The International Society for Fair Elections and Democracy

ISFED

Report on Monitoring the November 3, 2008 Adjara Supreme Council Elections and by-Elections of Parliament of Georgia

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Summary

On August 4, 2008, by the decree # 539 of the President of Georgia, the Adjara Supreme Council Elections and Parliament of Georgia elections of May 21, 2008, of majoritarian electoral system # 2 Vake and # 8 Didube Electoral Districts By-Elections, according to "Adjara Autonomous Republic Status" of paragraph 4th of Article 10th and Article 241st of the Constitution of Georgia were appointed. Though, after the military attack of the Russian Federation against Georgia, by the decree of August 9th, 2008, of the President of Georgia on the entire territory of Georgia the state of war was declared (according to 'sub-paragraph "Z", paragraph 1, article 73, as well as article 98 and paragraph 1, article 100 of the Georgian Constitution, according to Georgian Law "about Military Law" and "Mobilization Law" sub-paragraph "a", article 6, Georgian Law) which in accordance to the existing legislation resulted in delay of the election till the abolishment of the state of war. The duration of the state of war was declared for 15 days.

Immediately after the abolishment of the state of war, on September 5, 2008, by the decrees of #578th and # 579th of the President of Georgia the Adjara Supreme Council Elections and Parliament of Georgia elections of May 21, 2008, of majoritarian electoral system # 2 Vake and # 8 Didube Electoral Districts By-Elections were appointed. According to the legislation[1] the date of the elections was appointed November 3, 2008.

International Society for Fair Elections and Democracy (ISFED) instantly expressed its readiness to conduct monitoring of electoral processes in Adjara Autonomous Republic and # 2 Vake and # 8 Didube election districts. In the pre-election period ISFED conducted talks with donors, mobilized its observers' network staffed with ISFED's long-term observers and short-term activists across Georgia.

ISFED conducted monitoring over the pre-election, Election Day and pos-election periods and conducted Parallel Turnout Tabulation (PTT) on the Adjara Supreme Council Elections. ISFED observers filled out standard Election Day procedure monitoring forms. ISFED Election Day final analyses are based on findings of those forms.

During the Election Day, ISFED observed, filled out and filed 61 complaints at Precincts, Districts and Supreme Election Commissions in Adjara Autonomous Republic. Additionally, ISFED monitored repeat elections of Adjara Supreme Council, conducted on November 16, 2008 – by proportional system and on December 14, 2008 – by majoritarian system. During repeat elections ISFED lodged 2 complaints.

ISFED monitored by-Elections of Parliament of Georgia, held in # 2 Vake and # 8 Didube election districts. There were no complaints and appeals from ISFED, as by-elections passed in a calm atmosphere.

Based on the deficiencies detected by the election observation mission, ISFED developed a set of recommendations for improving the future election procedures.

[1] According to the existing legislation the elections are appointed 60 days after the abolishment of the state of war.

About ISFED

The International Society for Fair Elections and Democracy (ISFED) is a non-governmental, non-partisan, non-profit and impartial organization, which since its establishment in 1995 has conducted the large-scale monitoring of every election in Georgia. In addition, ISFED has monitored elections in Ukraine, Azerbaijan, Armenia, the USA, Kyrgyzstan, Albania, Kazakhstan and Norway by participating in international observation missions. ISFED is the only organization in Georgia, which conducted a Parallel Vote Tabulation and Parallel Turnout Tabulation (PVT/PTT) during the six national elections held in 2003 Parliamentary, 2004 Extraordinary Presidential and Parliamentary, 2006 local self-government, 2008 Extraordinary Presidential and Parliamentary. Based on PVT/PTT results, ISFED disseminated the objective information regarding the election results.

In addition to the election-monitoring program, ISFED has implemented various projects aiming at supporting the process of democracy development in Georgia. Mainly, these projects supported the protection of citizens' legal rights by monitoring the activity of the government and promoting its accountability, responsiveness and transparency.

First in June 2004 and later in 2007, ISFED redefined its mission and strategy; identified priorities and developed new programs to further support democratic processes in Georgia. Main directions of the ISFED strategy for 2007-2009 are: Enhancing transparency and accountability of government; Monitoring and improving electoral processes in Georgia, protection of electoral rights; Integration into international democratic institutions and supporting establishment of principles recognized by respective institutions.

Complete information about ISFED activities in Georgian and English languages is available on the organizational web-site: http://www.isfed.ge

A.

Adjara A/R Supreme Council Elections

Legal Framework

Electoral System and Appointment of Elections

According to the Georgian legislation, Supreme Council Elections of Adjara Autonomous Republic are appointed by the President of Georgia. The Constitution of Georgia, the Georgian Organic Law on elections and electoral process called the "Unified Election Code" (UEC) and the law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections" serves as the legal basis for the preparation and conduct of elections.

Based on the legislation, the number of the members of the Supreme Council of Adjara is 18, from which 12 members are elected by proportional and 6 members – by a majority system into the Adjara Supreme Council.

Election Law

The following normative acts were the legal documents for holding the Adjara A/R Supreme Council Elections on November 3, 2008:

- Constitution of Georgia;
- The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections";
- Organic Law of Georgia "Election Code of Georgia";
- Law of Georgia on Political Parties;
- Relevant articles of the Criminal Code of Georgia;
- Relevant Articles of the Administrative Misconduct Code of Georgia;
- Resolutions and Orders of the Supreme Election Commission.

