



Transparency International Georgia, association Law and Justice, International Society for Fair Elections and Democracy, and Georgian Young Lawyers Association Oppose Rules for Participation of Military Servicemen in 30 May Elections

27 May 2010

Tbilisi, Georgia – According to Article 10.10(1) of the Georgian Electoral Code, the servicemen of the Defense Ministry's and Interior Ministry's military (paramilitary) forces and units are to participate both in the proportional and the majoritarian vote in the local elections if by the Election Day they are permanently deployed at one place for a year or more.

The amendment was added to the Electoral Code on 28 December 2009 following a recommendation made by NGOs. Previously, these individuals could vote in the proportional and majoritarian elections without any restrictions: they could elect local government bodies and officials even if their place of deployment had changed only a few days before the elections. The NGOs recommended that only the individuals who have served in the relevant electoral district for at least a year should be allowed to vote.

This recommendation aimed at ensuring that no military servicemen would be relocated shortly before the elections in order to influence the outcome of vote in specific electoral district(s). However, the Central Electoral Commission (CEC) and the ruling party representatives presently interpret Article 10.10(1) in a different way. According to them, all military servicemen who have signed, at any point prior to the compilation of the special voter list,¹ a contract for a period of at least one year should be allowed to vote, even if this was done the day before the list was compiled.

This interpretation of Article 10.10(1) contradicts the essence of the recommendation of NGOs and leaves the same situation that existed before the addition of Paragraph 10(1) to the law.

Under the Georgian law, the minimum duration of a military service contract is three years, while the duration of mandatory military service is one year. The law does not allow for military service shorter than a year, which means that all military servicemen will be allowed to vote in the 30 May elections. Their exact number is classified information though, according to the Georgian law On Establishing Georgian Military Force Numbers, the number of servicemen in the Georgian military forces should be 37,000 in 2010 (parliament establishes the number of servicemen annually). If we add several thousand servicemen of the Interior Ministry's paramilitary units to this number, the military and paramilitary servicemen can have a considerable impact on the outcome of vote in electoral districts.

¹According to Article 10, Paragraph 4(1) of the Georgian organic law Georgian Electoral Code, commanders of military units must supply verified lists of military servicemen to the district electoral commissions no later than 30 days before the elections. Military servicemen vote through special lists.



The CEC's interpretation of Article 10.10(1) of the Electoral Code still makes it possible for the government to deliberately increase the number of military servicemen in specific electoral districts shortly before the elections in order to try to secure a favorable outcome of the vote.

Contact Person:

Tamuna Karosanidze, coordinator of the Media Center

Phone: 877 71 91 07

E-Mail: ngomediacentre@gmail.com