HANDBOOK FOR OBSERVERS

PRESIDENTIAL ELECTIONS OF GEORGIA
2013
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Observer Organizations, as impartial and neutral institutions engaged in the election process, shall insure dissemination of objective information in the population and international organizations regarding the election process. It is their main function to assess the compatibility of an election process with international standards of democratic elections and domestic legislation.

Observer organizations shall be guided by the following principles:\(^1\):

- **demonstration respect of law** - comply with the legislation of Georgia
- **professionalism** - be aware of their rights and duties and fulfill them precisely and in good faith
- **“in service of voters”** - facilitate that the right to vote is fully exercised and protected
- **impartiality** - refrain from expressing political preference, not to support in any manner political parties, candidates in the course of elections
- **accountability** - in the conclusions, reports include only those materials, which are documented, based on facts and confirmed

### 1.2. Rights of an Observer

An observer is entitled to observe the election process freely and without any hindrance

An observer **has a right to** *(Election Code - Article 41):*

- attend and observe sessions of the election Commissions and address the Commission after Commission member, with the consent of the Commission Chairperson, on issues envisaged by the agenda. Duration of the speech shall be determined by the Commission;
- be present at the polling place at any time on the polling day, unrestrictedly move within the precinct territory and observe all stages of the polling process from any point of the precinct in a free and unhindered manner;
- replace another registered representative of the nominating organization at any time (in case of availability of such a representative);
- take part in the inspection of ballot boxes, before they are sealed and after they are opened;
- observe registration of voters in the lists of voters, issuance of ballot papers and special envelopes and their certification without disrupting the polling process;
- attend the procedure of counting of votes and summarizing of results;
- observe the counting of votes in such conditions in which ballot papers may be visible;

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observe the process compiling the summary protocol of polling results and other documents by the Election Commission;
address the Precinct Election Commission (the PEC) Chairperson with an application (complaint) regarding issues related to the procedures of voting and polling, by which an applicant requests response on identified cases of specific violations;
request a voter to show how many ballot papers and special envelopes he/she is having at hand;
observed the ballot boxes, the process of inserting special envelopes into the ballot box, opening of ballot boxes, counting of ballot papers and drawing up of protocols;
get introduced with the summary protocols of polling and election results, drawn up by election commissions;
perform other authorities defined by election legislation of Georgia.

Attention!
The restriction of the rights of a domestic/international observer set forth by the Election Code, or the disruption of his/her activities, shall lead to the imposition of a fine upon a relevant person in the amount of 500 GEL (Election Code - Article 91).

An observer shall not be entitled to (Election Code - Article 41):
- exert an undue influence upon the free expression of will of voters;
- agitate a voter in favor or against an electoral subject;
- wear symbols or signs of any election subject;

Attention!
A violation of the above requirements shall lead to the imposition of a fine upon relevant individuals in the amount of 500 GEL (Election Code - Article 92).

- interfere with the functions and activities of the Election Commission;
- be without a badge at the polling place on the polling day.

Attention!
An Election Commission is authorized to remove an observer from the Commission premises, in the case of breach of order and obstruction of the work of the Commission (Election Code - Article 8.18).
### Main Activities

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#### 2.1. Registration of Observer Organizations (Election Code - Article 39, 40)

The right to observe elections shall be granted to the domestic and international observer organizations, which shall be registered in accordance with the procedures established by the Election Code.

A domestic observer organization may be a local non-entrepreneurial legal entity, registered no later than 1 year prior to the polling day, the statute of which, at the time of registration, envisages election monitoring and/or protection of human rights.

International observer organization may be a representative of another state, organization or an international organization registered in another state, the constituent document/statute of which provides for monitoring of elections, protection of human rights and activities of which are based on the following internationally recognized principles:

- respect for the legislation of Georgian, sovereignty and internationally recognized human rights norms;
- refrain from hindering the election process;
- political impartiality;
- financial independence from participants of the election process and impartiality of funding sources;
- protection of provisions recognized by the Declaration of Principles for International Election Observation.
A domestic observer organization is registered by:

- **the District Election Commission (the DEC)**, if it observes in one election district;
- **the Central Election Commission (the CEC)**, if it observes in more than one election district.

An observer organization shall apply to the appropriate Election Commission no later than on the 10th day before the Election Day (October 17) and submit the constituent document or a notarized copy of the statute. The application shall include the name of the election district (districts) in which the organization will carry out observation.

The Election Commission shall make a decision on registration of the organization within 5 days of the submission of the application.

No later than on the 5th day before polling (October 22):

- An observer organization, **registered by the CEC**, shall submit to the CEC Secretary a list of observers appointed at the CEC, the DEC and the PEC (the list shall be enclosed by the copies of personal identification cards of Georgian citizens possessed by domestic observers).
- An observer organization, **registered by the DEC**, shall submit to the DEC secretary a list of observers appointed at the DEC and the PEC (the list shall include the first and last names and the place of registration of an observer).

An observer of a domestic observer organization may be any citizen of Georgia above the age of 18, except for:

- official holding state-political position;
- member of the Parliament of Georgia;
- member of the local self-government representative body - Sakrebulo;
- head and deputy head of the local self-government executive body;
- judge;
- staff of the Ministry of Internal Affairs of Georgia, Ministry of Defense and Ministry of Corrections and Legal Assistance of Georgia, Georgian Intelligence Service and Special State Protection Service of Georgia;
- official of the Prosecutor's Office;
- election subjects and their proxies;
- election commission member.

The secretary of Election Commission shall, no later than on the 2nd day of the submission of the list of observers, register an observer (observers) nominated in compliance with the provisions of Law and issue to the organization an **observer certificate (certificates)**, which at the same time represents a **badge**.

A domestic observer, **registered with the CEC**, is entitled to observe elections at all levels of the Election Commissions.

An observer of a domestic observer organization **at the DEC** and an observer observing elections at the polling station within the territory of the election district are authorized to observe **at any polling station** on the territory of respective election district on the polling day.

**Attention!**

One domestic observer organization shall be entitled to have simultaneously not more than one observer at the election precinct.
Procedures and Terms of Registration of an International Observer Organization

International observer organization is registered by the CEC.

An international organization shall submit an application to the CEC no later than on the 7th day before the Election Day (October 20) and provide a copy of its constituent document. If an observer (observers) is a representative of another state authority, he/she shall only provide an application and a certificate of authorization. Hereby, while registering the organization, the CEC shall be authorized to request submission of additional information, which would make it possible to verify compliance of activities of the organization with internationally recognized principles.

The CEC shall make a decision on registration of the organization within 2 days of the submission of the application.

An international observer organization registered with the CEC shall submit information on the observers (See, Annex N1), as well as the copies of their Personal Identification Cards to the CEC secretary no later than on the 2nd day before the polling day (October 25). If observers are accompanied by the interpreters, their list shall be submitted in addition.

The CEC Secretary, no later than on the 2nd day of the submission of the above information/the list, shall register an observers and an interpreters in accordance with the law or within the same term issue an ordinance on refusal to register. The Ordinance shall be conveyed to the interested party upon request.

The CEC secretary shall issue to the observer organization the certificates of registered observers, which at the same time shall represent a badge.

Attention!

One international observer organization shall be entitled to have simultaneously not more than two international observer at the election precinct. The observers may be additionally accompanied by the interpreter.

Decline of the Registration

The Election Commission shall not have a right to decline registration of an observer organization, if this organization complies with the requirements of the Election Code of Georgia.

The ordinance of the Election Commission on decline of the registration shall be substantiated and shall be transmitted to the organization no later than the following day after decision is rendered.

Composition of the DEC

The DEC shall consist of 13 members (Election Code - Article 19.3-5):

- 5 members shall be elected (for 5 year term) by the CEC;
- 7 members are appointed by parties (appointed after calling of election and the term of authority is expired by the time of announcement of final results of the elections).
- 1 member is elected by the CEC (after calling of election and his/her term of authority is expired by the time of announcement of final results of the elections).
### Powers of the Head Officials of the DEC

*(Election Code - Article 22)*

- chairs DEC session;
- administers the Commission funds;
- tasks the Deputy Chairperson, Commission Secretary, other members of the Commission and the employees of the Secretariat;
- registers initiative groups of voters, as well as majoritarian candidates.
- performs the duties of the DEC chairperson, if the DEC does not have a chairperson or the latter is unable to perform his/her duties;
- exercises certain authorities of the commission chairperson granted by an ordinance of the Commission Chairperson;
- distributes election documentation and all correspondence submitted and addressed to the Commission;
- issues relevant certificates to the representatives of the election subject appointed in the Precinct Election Commission.

- registers observers to the district and precinct election commissions and issues observer certificates to them;
- based on the ordinance, registers media representatives and issues accreditation cards to them;
- elaborates draft Commission ordinances, draws up minutes of the Election Commission sessions, including the summary protocols of election and polling results.

### 2.3. Recruitment and Powers of the Precinct Election Commissions

#### Composition of the PEC

*(Election Code - Article 24.1,2,4)*

The PEC shall consist of 13 members:

- 6 members are elected by the DEC based on the competition;
- 7 members are appointed by the parties

The term of authority of a member of the PEC starts at the first session of the PEC and ends by the time of drafting of the summery protocol of polling results in the relevant DEC *(Election Code - Article 25.14).*

**Attention!**

It is prohibited withdraw the member of the Election Commission 15 days before the polling day (October 12).
Powers of the Head Officials of the PEC

(Election Code - Article 27)

- convenes and chairs the Commission session;
- receives and distributes the documentation and all correspondence submitted and addressed to the Commission;
- assumes personal responsibility for keeping/issuance of the election documentation and inventory;
- tasks the Deputy Chairperson, Secretary and other members of Commission;
- on the polling day, organizes the distribution of functions among the commission members by casting lots;
- is responsible for keeping order at the polling place and on the adjacent territories;
- is responsible not to allow persons authorized to be present at the polling place at the polling place without wearing appropriate badges;
- submits to the upper DEC all election documentation after summarizing of polling results.

Deputy Chairperson

- performs duties of the Commission Chairperson if the Commission does not have a Chairperson or he/she is unable to fulfill his/her duties;
- By the ordinance of the Commission Chairperson, fulfills some of his/her responsibilities.