Registration of Electoral Subjects and Observers

Electoral subjects registration

No later than 57 days after the announcement of the elections, namely on September 7[2], Supreme Election Commission finished receiving the applications from the political parties for participation in Adjara Supreme Council Elections. Totally 8 political parties registered and submitted the party lists at the Supreme Election Commission. These are: "Georgian Dasi", "Giorgi Targamadze - Christian Democrats", "By Ourselves", "Conservative Party of Georgia", "Georgian Politics", "Unified National Movement", "Industry Will Save Georgia", "and Unified Communist Party of Georgia". Among these parties only one - Unified Communist Party of Georgia - was not registered at the Supreme Elections Commission. Consequently, the party was given 1 week period for collecting signatures of 3000 voters of Georgia residing in the territory of Adjara Autonomous Republic. [3]

The political union "Our Country" submitted the application after the deadline and consequently was refused to register by the Supreme Election Commission. The Republic Party of Georgia refused to participate in Adjara Supreme Council Elections.

30 days prior to the elections, on October 4, the Supreme Election Commission, via casting a lot identified the numbers for electoral subjects. [4] Two political parties – "Unified National Movement" and "Giorgi Targamadze- Christian Democrats" requested the Supreme Election Commission to keep the previous numbers (their request was granted). The other parties were assigned the following numbers:

1. "Unified Communist Party of Georgia";
2. Political Union "Georgian Dasi";
3. Political Union "Industry Will Save Georgia";
4. Political Union "By Ourselves";
5. Political Union "Unified National Movement";
6. Conservative Party of Georgia;
7. Political Union " Georgian Politics";

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[2] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 44, Paragraph 1;

[3] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 44, Paragraph 4[2];

[4] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Articie 99; The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 80, paragraph 5.

8. Political Union "Giorgi Targamadze- Christian Democrats".

Observers' registration

According to the election legislation of Georgia, namely the organic law of Georgia "Election Code of Georgia" and the law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", the right to observe the elections have any domestic and international election monitoring organization, which meets the criteria set by the election legislation and will register at the election administration.

By October 15 three international organizations have been registered at the Supreme Election Commission for observing the Adjara Supreme Council Elections:

1. International Republican Institute;
2. British Embassy to Georgia
3. National Democratic Institute for International Affairs.

Eight domestic organizations have been registered at the Supreme Election Commission for observing the Adjara Supreme Council Elections:

1. International Society for Fair Elections and Democracy;
2. Georgian Young Lawyers' Association;
3. International Organization for Truth and Justice, Protection and Social Security of Intimidated and Prisoners;
4. International Organization for Protection and Social Safety for Vulnerable People and Prisoners;
5. Young Journalists' Association;
6. New Generation - New Initiative;
7. Fund "Civic Education Development Multiethnic Resource Center";
8. General Civil Movement "Multinational Georgia".

Brief Overview of ISFED's Election-related General Activities[5]

In the pre-election and election periods, ISFED conducted a variety of election related activities. The main goal of the activities was to raise awareness of voters on election related issues and voters' lists as well as on Election Day and election timeframes. During the above period, ISFED implemented the following projects:

1. **Georgia: 2008 Elections, Improvement of Voters' Lists**

Donor organization: Council of Europe (CoE) and Organization for Security and Cooperation in Europe (OSCE)

Activities performed: The project included three phases and was implemented in all 75 election districts of Georgia, excluding the conflict zones. The first phase of the project was voter information campaign; in the frames of this phase ISFED informed the citizens about the door-to door campaign conducted by the Election Administration. Additionally, educated them on exactly how and when they could verify their

[5] International Society for Fair Elections and Democracy launched and been conducting some of these activities even before the appointment of the 3 November, 2008 Adjara Supreme Council Elections as part of ISFED's general activities.

personal information in the voters' list; within the second phase of the project ISFED monitored the process of the door-to-door voters' verification campaign, conducted by the Election Administration of Georgia. The third phase of the project was the comprehensive voters' lists audit (VLA) using a representative sample throughout the country. After the implementation of this phase ISFED assessed the overall accuracy of the voters' lists in Georgia.

2. **Voter Information Campaign**

Donor organization: European Commission Delegation to Georgia (EC), through United Nations Development Program (UNDP)

Activities performed: International Society for Fair Elections and Democracy partnership with Georgian Young Lawyers' Association implemented the project "Voter Information Campaign". Within the frames of the project, organizations conducted voter information for Adjara Autonomous Republic's voters, through three directions:

1. **Media campaign** – Organizations procured and aired four types of video and audio spots – check yourself in voters' lists; information on bus tours; E-Day procedures and "Go for Vote";

2. **Hot-lines** – In pre-election period both organizations activated hot-line telephones, in order to make election-related consultations for interested citizens;

3. **Bus tours** – ISFED and GYLA organized bus tours (18 meetings in total) in 6 election districts of Adjara Autonomous Republic. Organizations' activist informed the local citizens on election related issues simultaneously, in different districts of the region. Additionally, they organized role plays of Election Day procedures, during which population had an opportunity to participate in role play. All these promoted increase of public awareness towards Election Day procedures.

Pre-election Period Monitoring

For the November 3, 2008 Adjara Supreme Council Elections, International Society for Fair and Free Elections' pre-election monitoring mission covered all 6 electoral districts of Adjara region. ISFED's observers conducted monitoring in 3 major directions. These were:

1. Monitoring of Autonomous Republic's Election Administration at all 3 levels – Supreme, District and Precinct Election Commissions;
2. Monitoring of updating process of Unified Voters' List;
3. Monitoring of pre-election campaign – conducted by the election subjects, facts of pressure, intimidation and bribery of voters.

