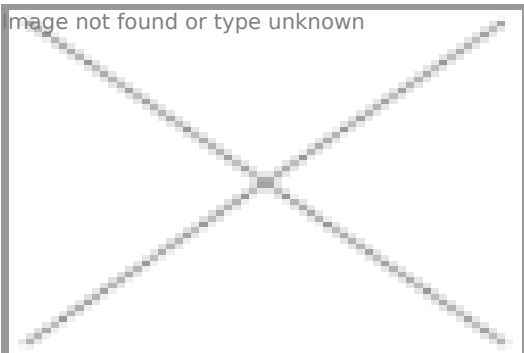


საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



NGOs Requesting the President to Use the Power of Veto



Georgian Young Lawyers' Association, Transparency

International – Georgia, International Society for Fair Elections and Democracy,

Coalition for Free Choice and the Open Society – Georgia Foundation held a press conference on changes in the organic law of Georgia on Political Unions of Citizens.

On December 28, 2011, Parliament of Georgia passed unconstitutional changes in the organic law of Georgia on Political Unions of Citizens.

According to the new regulations, political unions as well as legal entities that are directly or indirectly affiliated with a political party or are otherwise controlled by a political party or have declared political goals and objectives, will be obligated to return donations that they have received from legal persons within three days after the law comes into effect. Otherwise, the money will become the property of the state.

The noted regulation contradicts Article 42 of the Constitution of Georgia stipulating that “No one shall be held responsible on account of an action, which did not constitute a criminal offence at the time it was committed. The law that neither mitigate nor abrogate responsibility shall have no retroactive force”. Article 24 of the Law on Normative Acts stipulating that “a normative act that defines or aggravates legal liability may not be retroactive” has also been violated.

In violation of the Constitutional requirements, the new regulations passed by the parliament provides for a liability for actions which did not constitute a criminal offence at the time it was committed. It also delegates a retroactive force to a norm that defines responsibility for past actions.

NGOs also deem Article 261 of the organic law of Georgia on Political Unions of Citizens as unconstitutional, as it essentially limits freedom of expression guaranteed by the Constitution. Furthermore, changes in the Criminal Code that introduce unreasonably and disproportionately severe sanctions for voters who apply to persons pursuing political goals for a service or transfer of material goods or receive similar service from them are also unacceptable to us.

NGOs apply to the President of Georgia Mr. Mikheil Saakashvili with a request to prevent violation of the principles of utmost importance guaranteed by the Constitution of Georgia and the international law, to resort to the Constitutional mechanism available to him and send the bills submitted for his signature back to the parliament of Georgia with his motivated comments.

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