Secretary

- elaborates the session agenda and draft ordinances of the Commission;
- is responsible for the release of public information;

Drafts protocols of the session of the Commission, including summary protocols of polling results.

First Session of the PEC

(Election Code - Article 8.3, 23; 25.21)

The first session of the PEC shall be held no later than on the 34th day (September 23) before the Elections Day. The session is convened by the DEC chairperson.

A session is authorized, if attended by the majority of the total number of the Commission, not less than 7 members.

The session shall be chaired by the senior member of the commission, before electing the session chairperson.

Procedure for election the chairperson /deputy chairperson/commission secretary

(Election Code - Article 25)

- The PEC chairperson/deputy chairperson/commission secretary shall be elected among the commission members, by the majority vote of the total number of members, by a roll-call.
- Not less than 2 members of the Commission shall be authorized to nominate a candidate.
- The same candidate can be nominated only twice.
The nominated candidate has the right to participate in a roll-call and vote in favor of his/her own candidacy.

Attention!
If the chairperson/deputy chairperson/secretary, of the commission fail to be elected in established terms, prior to their election, duties of the above officials shall be fulfilled by the election commission member with the highest votes during elections; and in case of equal votes - the official shall be elected by casting lots.

Attention!
PEC chairperson, deputy chairperson and secretary cannot be commission members appointed by the same election subject (same election subject is block “Bidzina Ivanishvili - Georgian Dream” and political parties under this block - “Georgian Dream - Democratic Georgia,” “Conservative Party,” political movement “Industry will Save Georgia,” political movement “National Forum,” Republican Party, Free Democrats.)

2.4. General List of Voters

Publication procedures of the general list of voters

(Election Code - Article 31)

A general list of voters, designated for public information (wall list), which is signed by the DEC chairperson and the DEC secretary, shall be handed on to the PEC no later than on the day of its first meeting (no later than the 34th day before polling - September 23).

Final versions of the verified lists shall be transmitted to the PEC no later than on the second day (October 25) prior to polling:
- a version for the election commission (table list);
- a version designated for public information (wall list).

The wall list shall be immediately posted in a visible place at the PEC premises.

Attention!
It is prohibited to issue the version of the election commission (table list) and its copy as public information.

Verification of data of the general list of voters

(Election code - Article 31.7-10)

A party/election bloc with electoral registration, an observer organization are entitled to have access to the version of the lists of voters available in the DECs or PECs designated for public information. In case of any discrepancy, they can request amendments to the lists of voters no later than 16 days before the Election Day (October 11). Applications on the amendments to the lists of voters shall be submitted to the Election Administration.
The DEC is authorized to examine applications and make decisions. The Commission considers the applications within 2 calendar days (but no later than 14 days before the Election Day - October 13) and makes decision on:

- the amendment of the voters’ data /the lists of voters; or
- the refusal to amend the voters’ data/ the lists of voters.

An ordinance issued by the DEC on the refusal to amend the voters’ data/ list shall be well-grounded and from the following day of its adoption, upon request, shall be transmitted to the applicant.

An ordinance issued by the DEC on making amendments to the data on voters/ the lists of voters shall be transmitted to the CEC and respective PEC within 2 days. In case the request is upheld:

- the voter shall be included in the list, or
- the voter’s data shall be removed from the lists of voters.

An ordinance issued by the DEC on the refusal to amend the voters’ data/ the lists of voters can be appealed in the respective district/city court within 2 days. In case of upholding of a lawsuit by the court, the court judgment of the court shall be transmitted to the DEC within 2 days, but not later than on the 11th day before the Election Day (October 16). The Commission shall immediately submit appropriate information to the CEC and relevant PEC.

With the purpose of verifying voter lists PEC members, no earlier than 30th day (September 27) and no later 20th day (October 7) before the polling day distribute voter cards.

The DEC shall draw up and approve by an ordinance the special list of voters, and no later than on the 3rd day before the polling day (October 24) shall convey it to the respective PEC.

The DEC shall include the following in the special list of voters:

- election administration officials unable to participate in the elections on the polling day under their place of registration, due to their assignment to election commissions;
- voters undergoing treatment in a hospital or any other in-patient medical establishment and due to their health conditions not being discharged from hospital by the polling day;
- voters serving sentence in prisons on the polling day

2.5. Special list of voters (Election Code - Article 32)
temporary and contract-based military servants of military (militarized) forces and units of Ministries of Internal Affairs and Defense of Georgia; voters serving sentence in prisons on the polling day; voters being abroad on the polling day.

If on the polling day a voter addresses the DEC with the request to be registered in the list of voters, who no later than on the 16th day before the Election Day (October 11) failed to address the Commission with the request to be registered in the list (arrived from abroad, was discharged from the hospital, was released from the penitentiary institution), once the application and relevant documentation is submitted (certificate on crossing of a border/entry in the passport, a certificate on discharge from the medical institution, or a certificate on release from the penitentiary institution), a voter shall be registered by the Commission within 2 days from the submission of the application, and if less than 2 days are left before polling - a voter shall be registered without delay (the voters’ data shall be included in the special list of voters).

Attention
The DEC shall immediately inform the voter on the negative decision.

2.6. Mobile Ballot Box List of Voters (Election Code – Article 33)

The PEC is responsible for drawing up a mobile ballot box list. The list of a mobile ballot box shall be drawn up on the basis of general and special lists.

A voter is included in the mobile ballot box if:

- a voter is unable to independently visit the polling premises due to limited capabilities and/or health conditions (the number of such voters shall not exceed 3 percent of the existing voters in the general list of voters per election precinct. After filling up the above number, the PEC chairperson is obliged to notify the DEC on each new application submitted and wait for the relevant directions);
- a voter is on the territory of the polling station, but on a place difficult to access;
- a voter is imprisoned;
- a voter is in hospital for treatment or in any other inpatient medical facility with no polling station established in it (no later than 2 days prior to polling, the DEC forwards to the PEC information on the voter being in an inpatient medical facility on the polling day);
- a voter is a military servant, serving at the military unit by the state border, which is remote from polling station and no polling station is opened locally.

Observers have the right to verify whether the mobile vote request is well-grounded and any time before the elections raise before the PEC the issue on inclusion of these persons in the. The PEC makes decision on the above matter.
Attention!

- Information concerning voters to be included into the list of mobile ballot box shall be immediately posted in a visible place of the polling station.
- Members of the PEC, representatives of election subjects and observers are entitled to verify legality of the request for the mobile ballot box voting and raise the issue of appropriateness of inclusion of these persons into the mobile ballot box list at any time with PEC before the day of the election. Decision on this matter shall be made by the PEC.

2.7. Registration of the Candidates of President of Georgia (Election Code - Article 97-100)

Presentation and registration of the candidate of the President of Georgia

Candidate of the President of Georgia can be presented by the party of initiative group of voters made of 5 people.

With the purpose of presenting their candidate an initiative group of voters and registered/unregistered party, wishing to present candidate for the 2013 Presidential Elections should submit application to the CEC no later than 50th day (September 7) before the elections, addressed to the Chair of CEC, after which the group/party is authorized to collect signatures of supporting voters.

The application shall be complemented by the following information on the candidate for the Presidency of Georgia:

- Written agreement on participating in elections
- Copy of birth certificate
- Three photos.

In order to duly register candidate for the Presidency of Georgia, representative of voter initiative group or the party shall, no later than 40 days before the Election Day (September 17) submit to CEC the list of supporters of no less than 26,530 voter signatures (0.75 percent of total voters).

Candidate of the Presidency of Georgia is registered by the CEC Chair with his/her resolution no later than 30th day before Election Day (September 27) and issues appropriate certification to the candidate of the Presidency of Georgia within three days after such registration.

Attention!

CEC, no later than 6th day after registration of the candidate of Presidency of Georgia publishes information through press and other mass media, including name, last name, date of birth, position held (occupation), residence place and work place.

Candidate of Presidency of Georgia is entitled to withdraw from elections at any time, no later than 10th day before the Election Day (October 17), for which he/she shall submit written request to CEC.

2.8. Accreditation of the representatives of the press and other means of mass media

Accreditation of representatives of press and other media operating on the territory of several election districts shall be conducted by the CEC secretary or by the secretaries of the appropriate DECs.
Accreditation of media representatives operating on the territory of one election district shall be conducted by the secretary of the appropriate DEC.

Applications on accreditation of representatives of the press and other media shall be submitted to the relevant election commission, no later than the 3rd day before the polling day (October 24).

Within 1 day after filing an application, secretary of the appropriate election commission shall decide on the accreditation of representatives of the press and other media and shall issue to the accredited representatives appropriate certificates within 1 day after the receipt of the decision. In case of decline of application for accreditation, the secretary shall issue an appropriate ordinance (proper justification for the decline of the application shall be stated in the ordinance) within the same timeframe.

2.9. Pre-election campaign (Election Code - Article 45; 46)

Pre-election campaign (agitation) starts from the moment of publishing legal act on calling of elections (Election Code - Article 45).

Political Party, candidate for election subject, election subjects and their supporters have a right to present a program of further activity. The election program shall not contain propaganda of war and violence, overthrowing the existing state and social order or replacing it through violence, violating the territorial integrity of Georgia, calling to foster national hatred and enmity, religious and ethnic confrontation.

The following shall not be entitled to conduct and participate in pre-election agitation:
- members of an election commission;
- judges;
- public officials of the Ministries of Internal Affairs and Defense, Prosecutor’s Office, Intelligence Service and Special State Protection Service;
- The Auditor General;
- Public Defender of Georgia;
- aliens and foreign organizations;
- charity and religious organizations;
- Members of Georgian National Communications Commission (GNCC) and Georgian National Energy and Water Supply Regulatory Commission.
- Public officials of bodies of State and local self-government, during working hours and/or while directly carrying out their duties; (The above restriction shall not apply to political public Officials defined by the Election Code (Election Code - Article 49.2).

Attention!

Pre-election campaign shall not be conducted in the premises of the following institutions:
- courts;
- military units;
- executive government agencies of Georgia.

Agitation Materials

(Election Code - Article 46)

Observer organizations (candidates of an election subject) enjoy equal rights to produce pre-election appeals, statements, inscriptions, leaflets, photo materials, etc.

Printed agitation materials may be displayed on buildings and premises and other places, with the consent of
their owners or possessors.