ISFED launched pre-election monitoring on September 5 - the same date the Adjara Supreme Council Elections were appointed. From time to time ISFED informed the society on monitoring results through press conferences, briefing, Media Statements and by the on-line bulletin – Election Update (2 editions).

Election Administration

According to election legislation of Georgia the election administration of Adjara Autonomous Republic - part of the election administration of Georgia - is responsible for organizing and administrating Adjara Supreme Council Elections. The election administration of Adjara Autonomous Republic is three-level and consists of Supreme, District and Precinct election commissions.

In the pre-election period ISFED's Long-Term Observers conducted monitoring at all three levels of the election administration- observing the implementation of activities envisioned by the electoral timetable.

Supreme Election Commission Monitoring

After the announcement of elections, Supreme Election Commission approved the timetable of election activities. ISFED observed the implementation of activities prescribed by the legislation by the Commission and adherence to the dates. Emphasized below are several monitoring findings:

The Supreme Election Commission consists of 13 members, out of which 6 is non-party affiliated, and remaining 7 members are nominated by the following political parties: Unified National Movement, Conservative Party of Georgia, Political Union "Industry Will Save Georgia", "Labor Party of Georgia", Political Union "By Ourselves", "Political Union "Giorgi Targamadze - Christian Democrats" and Political Union "Georgian Dasi". The Republican Party of Georgia refused to participate in the elections and the party "Georgian Dasi" has been granted a right to nominate its representative at Adjara Supreme Election Commission.

In the pre-election period the Supreme Election Commission held regular sessions. The sessions were attended by every member, though the members nominated by the political parties were not actively engaged in the Commission's activities and their participation is only limited to attending the sessions. Despite the fact that often at the sessions the different opinions are voiced, the process of adopting decisions is unanimous.

In the period set by the legislation, no later than 41 days prior to the Elections Day, on September 23, the Supreme Election Commission via press and other means of media presented the numbers, addresses, and telephone (fax) numbers and other requisites of election precincts.

In the monitoring period the Supreme Election Commission carried out the costs estimation for identifying the organization for printing bullet papers. Based on the costs estimation the decision to print bullet papers in Tbilisi has been adopted. [6] ISFED through its 2 accredited observers conducted monitoring of the process of printing ballot papers by the election administration.

On September 11, 2008, the Supreme Election Commission adopted the instruction for submitting and deliberating a statement/complaint at the election administration. ISFED reviewed the instruction and provided the respective recommendation to the Supreme Election Commission. Namely: 1. In the Article 1st of the instruction to regulate the date for receiving, issuing and registering the election documentation according to the Election Code of Georgia[7]. 2. According to Article 11 of the instruction, during the deliberation on the complaint, if one of the sides is a registered election observation organization, its representative may be invited to the session. ISFED's recommendation was, to become invitation of observation organization obligatory. On October 14, 2008, on its session the Supreme Election Commission

[6] Printing House - "Vesta - 07".

[7] The instruction envisioned receiving the statements/ complaints till 18:00 of the work day, which obstructed the process of receiving/registration of the complaints on Election Day.

took into account ISFED's recommendations and adopted the respective changes to the instruction. ISFED welcomed the Supreme Election Commission's decision.

On September 11, on its session the Supreme Election Commission adopted # 48 decree, according to which the video cameras would be installed only at the election precincts of # 79 Batumi election districts. The experience of the Presidential and Parliamentary Elections 2008 showed that in terms of problematic elections Kobuleti, Qeda, Khelvachauri and Khulo election districts were distinguished. Because of that on October 7, ISFED and GYLA submitted a statement to the Supreme Election Commission to install the video cameras at Adjara's election districts. The statement was discussed at the Supreme Election Commission's session on October 11, on which the respective bodies were assigned with the task to study in details the financial and technical aspects of the issue. On October 14 on its session the Supreme Election Commission approved installing vide cameras only at 14 election precincts of # 81 Kobuleti election districts (located in the city of Kobuleti). According to the Supreme Election Commission in other election districts installing video cameras was impossible because of a lack of finances.

The selection process where video cameras would be installed was not made clearly by the Supreme Election Commission. Based on previous experience, ISFED believed, that in Adjara, especially in Kobuleti and Khelvachauri Elections Districts were higher number of violations, than in Batumi. Correspondingly, video cameras should have been installed in those Districts.

ISFED considers, that in order to insure the transparency of the elections it would be desirable if the Supreme Election Commission would fully take into consideration the recommendation of the election observation organizations.

Some remarks have to be made with regard to the work of Public Relations Department of the Supreme Election Commission. During the pre-election period there were some shortcomings in this regard. Specifically, there were some cases when the election observation organizations were not timely informed on holding the Supreme Election Commissions' sessions. Though, the above-mentioned problem was later solved. There were certain problems with regards to receiving the public information (during requesting the information there were cases when the Supreme Election Commission would direct the requesters to the web-page), though this issues was timely solved. As for the web-page of the Supreme Election Commission, it lacked comprehensive information and was not updated with new information systematically. ISFED called the Supreme Election Commission to pay particular attention to updating the web-page in order to avoid repetition of the situation observed at the Presidential Elections of January 5, 2008 - namely, with regard to timely posting the summary protocols on the web-page, which did not happen on the web-page of the Central Election Commission during the Presidential Elections and to some extent shadowed the transparency of the elections.

