control of Georgia to look into the fact and act on the alleged violation of law by a political party.

We apply to the Interagency Commission for Free and Fair Elections to examine and take corresponding further actions.