Election subjects (candidates) enjoy equal rights to produce pre-election appeals, statements, inscriptions, leaflets, photo materials, etc.

Printed agitation materials may be displayed on buildings and premises and other places, with the consent of their owners or possessors.

The following shall be prohibited!

- Obstructing the dissemination and seizure of agitation materials, as well as the seizure of or hindrance to the use of transportation or other kinds of specially equipped means aimed at pre-election agitation;
- Displaying/posting of agitation materials on religious buildings, buildings of cultural heritage, interior and exterior of buildings of state authority, bodies of local self-government, courts, the Prosecutor’s Office, military compounds and police, as well as on traffic signs;
- Removal, tearing down, covering up or damaging of agitation materials shall be inadmissible and punishable by the Law, unless they are displayed in prohibited places.

Printed agitation materials shall indicate:

- Names, addresses of the organizations ordering and producing them
- Information on the edition quantity, number and the date of issue.

Attention!

- Dissemination of printed agitation materials without indicating the above information is prohibited;
- An election subject is obliged to indicate the number on printed agitation material only after obtaining such number.

Within 15 days from the moment of official publication of the final results of the elections, the relevant election subject is under a duty to ensure removal of agitation materials; otherwise election subject shall be held responsible according to the legislation of Georgia.

Vote Buying

(Election Code - Article 47)

From the moment of publication of the relevant legal act announcing elections until the publication of the final results of the elections, the following shall be prohibited for the election subjects, candidates and their proxies, done personally or through other persons:

- give funds, gifts and other material possessions (irrespective of their value) to the citizens of Georgia;
- sell goods to them at a preferential price;
- distribute or disseminate any goods free of charge (except for the agitation material as prescribed by Law);
- Motivate Georgian citizens by promising to give funds, securities and render other material possessions (regardless of their value).

From the moment of publication of the relevant legal act announcing elections until the publication of the final results of the elections, physical or legal persons shall be prohibited to perform such work or provide such services (except for performance of work or provision of services as defined under the Georgian Law on State Procurement) by utilization of personal funds and/or election subject funds, which according to the Georgian legislation falls within the competence of Georgian state and/or local self-government bodies.
Attention!
In the event of such facts are established, registration of the election subject, who has personally or through a representative or any other physical or legal persons acting in his/her favor, carried out prohibited activities mentioned above, shall be revoked by the court decision.

Prohibition of the abuse of administrative resources

(Election Code - Article 48)

Administrative resource is a material value - property, necessary for performing of state functions. Persons with the right to participate in pre-election agitation shall be prohibited to utilize the following administrative resources:

- utilization of premises occupied by the bodies of state and local self-government, as well as organizations funded from the State Budget of Georgia, if other political parties, candidates of political subjects or election subjects are unable to use the premises of same or similar function under the same conditions;
- use of means of communication, information services and other kinds of equipment designated for the bodies of state and local self-government, as well as organizations funded from the Georgian state budget (except for political parties);
- utilization of means of transportation under possession of the bodies of state or local self-government free of charge or under preferential terms.

Attention!
This limitation does not apply to state and political authorities described in the Election Code while using their work means of transportation that is a subject to protection from special state protection service.

According to article 5.1 of the Law of Georgia on Special Service of State Defense, for the purposes of Election Code political authorities to be protected by Special Service of State Defense are: President of Georgia, Prime-Minister of Georgia, Heads of highest legislative and executive governments of Abkhazia and Adjara Autonomous Republics.

According to the decision of the Government of Georgia, in line with article 5.3 of the given law, personal guards can be appointed or dismissed for the member of the Parliament of Georgia and member of the Government of Georgia.

Prohibition of the use of budget funds

(Election Code - Article 49.3,4)

From the 60th day before the election day until the election day (inclusively), it is prohibited to implement such projects/programs not being previously envisaged in the State Budget of Georgia, republican budget of autonomous republics or local self-governing unit’s budget, except for cases when projects/programs are funded within the framework of budgetary codes of relevant budget assignations and/or funds allocated through assignations, also funds allocated by donors, no later than 60 days before the Election Day

Attention!
In case of violation of these procedures, an authorized individual shall have the right to apply to court and demand suspension of expenses.
No later than 60th day before the elections as well as on the Election Day it is prohibited to increase the amount of social expenditure (pension, social assistance, support, etc.), except for the expenditure that was to be increased by the legislation of Georgia no later than 60 days before the Election Day, also increasing social expenditure (pension, social assistance, support, etc.) and/or setting relieves that was not envisaged by the legislation of Georgia before not less than 60 days of the Election Day.

**Prohibition of use of occupational status or official capacity**

*(Election Code - Article 49.1,2,5)*

Person entitled to participate in the pre-election agitation, holding an office in the bodies of state or local government, **shall be prohibited** to use his/her occupational status or official capacity in the course the campaign in favor or against any political parties, election subject candidate, election subject, which shall mean:

- engaging subordinated persons or individuals dependent otherwise in activities facilitating presentation and/or election of a candidate;
- collecting signatures and conducting pre-election agitation during official business trips, funded by the body of the state and local self-government;
- conducting pre-election agitation during working hours and/or in the course of fulfillment of official duties.

**Attention!**

Restriction shall not apply to political public officials defined by Election Code, as well as to the cases where TV and radio broadcasters use an air-time allocated for pre-election agitation.

Reshuffle of senior officials of the body of local self-government, police and the Prosecutor's Office, except for the expiry of the term of their authorities and/or in cases when they have violated the law, shall be prohibited.

**Interagency Commission**

*(Election Code - Article 48.3; Order of the Minister of Justice of Georgia (№40 2013 August 8))*

With the purpose of prevention and response to violations of the election legislation of Georgia by the public servants, based on the Election Code of Georgia, on August 8, 2013 an InterAgency Commission (herein referred to as the Commission) was created under the Ministry of Justice of Georgia, comprised of:

- Minister of Justice, Chair of the Commission
- Deputy Minister of Justice, Secretary of the Commission
- Deputy Minister of Internal Affairs
- Deputy Minister of Foreign Affairs
- Deputy Minister of Finances
- Deputy Minister of Defense
- Deputy Minister of Regional Development and Infrastructure
- Deputy Minister of Corrections and Legal Assistance
- Deputy Minister of Education and Science
- Deputy Minister of Labor, Health and Social Affairs
The commission works with qualified election subjects as well as representatives of various political parties and election blocs. These persons are entitled to a deliberative vote and provide Commission with information on violations of election legislation by public servants.

To ensure publicity of the activities of Interagency Commission, representatives of local and international observer organizations can be invited to the sessions of the Commission. Upon the decision of the Chair of the commission, other entities can also be invited to sessions.

With the purpose of prevention and response to violations of election legislation the Commission will develop proposals and recommendations for public servants, administrative bodies, and CEC of Georgia.

2.10. Arrangement of a polling place

For carrying out polling procedures, members of the PEC are obliged to arrange a polling place in accordance with the procedures established by law, no later than one day before polling.

The PEC shall arrange:

(Election Code - Article 58.4.a-c):
- voters’ registration desk (one registration desk for every 300 voters) (Election Code – Article 61.2.e.b);
- secret polling booths: one booth for every 500 voters. One side of the booth shall be open up to the half of its height, and the upper half shall be covered with a curtain. One pen shall be available in every polling booth; rule of filling in the ballot paper established by the CEC; the extract from the Law defining cases, when a ballot paper shall be considered invalid shall be posted in the booth;
- special table for envelopes (shall be placed close to the ballot box);
- set up ballot boxes (unsealed).

A transparent ballot box has to be installed in a visible place at the polling premises so that the voter has an unimpeded access to it and immediately leave the polling station after putting an envelope in the box.

No later than on the 25th day (October 2) prior to the polling day, The PEC, upon the request of the handicapped voters, no later than on the 20th day (October 7) before the polling day applies to the state agencies and local self-government bodies with the request to insure that a polling place is temporarily and easily adaptable (Election Code - Article 58.3).

The Following shall be posted in a visible place at the polling station:

(Election Code - Article 58.4.d; 58.5):
- list of voters;
- list of candidates participating in the elections;
- procedure for filling in the ballot paper established by the CEC;
- an extract from the law, defining cases, when a ballot paper shall be considered invalid;
- public display protocol of polling results.
Main Activities

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### 3.1. Opening of the polling station

Polling station shall be open at 07:00 in the morning of the polling day. If by this time the numbers of the PEC members are less than seven, the DEC shall be immediately informed about this, which makes a relevant decision (*Election Code - Article 61.1*).

The PEC members are obliged to wear special uniforms designated for them during the polling day. Non-fulfillment of the above requirement shall be considered by the upper election commission as a disciplinary offence and shall constitute a basis for imposition of a disciplinary liability. (*Election Code - Article 8.16; 39.3,6; 42.5; 44.5*).

**Persons authorized to be present at the polling place**

(*Election Code - Article 8.16; 39.3,6; 42.5; 44.5*).

Following persons are authorized to be present at the polling place:

- Members of the PEC;
- Members/representatives of the upper election commission;
- Representatives of election subjects (not more than 1 representative authorized to be present per each election subject);
- Observers of registered local observer organizations (not more than 1 representative authorized to be present from each local observer organization);
- Observers of registered international observer organizations (not more than 2 representatives authorized to be present from each international observer organization. Observers can be accompanied by an interpreter);
- Accredited mass-media representatives (not more than 3 representatives from each press and other mass-media source);
- Members of the Commission for Ensuring Voters’ List Accuracy and the heads of regional representations who shall be authorized under the Commission decision to perform monitoring of general list of voters on the polling day at the polling station.
Pre-polling procedures to be carried out from the opening of the polling station until it starts

*(Election Code - Article 61-62)*

From the opening of the polling station until the voting starts procedures are to be performed in the following sequence:

I. Immediately after opening of the polling station the polling day logbook shall be opened. *(Election Code - Articles 61.2.a)*.

The chairperson of the commission shall delegate the polling day logbook to the secretary of the commission, who is responsible together with the commission chairperson for recording in the logbook every election procedure of the polling day and indicating the time of its implementation *(Election Code - Article 62.3)*.

On the first and second pages, and if needed, on the 10th and following pages of the logbook, the secretary of the commission shall put the first names and last names of all commission members present at the polling place (including reference to the subject which they represent) and first names and last names (including reference to the organization or election subject which they represent) of all persons authorized to be present at the polling place and certify them with signature.