District and Precinct Election Commissions monitoring findings

District and precinct election commissions, similar to the Supreme Election Commission, consisted of 13 members, 6 of which are non-party affiliated, and the remaining 7 are nominated by the political parties. As mentioned above, the Republican Party of Georgia refused to participate in the Adjara Supreme Council elections and consequently the district and precinct election commissions were not composed of according to the law. The 13th members of the commissions were appointed by the district election commissions based on the competition. In # 80 Qeda and # 82 Shuakhevi election districts the 13th members were not selected as either there were not applicants or the application forms were not filled out correctly.

No later than 55 days prior to the Elections Day[8], namely on September 9, the district election commissions created the election precincts identified the precincts' numbers and borders. The same day, the district election commissions announced the competition for the membership of precinct election commissions. After the receipt of the application, no later than 46 days prior to the Election Day, on September 9-14, the district election commissions elected 6-6-members of the precinct election commissions. At some precinct elections the Chairs, Deputy Chairs and the Secretaries were selected the same persons who conducted the Parliamentary Elections of May 21. It's notable, that exactly because of their non-qualified performance the results of election precincts during the Parliamentary Elections were annulled - for example, # 2, # 15 and # 43 election precincts of # 81 Kobuleti election district.

According to the legislation the session of newly created precinct election commissions should be held not later than 34 days[9] prior to the elections. Consequently, at the territory of Adjara Autonomous Republic the sessions of every precinct election commissions were held. Though monitoring showed that some election precincts did not function according to the set rules. After 17:00p.m. # 3, # 12, # 53, # 65,# 66 election precincts of # 79 Batumi election district and # 60 election precinct of # 81 Kobuleti Election District were closed. The further monitoring shows that some election precincts did not function after 16:00p.m. For example, almost every election precincts in # 82 Shuakhevi election district, except # 1 and # 46 election precincts. Some election precincts were not provided with necessary equipments, for example, # 56 election precinct of # 79 Batumi election district.

On the 1st sessions, the precinct election commissions were required to post the voters' lists and complains' rules at the voting buildings, though the monitoring showed that electoral materials were not posted in a number of cases. For instance in # 54 and # 60 election precincts of # 81 Kobuleti election district, and # 2, # 3, # 12, # 15 and # 29 election precincts of # 79 Batumi election district.

According to the election time-table the list of members of precinct election commissions were required to be disseminated via press and other means of media no later than 29 days prior to the Election Day, on October 5. # 79 Batumi, # 80 Qeda, # 81 Kobuleti and # 84 Khulo District election commissions posted the lists of members of precinct election commissions only at the election districts' public stands.

On October 5 the district election commissions were to receive the documentation set by the legislation: the party list, the registration card and photos filled and signed by each of the applicants for memberships of the Supreme Council. The election districts did not received the above-mentioned documentation by the set-date, as the because of the shortcomings in the party lists the lists were given back to the parties for eradicating the shortcomings.

According to the legislation, the political parties participating in the elections have a right to recall the members of precinct election commission, no later than 15 days prior to the Election Day. The members were recalled from 21 election precinct of # 79 Batumi election district, 10 election precinct of # 80 Khulo election district, # 46 election precinct of # 81 Kobuleti election district and 5 election precinct of # 82 Shuakhevi election district.

No later than 15 days prior to the Election Day, in exceptional cases the election precincts were created. Specifically in # 79 Batumi election district # 75 election precinct was created, in # 81 Kobuleti election district # 63 election precinct was created, and in # 83 Khelvachauri election district # 50, # 65 and # 66 election precincts were created.

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[8] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 25, sub article 3.

[9] Organic Law of Georgia "Election Code of Georgia", Article 20, sub article 4.

It is noteworthy that in the pre-election period the representative of the Central Election Commission of Georgia at # 83 Khelvachauri election district, whose duties were to supervise and provide relative consultation to the election district, obviously exceeded his authority and interfered in the work of the District Election Commission. He also obviously pointed to the observers (ISFED observers) what kind of information they might receive or not.

In # 83 Khelvachauri election district, ISFED encountered problems with receiving the public information according to the legislation. On the information received from the election district, which was enclosed with the total number of voters in the form of an annex, was not stamped. The above-mentioned problem was not solved even after the interference of ISFED's central office.

For November 3 Elections, in a number of election precincts in the position of the Chairmen and the Deputy Chairmen of the Precinct Election Commissions were elected those persons, who were by the decision of the District Election Commission banned from working at the election administration because of committed violations of election legislation at the Parliamentary Elections of May 21, 2008. Specifically, as the Chairman of # 49 election precinct of # 79 Batumi election district was appointed the person who at the May 21 Parliamentary Elections was administratively sanctioned and banned from working at the election administration. The above-mentioned person was the Chairman of # 66 Precinct Election Commission and admitted the inked voter into the polling station. On the same election precinct ISFED's observer was intimidated with the threat of his father loosing a job. According to the organic law of Georgia "Election Code of Georgia"[10] as the member of precinct election commission can not be elected/appointed the person who has been dismissed from the election administration by the election commission or the court because of the violation of election legislation.

With regard to this fact on October 27 ISFED submitted the statement to # 79 Batumi election district and according to election legislation demanded the adequate reaction. On October 31 Batumi election district refused ISFED's representative to deliberate on the statement motivating the refusal that the date for lodging a complaint against the decree on electing a member of district election commission was 1 calendar day and ISFED was late with addressing the district election commission. Though ISFED did not lodge a complaint on the issue, but in the form of a statement deliberated on the fact, consequently not meeting the date for lodging the complaint could not be used by the election district as a reason for refusal. As for violation of dates set by the legislation, they were violated by # 79 Batumi election districts which in 3 days delay provided an official answer to ISFED statement.

