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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

GEORGIA

AMENDMENTS TO THE ORGANIC LAW
“ELECTION CODE OF GEORGIA”

Final edited version

Draft

**Organic Law of Georgia
Amending the Organic Law “Election Code of Georgia”**

Art. 1. To make the following amendments to the Election Code of Georgia

1. Art. 18. Para. 2 shall be amended as follows:

“2. For the elections of municipal bodies, the creation of local electoral districts, their boundaries, names and numbers shall be defined by Law”.

2. Art. 137 shall be amended as follows:

“1. For elections of the municipality representative body - Sakrebulo and the Mayor of a self-governing city/a self-governing community, each municipality shall be one electoral district.

2. Within two days after calling elections, the CEC shall publish on its official website information about the electoral districts, indicating their boundaries.

3. For elections of the municipality representative body - Sakrebulo, the appropriate District Election Commission shall establish local majoritarian electoral districts and define their boundaries. For Tbilisi Sakrebulo elections, the CEC shall establish such electoral districts and define their boundaries within two days after the elections are called, taking into consideration the territorial and administrative peculiarities of the municipality concerned.

4. DEC's publish the information about local majoritarian electoral districts, indicating their boundaries, on the CEC's official website within three days after the elections are called”.

3. Art. 140 shall be amended as follows:

“1. The Sakrebulo of a self-governing community shall be composed of 15 members elected through the proportional electoral system and one member from each community (village, urban-type settlement (daba) and city) comprised by that self-governing community. Within the administrative centre of the self-government community, where the number of voters is more than 4 000 but does not exceed 10 000, two members of the Sakrebulo shall be elected through the majoritarian electoral system. Within the administrative centre of the self-government community, where the number of voters is more than 10 000, but does not exceed 20 000, three members of the Sakrebulo shall be elected through the majoritarian electoral system. Within the administrative centre of the self-government community, where the number of voters is more than 20 000, but does not exceed 35 000, four members of the Sakrebulo shall be elected through the majoritarian electoral system. Within the administrative centre of the self-government community, where the number of voters is more than 35 000, five members of the Sakrebulo shall be elected through the majoritarian electoral system.

2. The Sakrebulo of a self-governing city (other than Tbilisi) shall be composed of 15 members elected through the proportional system and 10 members elected through the majoritarian system”.

4. Art. 148, paras 1 and 2 shall be amended as follows:

“1. To determine the number of seats obtained by a party list, the number of votes received by the party list shall be multiplied by the number of the seats to be allocated under the proportional system in the electoral district and divided by the sum of the votes received by those parties that received not less than 4% of the votes cast in the elections. The integer part of the number thus determined shall be the number of seats obtained by the party list. The number of votes cast in the election shall not include the number of votes recorded on invalid ballot papers.

2. If the total number of seats obtained by party lists in an electoral district is less than the total number of seats, each unallocated seat shall first be allocated in sequence to the better polling party lists that failed to obtain a seat under paragraph 1 of this Article but received no less than 4% of the votes cast in the election. If any undistributed seat(s) is/are still left, each seat shall be allocated in sequence to the party lists that acquired at least one seat and have the largest fractional remainder. The number of votes cast in the election shall not include the number of votes recorded on invalid ballot papers”.

5. Art. 155, para. 4 shall be amended follows:

“4. The Tbilisi Sakrebulo shall be composed of 50 members, out of which 25 members are elected in the territory of local single-seat majoritarian electoral districts, and 25 members are elected through the proportional electoral system in the whole territory of Tbilisi municipality”.

6. Art. 162, paras 1-3 shall be amended as follows:

“1. Seats in the Tbilisi Sakrebulo shall be allocated under the proportional electoral system only to electoral subjects that received at least 4% of votes cast in the elections. Seats shall be allocated under the procedure established by this Article.

2. To determine the number of seats obtained by a party list, the number of votes received by the party list shall be multiplied by 25 and divided by the sum of the votes received by those parties that received not less than 4% of the votes cast in the elections. The whole part of the figure obtained is the number of seats received by the party list. The number of votes cast in the elections shall not include the number of votes recorded on the ballot papers declared invalid.

3. If the sum of the numbers of seats received by the party lists turns out to be less than 25, each unallocated seat shall first be allocated in sequence to the better polling party lists that failed to obtain a seat under paragraph 1 of this Article but received no less than 4% of the votes cast in the election. If any undistributed seat(s) is/are still left, each seat shall be allocated in sequence to the party lists that acquired at least one seat and have the largest fractional remainder. The number of votes cast in the election shall not include the number of votes recorded on invalid ballot papers.

7. New Article 203⁸ shall be added to the Law as follows:

Article 203⁸. Carrying out certain measures for 2025 municipal elections

For 2025 municipal elections:

- a) CEC shall, by 1 August 2025, establish electoral districts, define and/or modify their boundaries and publish the relevant information on its website.

- b) CEC shall, by 1 August 2025, establish and/or modify boundaries of local single-seat majoritarian electoral districts in Tbilisi and other self-governing cities and publish the relevant information on its website.
- c) DEC's shall ensure, by 1 August 2025, establish and/or modify local majoritarian electoral districts, taking into account the local single-seat majoritarian electoral districts established by the electoral commissions during 2014 local elections, territorial modifications of self-governing communities made in 2017 and the quotas provided in Art. 140 of this Law.
- d) Electoral districts shall be established or/and modifications shall be made no later than 1 August 2025.
- e) Within the administrative centre of the self-government community, where the number of voters is defined as of 15 July 2017.

8. Annex 1 and Annex 2 to this Law shall be deleted.

Art. 2. This Law shall enter into force after its publication

President of Georgia

Salome Zurbashvili

Tbilisi, ... December 2024