II. The PEC chairperson shall inspect the integrity of the sealed package, which contains the special stamp of the PEC, open and put the first special carve on the seal, the sample of which shall be recorded in the polling day logbook *(Election Code - Article 61.2.b)*.

III. Chairperson of the commission shall cast lot to distribute functions.

Functions to be assigned to members of the PEC:

- member of the commission responsible for regulating the flow of voters;
- registrar of voters (at least one registrar per 300 voters);
- supervisor of ballot boxes and special envelopes;
- 2 members of the commission to accompany the mobile ballot box. These commission members shall not be members of the election commission nominated by one election subject.

**Attention!**

Chairperson of the commission/deputy/secretary of the commission shall not participate in casting lots.

Prior to casting lots, the PEC chairperson shall compare the number of PEC members to the number of functions to be assigned.

If on the polling day the number of commission members with regards to functions to be assigned turns out to be:

- less by one member, the number of the registrar commission members of voters shall be reduced;
- less by two members, deputy chairperson of the commission performs the functions of the commission member responsible for regulating the voter flow at the polling place;
- less by three members, chairperson of the commission performs the functions of the supervisory commission members of ballot boxes and special envelopes.
In the first place the chairperson of commission reveals by casting of lots, two members of commission responsible for accompanying the mobile ballot box.

**Attention!**
Persons identified by casting lots shall not be members of the election commission nominated by one election subject (same election subject is bloc “Bidzina Ivanishvili - Georgian Dream” and political parties under this block - “Georgian Dream - Democratic Georgia,” “Conservative Party,” political movement “Industry will Save Georgia,” political movement “National Forum,” Republican Party, Our Georgia - Free Democrats).

The PEC chairperson:
- prepares respective number of papers and same kind of sheets according to the number of Commission members appointed by parties;
- writes the title of the function to be assigned on 2 papers with the same pen “Carrier of a mobile ballot box”;
- certifies papers for casting lots by putting a special stamp of the commission;
- folds the papers in a way that the text inside could not be read and places them on the table;
- members of the Commission participating in casting lots shall pick up the paper one by one.

**Attention!**
Participants of casting votes can only be Commission members appointed by the parties under the Block, while the commission member appointed by Unified National Movement is automatically granted this function (in case of his/her agreement).

Secretary of the Commission shall make a note on the 3rd page of the polling day logbook on the results of casting lots. (Commission members certify functions by signature).

After selecting members of the Commission to accompany the mobile ballot box, the chairperson shall assign other functions to the commission members by conducting additional casting lots.

The PEC chairperson:
- prepares respective number of papers and same kind of sheets according to the number of Commission members;
- writes the title of the function to be assigned with the same pen “Regulator of the flow of voters”, “Registrar”, “Supervisor of ballot boxes and special envelopes”;
- certifies papers for casting lots by putting a special stamp of the commission;
- folds the papers in a way that the text inside could not be read and places them on the table;
- members of the commission participating in casting lots shall pick up the paper one by one.

Secretary of the Commission shall make a note on the 3rd page of the polling day log-book on the results of casting lots.

Temporary delegation of functions defined through casting lots of a commission member to another member of the commission shall be undertaken by the authorization of the commission chairperson, which shall be recorded by the commission secretary on the 5th page of the polling day logbook *(Election Code - article 61.2.g)*.

The issue of remuneration of a PEC member having appeared the commission after the conclusion of casting lots shall be decided by the DEC, while the issue of assigning functions to this person shall be handled by the chairperson of the PEC *(Election Code - article 61.4)*.
Chairperson of the commission selects by casting lots no more than 2 representatives from the election subjects present at the polling station, who shall observe the process of registration of complaints (Election Code - article 61.5).

**Attention!**
Representatives of the party of the Commission member elected as the secretary of the Commission as well as representatives of the presidential candidate presented by the same party do not participate in casting votes (Election Code - Article 61.5).

Commission chairperson announces the number of voters according to the lists, number of ballot papers and packages of special envelopes received (Election Code - article 61.6.a-b).

Commission chairperson checks and seals the general and mobile ballot boxes with a seal that has a unique number (Election Code - article 61.6.c).

Commission chairperson hands in materials to commission members.

**Commission chairperson shall give to registrars of voters:**
- General voters list distributed according to the alphabet; one of the registrars shall also be given a special list (if any);
- One book of ballot papers;
- Seal of the registrar selected through casting lots, prior to such transfer, commission chairperson makes a special carve on a seal of a registrar (sample of the seal shall be recorded in the polling day logbook) (Election Code - article 61.8);
- Ink.

**Attention!**
Chairperson of the commission shall post the alphabetical sequence of voters’ last names according to the lists placed on the relevant table.

Commission chairperson shall give to the regulator of the flow of voters ultra-violet lights for inking verification procedure.

Commission chairperson shall give to supervisor of ballot boxes and special envelopes main ballot box and special envelopes.

Control sheets are filled in (Election Code - article 61.10).

Before the polling starts, the chairperson and the secretary of the commission fill out the control sheets (except for the data of a first voter). All present members of PEC shall sign the control sheets.

**Attention!**
Control sheet has to be filled out immediately after materials have been handed on to commission members, before the polling starts (DO NOT WAIT FOR THE FIRST VOTER).
After the **first voter** appears, goes through registration and takes a ballot paper, the commission secretary includes data of the first voter in the control sheet.

The chairperson of the commission shall insert one copy of the control sheet into the main ballot box, the second copy shall be inserted into the mobile ballot box (if any) and the third copy shall be kept for the purpose of further comparison with the control sheets in ballot boxes.

Control sheet data shall also be included on the 4th page of the polling day logbook.

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**Attention!**

After the first voter is registered, the commission chairperson shall inform the DEC on sealing of box(es), placing control sheet(s) in the box(es), making first carve on the special seal of the commission, as well as the registrar and including the sample of the carve in the polling day logbook.

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### 3.2. Polling process

**Conduct of polling**

Polling is conducted on the polling day (October 27) from 08:00 to 20:00.

Voting takes place in accordance with the following rules and sequence:

1. Upon entering the polling place, a voter shall go through the inking verification procedure conducted by regulator of the flow of voters.

**Regulator of the flow of voters:**

- regulates the flow of voters entering the polling station;
- asks the voter to present a personal identification card of a citizen of Georgia/ID card or a passport of a Georgian citizen;
- checks with ultra-violet lights whether the voter has already been inked;
- checks how many voters are standing at the registration table designated for voters. If there are more than two voters standing at the registration table, temporarily halts the entrance of the voter into the polling room;
- points the voter towards the registration table designated for the alphabetical letter corresponding to the first letter of the voter’s last name.

**Attention!**

In accordance with the procedures established by Article 185 of the Election Code, a citizen of the European Union member state registered in the list of voters, born in Georgia and over the recent 5 years has permanently lived in Georgia, shall have a right to cast a vote in the elections. Such an individual, while being at the precinct, shall use a passport of a member state of the European Union instead of a passport of a Georgian citizen and a Personal Identification Card.

**Attention!**

If the device determines that a voter has been inked, he/she shall be restricted from participating in polling and the person’s name shall be recorded in the logbook.
II Voters’ registration procedure is conducted by a registrar.

The registrar of voters:

- asks the voter to present a personal identification card of a citizen of Georgia /ID or a passport of a citizen of Georgia, (in the case of IDPs from the occupied territories of Georgia - an IDP certificate together with a personal identification card of a Georgian citizen); requests the citizen of the European Union member state, registered in the general list, to present the passport of a member state of the European Union.

**Attention!**

If no information on the voter is found in a General list of voters:

- In case of electronic lists at the polling station, a person responsible for verification of data is responsible for finding information about the voter in electronic lists and provide information about the precinct in which this person is registered.
- In case of no electronic lists at the polling station, a person responsible for verification of data should contact DEC or CEC hotline to get information about the voter.

**Attention!**

If a voter appears at the polling station and his/her status in the general list is - “is abroad”, the voter shall participate in the polling in accordance with the general procedure defined by the general rules.

- verifies the availability of a voter’s name in the list of voters, after which he/she conducts inking (inking is not used at prisons/penitentiary institutions, hospitals, other medical institutions).

**Attention!**

In the case of refusal to inking, a voter shall not be entitled to vote and a ballot paper(s) shall not be issued to him/her.

- signs in the designated place in the list of voters, and after that the voter endorses the receipt of a ballot paper with his/her signature.
- once the ballot paper are issued endorses them with the signature on the back side in the designated place and certifies the ballot paper with a special stamp.

**Attention!**

In case of transfer of functions of a registrar, the registrar is obliged to recount the number of signatures and ballot papers issued by him/her in the list of voters (including the spoiled ballot papers conveyed to the chairperson) and report the results to the chairperson. Should the numbers not be equal, an explanation should be written and attached to the summary protocol of polling results.

III Voter goes into the secret polling booth and fills out the ballot paper. It is prohibited to fill out the ballot paper in presence any other person.
The voter goes to the desk standing separately. Following the instruction of supervisor of ballot boxes and special envelopes, voter takes a special envelope and puts the ballot paper in it.

**Supervisor of ballot boxes and special envelopes:**
After having checked that a voter has only one envelope at hand, opens the ballot box section for inserting envelopes and points the voter to insert a special envelope into the ballot box.

A voter inserts the special envelope into the ballot box.

**Attention!**
- Not more than one voter at a time can be present at the ballot box.
- Observer, candidate representative are entitled to observe the ballot box, process of insertion of special envelopes into the ballot box.

Having inserted the special envelope into the ballot box, a voter leaves the polling station.

**Procedure for casting a vote by a voter due to his/her physical condition**
*(The CEC Decree N20/2012, dated June 21, 2012)*

A voter unable to independently cast a vote (inking, signing the receipt of a ballot paper, inserting a ballot paper in the ballot box) due to the absence of his/her upper limbs, shall participate in the polling process under the following procedures:
- a voter shall not go through the inking verification and inking procedure;
- while handing ballot paper(s) to the voter, a registrar of voters shall make a note - “physical condition” in the box of the general list of voters - “signature of a voter” and verify it with his/her signature;
- a voter has a right to ask for help to any person, except of the election commission member, candidate, proxy and observer;
- a person selected for help by the voter shall put the ballot paper in a special envelope and thereafter insert it in the ballot box instead of this voter, in his/her presence. The same person shall help the voter to fill in the ballot paper in the polling booth.
Keeping order at the polling place on the polling day

*(Election Code - article 59)*

The PEC chairperson shall be responsible for keeping order at the polling place on the polling day. Fulfillment of decisions made by the PEC chairperson on keeping order at the polling place shall be mandatory for members of the election commission, all persons and voters authorized to be present at the polling place.