In addition, at 6 election precincts of # 79 Batumi election districts, poll workers who were given disciplinary sanctions at the Parliament of Georgia Elections of May 21, were elected as the Chairmen and the Deputy Chairmen of the commissions. For example: at # 1 election precinct as the Commission Chairman was elected the poll worker, who at the Parliamentary Elections received a warning because he forced out a domestic observer from the territory of election precinct; at # 66 election precinct as the Commission Chairman was elected the person who at the Parliamentary Elections received a warning for arbitrarily changing the functions of the commission members identified by casting a lot; at # 32 election precinct as the Deputy Chairman was elected the person who worked at the election commission where at Parliamentary Elections several procedural violations were observed; at # 43 election precinct as the Chairman was elected the person who at the Parliamentary Elections let a voter with the marking ink to enter the polling station, also after the closure of the election precinct during counting of votes let the representative of the National Movement to enter and be present at the polling station (when it was already violation to enter the polling station), when at the same time another representative of the same party was present at the polling station; at # 55 election precinct as the Commission Chairman was elected the person who received a warning at the Parliamentary Election because as his polling station a voter voted through an outdated Identification Card; and at # 52 election precinct the current Commission Chairman also received a disciplinary warning as at the Parliamentary Elections at his precinct the fact of voting through forged Identification Card was observed.

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[10] Organic Law of Georgia "Election Code of Georgia", Article 18, sub article 5[1]

Pre-Election Campaigning

In the monitoring period in terms of meeting with the voters the most active was the United National Movement, Giorgi Targamadze- Christian-Democrats and the political union "Georgian Dasi". According to the information of ISFED's long-term observers generally the pre-election campaign was carried out in a calm atmosphere and no serious violations by electoral subject have been observed. Nevertheless several problems were observed:

In # 84 Khulo election district the activists of the United National Movement posted the agitation materials on the wall of the election district. According to the Paragraph 4 of Article 75 of the organic law of Georgia "Election Code of Georgia" it is prohibited to post the election agitation materials on the walls of state institutions.

According to the representatives of the Christian-Democratic Movement, the voters in # 80 Qeda election district were forbidden from meeting them. According to them, the population was threatened by loosing the jobs and warned if they would support the Christian-Democratic Movement, they would not receive the vouchers for wood.

With elections approaching the local authorities became more active and started to solve a number of problems for the local population such as installing the water pipes, distributing the fuel vouchers, repairing roads. Also at the Gamgeoba of # 84 Khulo election district on the ground of the populations' applications the process of distributing financial aid to socially vulnerable population was started.

Voters' lists

The issue of voters' list was still problematic for Adjara Supreme Council Elections of November 3, 2008. ISFED tried to identify the total number of voters in Adjara Autonomous Republic and its each election district. However, it turned out to be hard to do so. The data of the Central Election Commission, Supreme Election Commission and the election districts was different. ISFED carried out the comparative analyses of the voters' lists. Below is given the table showing difference in the voters' lists according to the election districts:

Name of election district	Number of election district	Data from the web-page of the Central Election Commission	Data from the web-page of Adjara Supreme Election Commission	Data of election district
Batumi	79	98350	98906	98 308
Qeda	80	15334	67118	67 160
Qobuleti	81	66885	67118	67 160
Shuakhevi	82	15175	15164	15176
Khelvachauri	83	69608	71684	15176
Khulo	84	23844	23823	23 945
Total		289196	292021	

Based on the analyses of the table there were still the problems with the accuracy of the voters' lists and numbers of voters in it.

No later than 14 days prior to the elections, on October 20[11], the district election commissions made the respective changes in the lists.

79 Batumi Election District- from the list are removed 27 diseased; added 40 voters; made 2 corrections; 1300 voters (military, term and contract officials) were assigned to various election district according to their dislocation;

80 Qeda Election District- from the list are removed 47 diseased; added 35 voters; made 13 corrections;

81 Kobuleti Election District- from the list are removed 286 diseased; added 136 voters; from election precincts to other election precincts 1024 voters are transferred; made 3 corrections;

82 Shuakhevi Election District- from the list are removed 59 diseased; added 28 voters, from election precincts to other election precincts 95 voters are transferred; made 6 corrections;

83 Khelvachauri Election District- from the list removed 146 diseased; added 8 voters; made 2 corrections;

84 Khulo Election District- from the list removed 86 diseased; added 16 voters.

According to the legislation, the District Election Commission should deliver the changes in the voters' lists in 2 day period to the Precinct Election Commissions[12] though in a number of cases the precinct election commissions did not receive the decrees on the above mentioned changes. For example, # 52, # 12, # 17, # 19, # 31, # 22 and # 27 election precincts of # 79 Batumi election district; # 49 election precinct of # 83 Khelvachauri election district. # 33 election precinct – Tkhilnari- of # 83 Khelvachauri election district according to the borders provided by the election district should be located at the village Tkhilnari village club, though in fact it was located at the building of village Sakrebulo. According to the organic law of Georgia "Election Code of Georgia"[13] precinct election commission can not be located and voting place can not be located in the same building, where the bodies of state authorities and local governance and self-governance are located, except the cases when in the territory there are not other, relative buildings.

On October 23 at the # 31 election precinct of # 79 Batumi election district the mobile box list was posted. As according to the election legislation, the mobile box list is compiled 2 days prior to the elections, consequently this fact was violation of election legislation. The situation was improved only after inference of ISFED's long-term observer and the mobile ballot list was removed from the election precinct.

In the pre-election period three important issues were identified which in particular concern election processes in Adjara. The first, composing of election administration with non-qualified poll members; the second, non-transparent manner of composing low-level election administration; and the third, the problems with voters' lists- different number of voters in various levels of election administration.

Mobilization of the Election Observation Mission

To form the Observation mission, ISFED set up a wide network of volunteers across the whole territory of Adjara region. To monitor the Election Day, ISFED trained and accredited 334 observers in total. ISFED conducted pre-election monitoring through its 6 long-term observers as well as short-term monitoring through its observers in 334 precincts and 6 districts. Monitoring was also conducted by ISFED's 6 mobile

[11] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 16, sub article 6.
[12] The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 16, sub article 7.
[13] The organic law of Georgia "Election Code of Georgia", Article 2, sub article 2.

teams to promptly obtain information from precinct observers and rapidly respond to it. Legal support to the activities of the observation mission was provided by ISFED's 3 legal groups set up according to districts.

ISFED central office in cooperation with Adjara Regional Office developed the observers' mobilization scheme, the monitoring forms, communication and reporting system. The Election Day observers were trained in election observation related topics.

Trainings

On 12-13 October, the Training of Trainers (ToT) was held in Batumi. The ToT was attended by 12 participants – 4 central office representatives and 8 trainers.

The following topics were covered on the trainings:

- Project description
- Importance of the observation mission
- Election Administration
- Voters' lists
- Opening of the precinct
- Election day
- Voting by Mobile ballot box
- Election day forms
- Communication system
- Instructions for STO observers
- Financial issues
- Closing of training

After the ToT, in October 15-21, the trainings for Election Day Short Term Observers were held. In total 384 short term observers (50 observers in reservation) were trained by ISFED trainers. The trainees were handed the manuals, instructions, special forms and organization's marks.

At the end of the trainings the observers filled the special testing forms to check the level of understanding of trainings topics.

The second round of the trainings was conducted on 30 October -1 November by the respective district coordinators.

Legal Teams Trainings

On October 28, 2008, the training for the representatives of legal teams was organized. The necessary materials (forms, instructions) were distributed to the trainees.

The trainings covered the following topics:

1. Complaints/applications (regarding the Election Code);
2. Complaints/applications (in court);
3. Explaining the Lawyer's Form;
4. Reporting and communication.

Critical situation operators training

On November 1 the critical situation operators training were held in Batumi. The training was attended by 5 operators.

The critical situation operator training covered the following matters:

1. Election Day procedures;
2. Explaining the critical situation form;
3. Critical situation communication system;
4. Instruction for filling out the critical situation form.

Election Day

ISFED observed the Election Day of Adjara Supreme Council Elections through deploying 334 election precinct observers, 11 mobile teams, 2 legal teams, 1 Supreme Election Commission observer and 6 election district observers. ISFED conducted Parallel Turnout Tabulation (PTT).

The monitoring of Election-Day was financially supported by the Organization for Security and Co-operation in Europe and British Embassy to Georgia.

Findings of Election Day monitoring

During the Election Day the following irregularities and violations were observed by ISFED observers:

- Late opening of the precincts/late starting of voting process - # 53 election precinct of # 79 Batumi Election District; # 44 election precinct of # 81 Kobuleti Election District;
- The receive-delivery act did not coincide with the number of the ballots received by the precincts - #10 and # 49 election precincts of # 79 Batumi election district;
- Voting instead of other - # 1, # 55, # 15 (signing instead of other in voters' list), # 20, # 49 and # 69 election precincts of # 79 Batumi Election District; # 9 election precinct of # 83 Khelvachauri Election District;
- The voters in the mobile ballot box, were not included in unified voters' list - # 38, # 55, # 66, # 68 of # 79 Batumi Election District; # 17 election precinct of # 82 Shuakhevi Election District;
- No mark in unified voters' list, that voter is removed in mobile ballot-box list - # 17, # 43, # 49, # 52 and # 68 election precincts of # 79 Batumi Election District;
- Voting more than registered voters by mobile ballot-box - # 11 and # 37 election precincts of # 83 Khelvachauri Election District;
- Voting without ID Card –# 46, # 61 election precincts of # 81 Kobuleti Election District; # 31 election precinct of # 80 Qeda Election District;
- Efforts of voting without ID Card - # 3 and # 17 election precincts of # 79 Batumi Election District;
- Ballot-staffing - # 37 and # 59 election precincts of # 83 Khelvachauri Election District; # 43 election precinct of # 82 Shuakhevi Election District;
- Pressure on ISFED observers - # 9, # 17 and # 51 election precincts of # 79 Batumi Election District; # 3, # 37 and # 70 election precincts of # 83 Khelvachauri Election District; # 26 election precinct of # 84 Khulo Election Districts;
- Voting without signing in voters' lists - # 38 election precinct of # 83 Khelvachauri Election District (two cases);
- Voting without marking - # 17 election precinct of # 84 Khulo Election District (three voters);
- Effort of voting by already marked voters - # 43 and # 55 election precincts of # 79 Batumi Election District;