In cases of hindering the operations of the commission and violation of order, the PEC shall be authorized to take a decision on removing a violator from the polling place in which the PEC is located. Relevant act is issued and signed by the chairperson and members of the commission on this matter.

**Attention!**

**Armed individuals shall be prohibited to enter the polling premises. If at the polling place and adjacent territory, the polling process or a free movement of election documentation is threatened, at the request of the chairperson, police officer shall be called to the polling place and the adjacent territory and remain there until the public order is restored.**

Registration of voters participating in the polling

*(Election Code - article 65.6)*

On the polling day it is recommended, that the registrars count the number of signatures of voters in the list of voters and the ballot papers issued by them at 10:00, 12:00, 15:00, 17:00, and at 19:00, without causing hindrance to the voting process (including spoiled ballot papers transferred to the chairperson).

**Attention!**

**If a difference is revealed between data, the registrar should immediately write an explanation note which shall be attached to the summary protocol(s) of voting.**

At 12:00 and at 17:00, the secretary of commission records the number of signatures of voters participating in the polling in the list of voters in the public display protocols and the PEC log-book and informs the DEC.

Mobile voting

Mobile voting procedure starts at 9:00 and ends at 19:00. After the conclusion of polling, the cut (ballot box section for inserting envelopes) of the mobile ballot box should immediately be sealed. The mobile ballot box should be returned to the polling station no later than 20:00 *(Election Code - Article 66.1).*

Persons authorized to be present at the polling place can observe the conduct of polling procedure by means of a mobile ballot box if they wish to do so. If a vehicle is used during mobile voting, the PEC shall assign space in the car for **2 observers selected through casting lots** among persons authorized to be present at the polling place.

The PEC chairperson provides the members of election commission accompanying the mobile ballot box with, *(Election Code - article 66.3):*

› sealed mobile ballot box with a control sheet inserted in it;
mobile ballot box list;
- special envelopes;
- necessary amount of ballot papers signed and sealed with a special stamp by the registrar of voters.

Above data shall be included on the 4th page of the polling day logbook by the commission secretary.

**Attention!**
Inking shall not apply to mobile voters *(Election Code - Article 64.5).*

In case a voter casts a vote through a mobile voting due to his/her physical condition, a member of the election commission accompanying the mobile ballot box shall make a note - “physical condition” across the column of the mobile ballot box list - “signature of a voter” and verify it with his/her signature;

a person selected for help by the voter (except of the election commission member, candidate, proxy and observer) shall fill in the ballot paper, put it in a special envelope and insert in the mobile ballot box instead of this voter, in his/her presence *(The CEC Decree N20/2012, dated June 21, 2012).*

After returning to the polling station members of the election commission accompanying the mobile ballot box shall give unused ballot papers and special envelopes to the commission secretary. The commission secretary shall cut an edge of such spoiled ballot papers and special envelopes; inscribe "spoiled" and after the signature of the chairperson of the PEC, store them separately.

### 3.3. Closing of a polling station, summarizing of polling results

**Closing of a polling station**

The polling procedure is concluded and the polling place shall be closed at 20:00. Voters standing in the line by that time shall have a right to cast their votes. For this purpose one of the election commission members, tasked by the PEC chairperson, shall register the names and last names of voters waiting in the line and inform the PEC chairperson about their number, while the commission secretary records the quantity of voters standing in the line in the book of records. As soon as the last voter casts a vote, the polling procedure is announced to have concluded, after which the PEC seals the ballot box section for inserting envelopes *(Election Code - Article 65.8).*

**Attention!**
- PEC set up for exceptional cases, can announce conclusion of polling any time before 20:00, provided all voters on the voters’ list have already cast their votes.
- After the conclusion of polling, PECs formed for exceptional cases seals the cut (ballot box section for inserting envelopes), the list of voters, unused and spoiled ballot papers (ballot papers shall be cut an edge prior to sealing).

Chairperson of the PEC shall make sure that all persons, except for those authorized to be present at the polling place during counting of votes, leave the precinct. Secretary of the PEC should indicate identity of persons present during counting of votes in the polling day logbook.
After the conclusion of polling, the commission approaches each registrar, who under the instructions by the Chairperson of the commission (considering the data included in the explanation written before the completion of the polling process by the registrars (if any)) shall count:

- The sample of seals with the cut shall be included in the logbook (Election Code - Article 67.1).

The chairperson of the PEC, in presence of persons authorized to be present at the polling place, selects not less than three counting officers from the commission members, by casting lots, while the observers shall select no more than two supervisors from their members based on mutual consent. If observers fail to agree, the chairperson of the PEC shall identify two supervisors from them by casting lots (Election Code - Article 67.1).

In order to reveal counting officers, casting of lots is conducted in accordance with the following procedure - the chairperson of the PEC:
- prepares respective number of papers and same kind of sheets according to the number of members of Commission;
- writes the title of the function to be assigned on papers with the same pen: “1st counting officer”, “2nd counting officer”, “3rd counting officer”;
- certifies papers for casting lots by putting a special stamp of the commission;
- folds the papers in a way that the text inside could not be read and places them on the table;

Members of the commission participating in casting lots shall pick up the paper one by one. Secretary of the Commission shall make a note on the 3rd page of the polling day logbook on the results of casting lots (Election Code - Article 61.2.f).
The chairperson of the commission shall select, by casting lots from the representatives present at the polling station, no more than 2 representatives, who participate in the counting process of valid and/or invalid ballot papers together with the counting officers selected by casting lots from the commission members (Election Code - Article 67.2).

**Attention!**
A representative and a counting officer (commission member) selected by casting lots shall not be the person nominated by the same party (Election Code - Article 67.2).

Chairperson of the commission and counting officers prepare the preceinct for the procedure of counting votes:
- Counting officers take their places at one side of the desk;
- Chairperson of the commission takes a place so as to be able to see each counting officer;
- Secretary of the commission takes a place by the side of the chairperson and fills out the logbook;
- Other persons authorised to be present at the polling station take their places at the desk in such a way as to maintain two meters distance (from the counting officers) (Election Code - Article 68.3).

Chairperson of the PEC shall take to the counting officer’s desk:
- general list of voters, special list, mobile ballot box list;
- unused ballot papers;
- spoiled ballot papers;
- main and mobile ballot boxes;
- control sheets stored for comparison;
- candles, flashlight (in case of electricity black-out);
- calculator.

(Election Code - Article 67)

Counting officers consecutively count the total number of voters participating in the polling, according to (Election Code - Article 67.3):
- general list of voters;
- special list of voters;
- mobile ballot box list.

The PEC secretary immediately incorporates the results into the public display protocol and the polling day logbook.

Commission secretary shall cut an edge of the unused ballot papers. Unused and spoiled ballot papers shall be bound in separate packages (Election Code - Article 67.4).

(Election Code - Article 67.3; 67.4).

**Sealing of lists of voters, spoiled and unused ballot papers**

**Secretary of the Commission** shall separately seal:
- general list of voters;
- special list;
- mobile ballot box list
Counting Officers separately seal:

- Unused ballot papers;
- Invalid ballot papers;

Counting officers indicate on each of the packages a name and number of the polling station, type of election documentation. The package envelope is sealed and signed by the counting officers and chairperson of PEC.

**Opening of the mobile ballot box**

(*Election Code - Article 68.1,2,4*)

The commission shall first open the mobile ballot box. Chairperson of the PEC checks the integrity of the seal on the ballot box in presence of PEC members and persons authorized to be present in the voting building.

**Attention!**

If the seal is damaged, but the commission presumes that this fact has not violated the requirements of the Law, the procedures of summarizing results shall be resumed under the PEC ordinance. Otherwise, the ballot box shall be sealed and the PEC ordinance and the sealed ballot box shall be immediately transmitted to the upper DEC.

Counting officers shall take special envelopes from the mobile ballot box and place them on the desk, after which:

- they check whether there is a control sheet in the mobile ballot box;
- compare the control sheet with the control sheet kept with PEC for comparison;
- in the case no discrepancy is identified, chairperson of the commission instructs counting officers to temporarily return special envelopes to the mobile box.

**Attention**

In case the control sheet turned out not to be in the mobile ballot box, or a difference was identified between the two control sheets, all special envelopes and ballot papers shall be bundled in one package and labeled “invalid”, and transferred to the upper DEC after the conclusion of the procedures of polling and counting of votes at the polling station.

**Opening of the main ballot box**

(*Election Code - Article 68.1,2,5*)

Chairperson of the PEC checks the integrity of the seal on the ballot box in presence of PEC members and persons authorized to be present in the voting building.

**Attention!**

If the seal is damaged, but the PEC presumes that this fact has not violated the requirements of the Law, the procedures of summarizing results shall be resumed under the PEC ordinance. Otherwise, the ballot box shall be sealed and the PEC ordinance and the sealed ballot box shall be immediately transmitted to the DEC.
Counting officers:
- place special envelopes and ballot papers from the main ballot box and place them on the desk;
- check whether there is a control sheet in the main ballot box and compare it with the control sheet kept with PEC for comparison.

**Attention**
In case a difference was identified between the two control sheets, or the control sheet turned out not to be in the main ballot box, all special envelopes and ballot papers shall be bundled, sealed, appropriate protocol shall be drawn up, and materials shall be immediately transferred to the DEC.

**Opening of a ballot box of the PEC set up for special cases**
*(Election Code - Article 67.7-8)*

Ballot box of a polling station set up for exceptional cases (if any) shall be opened after mobile and main ballot boxes of the main polling station are opened.

If no error is identified while opening the ballot box(s), counting officers shall mix together the special envelopes from main and mobile ballot boxes of the polling stations established for special cases (if any), and start counting of votes.

**Counting of Votes**
Counting officers take places at one side of the desk. Two supervisors selected out of observers, as well as two representatives of the election subjects revealed through casting lost shall stand next to them.