- More than one authorized representative on election precincts - # 55 and # 75 election precincts of # 79 Batumi Election District (representatives of "United National Movement"); # 71 election precinct of # 79 Batumi Election District (representatives of "Young Journalists' Association");
- Voting by improper cards - # 34 election precinct of # 79 Batumi Election District - ex prisoner voted by presenting release certification; # 75 election precinct of # 79 Batumi Election District - voter voted by photocopy of ID Card; # 3, # 24 and # 25 election precincts of # 79 Batumi Election District - citizens tried to vote using false ID cards; # 38 election precinct of # 82 Shuakhevi Election District - an effort of voting using expire ID card;
- Twice voting - # 26 election precinct of # 84 Khulo Election District;
- Other technical violations by precinct commission members - # 53 election precinct of # 79 Batumi election district; # 17 election precinct of # 82 Shuakhevi Election District; #15 election precinct of # 81 Kobuleti Election District (On election precinct the candidates removed from the registration was not indicated); # 49 election precinct of # 79 Batumi Election District (commission members who were obliged to take mobile ballot box, were given just majoritarian ballots, when they had to be given both, majoritarian and proportional ballots as well); # 3 election precinct of # 79 (Batumi Election District there was no registration stamp numbers on demonstration protocol); # 37 election precinct of # 83 Khelvachauri Election District (in one election envelope was included more than one ballot, and this envelope was put in ballot box); # 15 election precinct of # 81 Kobuleti Election District (ballot was placed in ballot box without potting it in special envelope); # 29 election precinct of # 81 Kobuleti Election District (commission members gave election ballot to the citizen without requesting ID card);
- Forcing the observers by commission members to accompany the mobile ballot box - # 16 and #23 election precincts of #79 Batumi Election District;
- Unauthorized persons on election precinct - # 43 election precinct of # 82 Shuakhevi Election District;
- Not full aged citizens participating in voting process - # 35 election precinct of # 83 Khelvachauri Election District.

ISFED responded on those violations and irregularities by submitting complains and appeals in different levels of Election Administration.

Complaints and Appeals

The observers at the election precincts observed a number of electoral irregularities. In quantitative terms these irregularities can be classifies in the following way:

- Late opening of the precincts/ late start of voting - 2 cases;
- Pressure on observers - 10 cases;
- Presence of unauthorized people at election precincts - 3 cases;
- Incorrect voters' lists - 13 cases;
- Incorrect filling of documents - 3 cases;
- Illegal distribution of functions among members of election precincts - 1 case;
- Voting fraud (staffing) - 23 cases;
- Voting by improper Identification Cards - 8 cases.

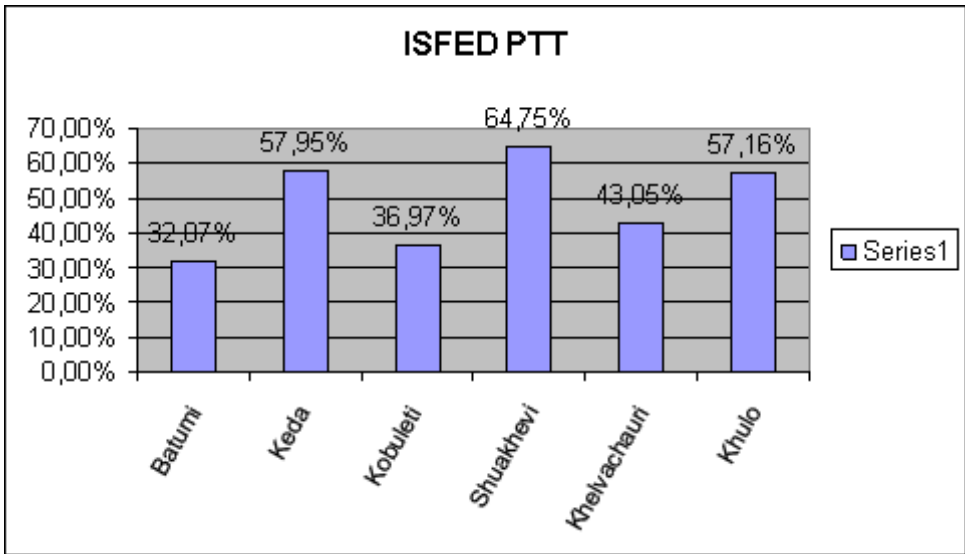
Accordingly, based on those irregularities, on Election Day ISFED lodged 61 complaints - 56 complaints were lodged at precinct election commissions and 11 complaints were lodged at district election commissions (6 complaints were lodged at election precinct commissions and the district election commission simultaneously). The precinct election commissions did not register 5 complaints lodged by ISFED and consequently these complaints were submitted to district election commissions. Based on ISFED's complaints the results of the following election precincts were annulled:

- Election precincts of # 7, 12, 17 and 43 of # 82 Shuakhevi election district;
- Mobile ballot boxes of # 59, 55 and 68 of # 79 Batumi election district.

The most common tendencies of electoral irregularities were voting fraud which included ballot staffing and voting instead of other voter, pressure of observers, incorrectness of the voters' lists and voting by improper Identification Cards.

ISFED PTT Results:

International Society for Fair Elections and Democracy conducted Parallel Turnout Tabulation (PTT) on Election-Day. Where was no sample selection and organization covered 100% of polling stations. Information was received from 94, 01 % of polling stations. Based on this findings voters' turnout on Adjara Supreme Council Elections, was **40, 63 %.** Below is presented the voter turnout according to election districts:



Post-Election Period Monitoring

ISFED conducted the post-election period monitoring of Adjara Supreme Election Council Elections by deploying 12 District Election Commission and 1 Supreme Election Commission Observers.

The post-election period of Adjara Supreme Council Elections was distinguished with the significant election violation in Khelvachauri. Specifically, on Election Day in # 83 Khelvachauri election district ISFED was observing the violations. Especially with regard to the mobile ballot lists, majority of which were compiled with the violation of legislation: the voters in the mobile ballot lists were not included on the unified voters' list or in the unified voters' list was not indicated, that voters were transferred to the mobile ballot lists. This created a possibility for the double voting.