**Sorting of ballot papers**
*(Election Code - Article 69)*

**The first counting officer:**
- takes the ballot paper out of the special envelope;
- announces to whom the vote was cast;
- transfers the ballot papers of one type to the counting officers;
- places special envelopes separately.

**Counting officers sort separately:**
- votes given to each election subject;
- Invalid ballot papers;
- Ballot papers with suspicious authenticity.

A default ballot paper shall be deemed invalid only in the following cases:
- the special envelope is not in an approved form;
- there is more than one ballot papers in the special envelope;
- ballot paper in the ballot box was without a special envelope;
- ballot paper is not endorsed with the signature of a registrar and a special stamp;
- it is impossible to determine for which candidate a voter cast a vote;
- ballot paper was assigned to another polling station (such ballot papers shall be packed in a separate bundle and their quantity shall be recorded only in the logbook). This data is not recorded in the protocol.
After the sorting is complete, commission reviews and decides by vote the question of validity of ballot papers deemed as having suspicious authenticity.

Chairperson of the commission shall put ballot papers that are deemed valid to the pile of valid ballot papers (in accordance with the number of votes cast for each election subject), while ballots that are deemed invalid are added to the pile of invalid ballot papers.

**Counting of ballot papers**

After sorting the ballot papers chairperson of the commission orders the counting officers to count:
- Invalid ballot papers;
- votes given to each election subject.

**Attention!**

Every 10 ballot papers belonging to an election subject are bound with a metal clip and each package, both complete and incomplete, shall be inscribed the number of ballot papers in a package. These packages shall be bound into a single bundle.

Chairperson of the commission announces number of votes cast for each election subject. With an objective to verify data, secretary of the commission together with the chairperson of the commission shall check the correctness:

\[
\text{Number of votes received by each subject} + \text{Number of invalid ballot papers} \leq \text{Number of voter's signatures}
\]

If the total sum of votes received by the subjects and invalid ballot papers is more than the number of signatures of voters, the chairperson of the commission shall instruct the counting officers to re-count the data, result of which shall be included in the polling day logbook and the public display protocol by the commission secretary.

**Sealing of ballot papers**

*(Election Code - Article 69.6,9)*

After the completion of counting of ballot papers, the chairperson instructs the counting officers to seal in separate envelops:
- ballot papers that have been found invalid (with appropriate inscription - "invalid");
- bundle of ballot papers belonging to an election subject.

**Attention!**

The bundle of ballot papers cast for the each election subject should have an inscription including the title and number of the election precinct, information about the election subject (title, first and last name) and the number of votes received by the election subject, also the number of ballot papers in the bundle.
On each package the counting officers inscript the number of the district and the precinct, type and number of ballot boxes. Counting officers and chairperson of the commission sign across the sealing line of the envelope.

**Drawing up of a summary protocol of polling results**

*Election Code - Article 71*

The secretary of the PEC in agreement with the PEC chairperson shall draw up each summary protocol of polling results and registers it in the registration book.

**Attention!**

- Data included in the explanation notes written by the registrars (if any) shall be taken into account in the course of drawing up summary protocol of polling results.
- All members of the PEC shall be obliged to sign the summary protocol of polling results.
- If a PEC member does not agree with the data included in the PEC summary protocol of polling results, he/she shall be entitled to attach to the protocol a dissenting opinion in writing, but is nevertheless under a duty to sign the summary protocol of polling results.
- It is prohibited to modify the data in the summary protocol.
- When correcting a mistake, an inscription "corrected" shall be put immediately along the relevant data in the summary protocol and an amendment protocol shall be set up.

**Public nature of a summary protocol**

*Election Code - Article 71.8*

The PEC is responsible for posting a copy of the summary protocol of polling results for public information.

If requested, the PEC shall immediately give the copy of the protocol enclosed with the dissenting opinions of the commission members to all persons authorized to be present at the polling station.

The copy of the protocol should be certified by the PEC stamp and signatures of the PEC chairperson and its secretary. The person receiving the copy of the protocol should endorse such receipt by a signature in the PEC logbook.

The PEC is responsible to immediately convey to the CEC the summary protocol of polling results together with the amendment protocol and explanatory note by the registrar (where such exists).

**Sealing of a registration book, polling day logbook, transmission of election documentation to the DEC**

After completion of all polling procedures, the registration book of PEC and polling day logbook shall be closed, signed by the PEC chairperson and its secretary, and endorsed with the stamp of PEC.

**Commission seals:**

- the logbook, registration book and appeals/complaints;
- special stamp of the PEC.

(All members of the commission shall sign the sealed package of the commission stamp).

**Attention !**

Summary protocol shall not be sealed.
Persons authorized by the PEC shall transfer the inventory and election documentation bag holding sealed election documentation to the DEC.

A receipt-delivery act is drawn up for these purposes. The document is signed by persons transferring the documents and those receiving them. Both parties are given one copy of the document.

**Chapter 4**

**Period After the polling day**

**Main Activities**

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**4.1. Summarizing polling and election results by the DEC**

On the basis of summary protocols of the PEC, considering the results of examination of a violation of the election legislation, the DEC shall, no later than 11 days (November 7) following the polling, summarizes the polling results of the elections of President of Georgia and draws up the summary protocols.

All members of the DEC attending the commission session are obliged to sign the summary protocol of polling results. The protocol shall be endorsed by the DEC stamp.

If a DEC member disagrees with the data included in the summary protocol, he/she is entitled to indicate in the protocol what he/she disagrees with, and attach a written dissenting opinion to the protocol.

A copy of the DEC summary protocol (enclosed with the dissenting opinions of the DEC members), upon its request, shall be immediately forwarded to the observer of an observer organization. The copy of the protocol shall be endorsed by the DEC stamp and the signatures of the DEC chairperson and the secretary (these protocols have the same legal power as the DEC summary protocol). An observer shall verify the receipt of the protocol with his/her signature in the book of records.

**4.2. Summarazing election results by the CEC**

CEC, based on the protocols received from the DECs and final decisions of the Court, no later than 20 days from the Election Day (November 16), at its sessions summarizes results of elections of the President of Georgia creates Summarizing Protocol by CEC Ordinance, or appoints second round of elections (*Election Code - Article 104, 105*).
Within 5 days after summarizing final results of the elections CEC publishes information on the results of the elections using press and other media outlets.

Chapter 5 Rules for filing an application/complaints to the election commissions and their examination procedure

5.1. Rules for filing an application/complaints to the PEC and their examination procedure

Application/Complains

From the opening of the precinct until the ballot box is opened

Persons filing an application/complaint and their rights

The following persons in the PEC or upper DEC:
- Representative of a party/ voters' initiative group
- Observers of organizations having election observer status

are entitled to:

from the opening of the precinct (from 7:00) until the ballot box is opened, for act and decisions of the PEC and its members (except for drawing up of summary protocol of polling results):
- file a complaint on violations of the polling procedures on the polling day, for which they should draft an application/complaint (see Annex №2) immediately to the PEC upon detecting the violation in compliance with the requirements of the Election Code. (see Annex №3);
- upon drawing up of the complaint, submit an application/complaint to the PEC secretary, chairperson or a deputy chairperson.

Attention!
Application/complaint form provided in Annex №2 is recomemdatory in nature and can be presented in an alternative form, provided it includes required information as defined in Annex №3.

Registration of the application/complaint with the PEC

The PEC secretary shall register applicant/complainant submitted to the PEC in accordance with the following procedure:
- The PEC secretary notes the identity of the applicant in the logbook;
- Person filing the application/complaint and person receiving it sign along the inscription;
- The PEC secretary shall register the application/complaint on the 10th page of the logbook;
- As a proof of receipt of an application/complaint, commission secretary shall issue a (signed) notification to the applicant signed and stamped by the secretary.

Attention!
In case the respective official refuses to receive an application/complaint and/or the commission failed to eliminate the violation detected by the representative, the applicant may call the hotline number at: 251 00 51/ext of the district.
Identification of errors to application/complaints

Secretary of the commission, chairperson or a deputy chairperson are obliged to indicate the error of the application/complaint to the applicant and define the reasonable term for its rectification if the application/complaint does not include:

- date and time of drafting the application/complaint;
- name, address and place of registration of the applicant/complainant;
- number of the election precinct;
- in case of a witness - his/her first name, last name and place of registration.

The time given for rectification should be reasonable, that the error may be duly eradicated.

Note: Term for rectification of the error is defined by agreement between secretary, chairperson or a deputy chairperson of the PEC and the applicant/complainant. In case agreement between parties is not reached, the term for rectification of error is unilaterally determined by the secretary of the PEC.

Person filing the application/complaint and person receiving it sign along the relevant inscription on error in the registration book.

Procedures for correcting an error

The applicant/complainant shall be entitled to correct any error, within the established period of submission of an application/complaint, by submitting the similar application/complaint, where the grounds for determining the error shall be eliminated, and/or submit an application that shall include the information based on which the error has been established.

If the error is corrected, person receiving application/complaint notes - “error eradicated” - along the registered application/complaint in the registration book, with reference to exact date and time when the error was corrected. Applicant/complainant and secretary of the commission shall sign along the relevant note in the registration book.

Note!
In case the error is not corrected during the defined period, the application/complaint shall not be reviewed, on which the PEC shall deliver ordinance (title of which should indicate reasons for not reviewing the application/complaint).

Responding to the application/complaints

The PEC chairperson shall immediately respond to the application/complaint and eliminate any existing violation.

The commission chairperson or the secretary are obliged to indicate along the complaint in the registration book and the polling day logbook as to how the problem has been eliminated/solved/resolved, as well as what were the reasons for refusing the satisfaction or why was the compliant not reviewed.

If the error identified in the application/complaint is corrected by the respective official of the PEC (secretary, chairperson, deputy chairperson), an appropriate note “error eradicated” is made in the registration book, with reference to exact time when the error was corrected.

If the commission chairperson does not eliminate the violation, or otherwise refuses to respond to the application/complaint, the applicant/complainant has the right to immediately submit the application/complaint on the same violation to the DEC.
Application/complaint shall not be reviewed and the PEC shall issue an ordinance on not reviewing the application/complaint, if:

- Application/complaint is drafted by an unauthorized person;
- Application/complaint does not note essence and time of violation;
- Application/complaint was submitted to the election commission in violation of timeframes established by law.

Specific reason for leaving the application/complaint unconsidered shall be indicated in the title of the ordinance.

Persons filing an application/complaint and their rights

The following persons in the PEC or upper DEC

- Representative of a party/voters’ initiative group
- Observers of organizations having election observer status

are entitled to:

From the opening of the ballot box until the summary protocol of polling results is drawn up (other than drawing up the summary protocol of polling results) file a complaint regarding violations of procedures of counting of votes and summarizing polling results and request revision or nullification of the polling results.

In case the respective official refuses to receive an application/complaint and/or the commission failed to eliminate the violation detected by the representative, the applicant may call the hotline number at: 251 00 51/ext of the district.

Registration of an application/complaints and identification/correction of an error shall be carried out in accordance with the above procedure.

The PEC shall forward the submitted application/complaint to the upper DEC within 3 calendar days of the polling day. The application/complaint may be conveyed to the DEC by the applicant/complainant within the same timeframe.

Upon receipt of the application/complaint by the DEC, the commission secretary shall register it in the registration book of the commission and hand on to the applicant a written notification endorsed by his/her signature.

Examination of an application/complaint

The DEC shall review the application/complaint and make a decision within 1 calendar day from its registration with the DEC. The DEC shall make a decision by an ordinance, which shall be appealed only before the court in accordance with the procedures established by the Election Code.

Submitted application/complaint shall not be reviewed and the DEC shall issue an ordinance on not reviewing the application/complaint, if:

- Application/complaint is drafted by an unauthorized person;
- Application/complaint does not note essence and time of violation;
- Application/complaint was submitted to the election commission in violation of timeframes established by law;
  the title of the ordinance should indicate specific reasons for not reviewing the application/complaint.
## Persons filing an application/complaint and their rights

### The following persons:
- Representative of a party with electoral registration
- Representative of voters’ initiative group at the relevant DEC
- Organizations with election observer status

### are entitled to:
appeal the summary protocol in the upper DEC within 3 calendar days from drafting of such protocol, if it is established that PEC summary protocol of polling results is drafted in violation of the requirements of election legislation as provided in.

**Note:** if an application is submitted through violation of the appeal terms and/or by an unauthorized person as defined by the Election Code, the DEC shall adopt an ordinance on not reviewing the application/complaint. The title of the ordinance shall indicate reasons for not reviewing the application/complaint.

## 5.2. Rules for filing an application/complaints to the DEC and their examination procedure

### Persons filing an application/complaint and their rights
- Representative of a party/voters' initiative group
- Observers of organizations with election observer status

### are entitled to:
Address with the application/complaint on violation of procedures for polling, counting of votes and summarizing polling results to upper election commission in accordance with the procedure established by organic law of Georgia – “Election Code of Georgia”

- On violations of the polling procedures on the polling day after the opening of the precinct (from 7:00) until the ballot box is opened, for which they should draft an application/complaint immediately upon detecting the violation (see Annex №2) in compliance with the requirements of the Election Code. (see Annex №3);

**Attention!**

Application/complaint form provided in Annex №2 is recommendatory in nature and can be presented in an alternative form, provided it includes required information as defined in Annex №3.

- From the opening of the ballot box until the summary protocol of polling results is drawn up (other than drawing up the summary protocol of polling results) file a complaint regarding violations of procedures of counting of votes and summarizing polling results and request revision or nullification of the polling results.
An application/complaint on violations conducted from the opening of the ballot box until drafting of the summary protocol of polling results (other than drawing up the summary protocol of polling results) shall be forwarded to the upper DEC within 3 calendar days from the polling day. The applicant/complainant may submit application/complaint concerning the same violation directly to DEC, within the same timeframe.

The PEC summary protocol of polling results may be appealed in the upper DEC within 3 calendar days from drafting of such protocol, if it is established that PEC summary protocol of polling results is drafted in violation of the requirements of election legislation as provided in

Registration of the application/complaint with the District Election Commission (DEC)
The DEC secretary shall register applicant/complainant submitted to the DEC in accordance with the following procedure:

- The DEC secretary notes the identity of the applicant in the DEC registration book;
- Person filing the application/complaint and person receiving it sign along the inscription;
- As a proof of receipt of application/complaint, commission secretary shall issue a (signed) notification to the applicant/complainant signed and stamped by the secretary;
- Commission secretary is responsible for checking that an application/complaint includes all required information established by organic law of Georgia - “Election Code of Georgia” (See Annex № 3).

Identification of errors to application/complaints
Secretary of the commission shall indicate the error of the application/complaint to the applicant and define the reasonable term for its rectification if the application/complaint does not include:

- date and time of drafting the application/complaint;
- name, address and place of registration of the applicant/complainant;
- number of the election precinct;
- in case of a witness - his/her first name, last name and place of registration.

The time given for rectification should be reasonable, that the error may be duly corrected.

Attention: Term for rectification of the error is defined by agreement between secretary of the DEC and the applicant/complainant. In case agreement between parties is not reached, the term for rectification of error is unilaterally determined by the secretary of the election commission.

Person filing the application/complaint and person receiving it sign along the relevant inscription on error in the registration book.

Procedures for correcting an error
The applicant/complainant shall be entitled to correct any error, within the established period of submission of an application/complaint, by submitting the similar application/complaint, where the grounds for determining the error shall be eliminated, and/or submit an application that shall include the information based on which the error has been established.

If the error is corrected, person receiving application/complaint notes - “error corrected” - along the registered application/complaint in the registration book, with reference to exact date and time when the
error was corrected. Applicant/complainant and secretary of the commission shall sign along the relevant note in the registration book.

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<td>In case the error is not corrected during the defined period, the application/complaint shall not be reviewed, on which the PEC shall deliver ordinance (title of which should indicate reasons for not reviewing the application/complaint).</td>
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</table>

Responding to the application/complaints
Application/complaint shall not be reviewed, on which the decision on disregarding the application/complaint shall be delivered by the DEC when:

- Application/complaint is drafted by an unauthorized person;
- Application/complaint does not note essence and time of violation;
- Application/complaint was submitted to the election commission in violation of timeframes established by law, on which (the title of the ordinance should indicate reasons for not reviewing the application/complaint).

Specific reason for leaving the application/complaint unconsidered shall be indicated in the title of the ordinance.

Summoning of parties for consideration of application/complaint
DEC has to inform the party on the time and place of consideration of the complaint in the election commission no later than 3 hours before the start of examination of the case, if the applicant is:

- an observer organization or its representative, registered in the election commission; time and place of consideration of the complaint shall be notified to the respective observer or this organization, registered in the election commission of this organization;
- an election subject or its appointed representative; time and place of consideration of the complaint shall be notified to the appointed representative of this subject;
- a member of the election commission; he/she shall be personally informed on the consideration of the complaint.

For considering the complaint, the parties may be summoned in writing, by telephone (including cell phone, text message), email, fax or other technical means.

Summoning of the party by technical means shall be confirmed by:

- contacting on the telephone number indicated by him/her;
- email, fax or text message - through confirmation received by relevant technical means.

| The party shall also be considered summoned in case it is unfeasible to contact him/her through technical means indicated in the complaint (if the cell phone, fax, computer are turned off, etc.) |

Summoning of the party through technical means shall be reflected in the act, which is attached to the complaint presented at the commission session.

Act shall be drawn up by one of the members of the commission, as assigned by the commission chairperson, and signed by the person drafting the act and the district election commission chairperson.

Absence of the party shall not be a ground for postponing the examination of the complaint.
Examination of an application/complaint at the DEC

Decision on examination of the complaint shall be taken based on accurate inquiry into and study of evidences submitted by the parties and materials acquired by the election administration of Georgia on its own initiative.

A party shall have a right to participate in the process of examination of the complaint as established by the Georgian election legislation.

A party is entitled to conduct relations with an electoral commission by means of:
- a representative;
- a lawyer.

A representative should present to the election commission proof of representation certified in accordance with rules established by law:
- Representation of an initiative group of voters and candidate for president of Georgia is proved by power of attorney issued by the group and certified by the notary officer;
- Representation of an organization (party/observer organization) is proved by a proxy certificate issued by the person in charge of that organization;
- Representation by a lawyer is proved by power of attorney /credentials issued in due manner on the name of the lawyer by the person granting such proxy.

**Attention!**

If a representative does not present a duly approved document of representation, he/she will not be entitled to participate in the process of application/complaint examination and the decision will be taken without considering his/her position on the issue.

Application/complaint on violation of procedures for counting of votes and summarizing polling results shall be reviewed by the DEC which takes decision within 1 calendar day from its registration in DEC. The latter delivers decision in the form of an ordinance, which may be appealed only in the court according to the rule established by Election Code.

Decisions of PEC/commission head officials may be appealed to the relevant DEC within 3 calendar days after their delivery.

The DEC examines the appeal on decisions of PEC/commission head officials within 1 calendar day.

Registration of the application/complaint with the District Election Commission (DEC)

The DEC secretary shall register applicant/complainant submitted to the DEC in accordance with the following procedure:
- The DEC secretary notes the identity of the applicant in the DEC registration book;
- Person filing the application/complaint and person receiving it sign along the inscription;
- As a proof of receipt of application/complaint, commission secretary shall issue a (signed) notification to the applicant/complainant signed and stamped by the secretary.

**Attention!**

In addition to the requirements established by the legislation, parties are requested to clearly indicate in their application/complaint contact details of the applicant/complainant: a telephone number, (home/cell phone), as well as fax and email (if any).
Responding to the application/complaint

Application/complaint shall not be reviewed, on which the decision on disregarding the application/complaint shall be delivered by the DEC when:

- Application/complaint is drafted by an unauthorised person;
- Application/complaint was submitted to the election commission in violation of timeframes and rules established by law.

**Attention!**
DEC does not identify defect for application/complaints on violations of election legislation (except for the polling day). Provided relevant grounds are present, the application/complaint will be disregarded without establishing defect on it.

Summoning of parties for consideration of application/complaint and examination of application/complaint are conducted in a uniform manner which has already been discussed above, in relation to application/complaints on violation of procedures for counting of votes and Polling procedure.

### Appeal Term and Procedure

Decisions of DEC/commission head officials regarding decisions of PEC/commission head officials (including on drawing up of a summary protocol) may be appealed to the relevant district/city court **within 2 calendar days**.

Decisions of DEC/commission head officials (except for those mentioned above) may be appealed to CEC **within 1 calendar day** after their delivery.

**Attention!**
DEC decisions may be appealed to the relevant district/city court within 2 calendar days in following exceptional cases of:

- DEC ordinance on refusal to amend voters’ data/lists.
- DEC ordinance on refusal to register an observer organization.

### 5.3. Rules for filing an application complaints of the CEC and their examination procedure

**Application/Complaints**

**On violations of election legislation**

**Addressing application/complaint to the CEC**

Subjects defined by the Election Code are entitled to address application/complaint to the CEC on:

- violations of election legislation of Georgia;
- decisions of DEC/commission head officials.

Decisions of DEC/commission head officials (including on drawing up of a DEC summary protocol of polling results) may be appealed within **1 calendar day** after their delivery.
Registration of application/complaint with the CEC

The CEC administrative department registers application/complaint submitted to the CEC. Immediately upon receipt, application/complaint is consecutively registered in the registration book according to the turn of receipt. Each document is assigned relevant registration number; date, time, and number of pages of each application/complaint is registered in the registration book along with identity and contact details of the applicant/complainant. Written notification of receipt of the document shall be given to the applicant/complainant indicating:

- Exact date and time of receipt of application/complaint;
- Registration number assigned to the document in the registration book.

The CEC official receiving the application/complaint shall provide proof of receipt of such application/complaint with signature and seal.

**Attention!**

- In addition to the requirements established by the legislation, parties are requested to clearly indicate in their application/complaint contact details of the applicant/complainant: a telephone number, (home/cell phone), as well as fax and email (if any).
- In case a CEC official refuses to register an application/complaint, you may call the hotline number at: 032-251 00 51.

Responding to application/complaint

Application/complaint shall not be reviewed, on which the decision on disregarding the application/complaint shall be delivered by the CEC when:

- Application/complaint is drafted by an unauthorised person;
- Application/complaint concerns a decision of the DEC taken with regard to appeal of the PEC decision;
- Application/complaint was submitted to the election commission in violation of timeframes established by law.

**Attention!**

CEC does not identify defect for application/complaints on violations of election legislation. Provided relevant grounds are present, the application/complaint will be disregarded without establishing defect on it.

Summoning of parties for consideration of application/complaint

CEC has to inform the party on the time and place of consideration of the complaint in the election commission no later than 3 hours before the start of examination of the case. If the applicant is:

- an observer organization or its representative, registered in the election commission; time and place of consideration of the complaint shall be notified to the respective observer or this organization, registered in the election commission of this organization;
- an election subject or its appointed representative; time and place of consideration of the complaint shall be notified to the appointed representative of this subject;
- a member of the election commission; he/she shall be personally informed on the consideration of the complaint.

For considering the complaint, the parties may be summoned in writing, by telephone (including cell phone, text message), email, fax or other technical means.

Summoning of the party by technical means shall be confirmed by:

- contacting on the telephone number indicated by him/her;
- email, fax or text message - through confirmation received by relevant technical means.
Summoning of the party through technical means shall be reflected in the act, which is attached to the complaint presented at the commission session.

Act shall be drawn up in the CEC by an official of the CEC legal department, and signed by the person drafting the act and the head of unit.

Absence of the party shall not be a ground for postponing the examination of the complaint.

**Examination of an application/complaint at the CEC**

Decision on the examination of the complaint shall be taken based on accurate inquiry into and study of evidences submitted by the parties and materials acquired by the election administration of Georgia on its own initiative.

A party shall have a right to participate in the process of examination of the complaint as established by the Georgian election legislation.

A party is entitled to conduct relations with an electoral commission by means of:

- a representative;
- a lawyer.

A representative should present to the election commission proof of representation certified in accordance with rules established by law:

- Representation of an initiative group of voters is proved by power of attorney issued by the group and certified by the notary officer;
- Representation of an organization (party/observer organization) is proved by a proxy certificate issued by the person in charge of that organization;
- Representation by a lawyer is proved by power of attorney/credentials issued in due manner on the name of the lawyer by the person granting such proxy.

**Attention!**

If a representative does not present a duly approved document of representation, he/she will not be entitled to participate in the process of application/complaint examination and the decision will be taken without considering his/her position on the issue.

Application/complaint on decisions of DEC/commission head officials shall be reviewed by the CEC which takes decision within 1 calendar day from its registration with the CEC.

**Appeal Term and Procedure**

Decisions of CEC/commission head officials (including on drawing up of a summary protocol of polling results), may be appealed to Tbilisi City Court, by persons specified in article 78 of the Election Code within 2 calendar days after its delivery.
5.4. Drawing up of a protocol on administrative violations

Subjects specified by Election Code are entitled to address application/complaint to the CEC or DEC on administrative violations envisaged by articles 79, 81 and 86-92 of the organic law of Georgia - Election Code and article 174 of the Code of Georgia for Administrative Offences.

CEC protocols on administrative violations shall be drawn up by Chairperson of the CEC; relevant DEC protocols - designated person authorised by the commission (chairperson/deputy chairperson of the DEC).

An application/complaint on drawing up a protocol on administrative violations is subject to unilateral review through oral hearing from a person authorised to complete such protocol with the participation of interested parties; a protocol on oral hearing is drawn up. Following an oral hearing of an application/complaint, a person authorized to complete such decision:
- upholds the application/complaint and drawing up of a protocol on administrative violations;
- makes a statement on refusal to uphold an application/complaint.

**Attention!**
When examining a case of administrative violations, presence of a person charged with an administrative offence is mandatory. Where this person is avoiding appearance, he/she may be summoned by persuasion by the Ministry of Internal Affairs.

Protocol on administrative violations is completed in two copies, from which the first copy remains with a person authorised to complete such protocol and the second copy is issued to the offender.

**Attention!**
Protocol on administrative violations and materials attached to it should be sent to relevant district/city court for review immediately after such protocol is drafted.

Decision (ordinance) of the CEC chairperson on refusal to uphold the application/complaint on drawing up of a protocol on administrative violations shall be appealed before the Tbilisi City Court 2 calendar days after the decision is made.

Decision of the authorized person of the DEC (ordinance) on refusal on drawing up of a protocol on administrative violations may be appealed to the CEC within 1 calendar day from its delivery.

5.5. Complaints Registry

For timely submission of information on complaints and information related to them to voters and all interested persons and organizations, in the election period following information is uploaded on the CEC website complaint registry page (http://sachivrebi.cec.gov.ge):
- Complaints submitted to the CEC and related information;
- Information on court cases occurring during election period, related to election issues, and with the participation of the CEC;

**Attention!**
Information in the registry is inserted by the CEC Relations with the Court and Election Disputes Unit, no later than 1 day after the receipt of relevant information.

- Complaints submitted to the DEC and related information; in particular: registration number, date of submission, information on the person submitting the complaint, application/complaint, date and place
of examination of the application/complaint, pertaining decision, scanned version of the application/complaint and the decision;

- Complaints submitted to the PEC and related information; in particular: registration number, date of submission, information on the person submitting the complaint, application/complaint, date and place of examination of the application/complaint, pertaining decision, scanned version of the application/complaint and the decision.

**Attention!**

In order to place abovementioned information in the registry, within 1 day from the delivery of a decision by DEC, DEC conveys information to the CEC Organizational Department, Election Information Management Unit responsible for placing information in the registry no later than 1 day from the receipt of such information.

Employee of the relevant structural unit placing information is responsible for its comprehensiveness and accuracy.

Administration of complaints uploaded on the web-site is carried out by the CEC Legal Department, Relations with the Court and Election Disputes Unit together with the CEC Organizational Department, Election Information Management Unit.

Information placed in the registry is free-of-charge and public.

Information placed in the registry can be used freely. Interested persons may use the information placed in the registry with mandatory identification of the source.
Application for the Accreditation as an International Observer

**Personal Details**

Surname: Mr/Ms

First Name:

Passport Number:

Valid Until:

Issued By:

Date of Birth:

Citizenship:

Home Address:

Telephone:

Fax:

Email:

Place of Employment:

Occupation:
Sending Body/Organization:

Professional Experience

Election Observation Experience (Country,Mission,Function and Year):

Other Relevant Election Experience:

A copy of the passport is enclosed

Signed

Date
a) When presenting an application/complaint to the PEC, indicate name and number of the election Precinct and District.
b) When presenting an application/complaint to the DEC, indicate name and number of the District.

Application/complaint
(underline needful)

Applicant/complainant

Name, Last name, Address according to the place of registration, and contact telephone number

Fax, E-mail (if any)

Violation: polling procedure  □  

Counting of votes/ summarizing polling results □

Essence of the violation:

Witness (if any) 

Name, Last name, address according to the place of registration

In case an offender is revealed - all possible date obtained on him/her :

Explanation by the offender (if any);

(other additional information)

Based on the abovementioned, please review my application/complaint and respond accordingly (whenever requesting nullification or other response, indicate relevant request)

"----" "--------" 20---- Year

Applicant/complainant:

of the application/complaint

(Time of completion (hour, minute)) /Signature/
Required Information Content for Application/Complaint for Submission to the Election Commission

Application/complaint shall include:

- ✓ date and time of drafting the application/complaint *
- ✓ name, address and place of registration of the applicant/complainant *
- ✓ number of the election precinct *
- ✓ in case of a witness - his/her first name, last name and place of registration *
- ✓ essence and time of violation **
- ✓ in case an offender is revealed - all possible date obtained on him/her **
- ✓ explanation by the offender (if any) **
- ✓ Contact details of the applicant/complainant: a telephone number (home and/or cell phone ***
- ✓ as well as as fax and email (if any) of the ***,
- ✓ other additional information.

* Failure to indicate the above required information accurately/fully is considered as a ground for establishing defect on the application/complaint, and can serve as a ground for not reviewing it, if the gap is not duly filled.
** Failure to indicate the above required information is considered as a ground for not reviewing an application/complaint without prior establishment of a defect on it.
*** Indication of inaccurate/incomplete information cannot be considered as a ground for establishing defect on the application/complaint and not reviewing it, but can serve as a ground for impossibility to summon a party to the examination of the complaint.
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