On November 4 Khelvachauri Election District Commission deliberated on the complaints lodged by ISFED and annulled the results of # 16 and # 37 election precincts. With regard to other complaints ISFED planned to take proceedings to the court, though unexpectedly at 23:00 in the evening of November 4, the session of Khelvachauri Election District Commission was convened, on which in violation of election legislation the Summary of DEC's election results was adopted. By doing this Khelvachauri District Election Commission

did not only violated the norms prescribed by the legislation, but also blocked the election observation organizations from further litigating the legal cases.

According to the paragraph 21 of Article 80 of the law of Adjara Autonomous Republic "On Adjara Autonomous Republic Supreme Council Elections" in full compliance of the legal procedures ISFED lodged the complaint at Adjara Supreme Election Commission on annulling the final protocol of results of proportional and majoritarian elections of November 3 adopted by # 83 Khelvachauri Election District Commission[14]. On November 5, on its session Adjara Supreme Election Commission annulled the results of Khelvachauri election district. Consequently, in # 83 Khelvachauri election district the repeat elections through proportional system were appointed for November 16 and through the majoritarian system on December 14. ISFED announced its readiness to observe the repeat elections.

Monitoring of Adjara Supreme Council Repeat lections

In December 14, 2008 ISFED recruited and trained 1 long-term observer, 1 representative at Adjara Supreme Election commission, 1 legal team, 66 observers for the repeat Adjara Supreme Elections through the majoritarian system in Khelvachauri district. Also developed and delivered all the necessary materials for the observation mission.

For the repeat Adjara Supreme Council Elections through the majoritarian system in #83 Khelvachauri district, 5 parties were registered at Adjara Supreme Election Commission. These are: "Georgian Dasi", "Giorgi Targamadze- Christian Democrats, "By Ourselves", "Unified National Movement" and "Unified Communist Party of Georgia". Out of five only three parties presented their majoritarian candidates, accordingly, two parties (By Ourselves and Unified National Movement) who did not present their candidates did not participate in the elections.

The numeration of parties was as following:

1. Unified Communist Party of Georgia;
2. Political Union _"Georgian Dasi";
3. Giorgi Targamadze-Christian Democrats.

For the repeat Adjara Supreme Elections through majoritarian system in Khelvachauri district the parties presented the following majoritarian candidates:

1. Unified Communist party of Georgia – Murman Surmanidze;
2. Giorgi Targamadze- Christian Democrats- Zaza Shashikadze;
3. Political Union "Georgian Dasi" –Tamar Kvachantiradze.

According to the election legislation of Georgia, Georgian organic law - "Election Code of Georgia" and the law of Adjara Autonomous Republic - "Adjara Autonomous Republic Supreme Council Elections", the right to observe the elections has any domestic and international election monitoring organization, which meets the criteria, set by the election legislation and will register at the election administration.

For the repeat Adjara Supreme Elections through the majoritarian system in Khelvachauri district one international and three domestic observation organizations have been registered. These are:

[14] The complaint with the similar demand was lodged at Adjara Supreme Election Commission by the Labor Party of Georgia and Gorgi Targamadze- Christian-Democrats.

1. IFES-Georgia;
2. International Society for Fair Elections and Democracy –ISFED;
3. Georgian young lawyers' Association –GYLA;
4. International Organization for Truth and Justice, Protection and Social Security of Intimidated and Prisoners.

The last session of Adjara Supreme Election Commission regarding the repeat Adjara Supreme Elections through the majoritarian system in Khelvachauri district conducted on 19 December. At the session the Majoritarian Summary protocol of Elections was adopted by the unanimous support of supreme election commission representatives.

On December 14, 2008 repeat Adjara Supreme Council Elections through majoritarian system were conducted in Khelvachauri district. For the monitoring of Elections ISFED deployed 66 observers, 1 legal team and 1 mobile group to Khelvachauri district.

According the information of ISFED observers no irregularities and violations were observed. The situation and environment was calm at the precincts. Voter turnout was considerably law, as it was expected.

One fact of violation was observed at # 11 election precinct. Particularly the number of voters' signatures was 115 and envelopes -109. ISFED lodged a complaint, which was not satisfied by the precinct election commission. The number of voters' signatures was not coincident with the number of envelopes into the ballot box. The Number of voters' signatures was 115, the number of envelopes - 109. Because a complaint was not satisfied at the precinct, ISFED lodged it to the Khelvachauri district election commission. ISFED demanded Administrative responsibility of three members of Election commission- particularly, responsibility of the ballot box observer for the procedural violation, responsibility of the secretary for the non-receiving of complaint, responsibility of the Chairman of commission for the banishment of observer from the precinct. The complaint was satisfied by the district election commission.

Media Report

During the period of monitoring Adjara Supreme Council Elections, from October, 2008 to December, 2008, ISFED conducted six press-conferences and briefings, disseminated both in Georgian and English languages, six Press Releases, four Media Statements, one pre-election monitoring results and two on-line informational bulletin Election Updates.

All the aforementioned press releases and announcements as well as the information on ISFED-held press conferences and briefings were posted on ISFED's website and sent by electronic mail. Simultaneously, ISFED's press releases and media announcements were disseminated locally through regional and district representatives.

In the election period, ISFED organized and held the following press-conferences and briefing:

1. **Batumi, 16-10-2008** - Briefing aimed to inform the public about the pre-election monitoring conducted by ISFED during the period from September 5, to October 15. Nationwide TVs – Public Broadcasting, Rustavi 2 and Imedi; regional TVs – Adjara and TV 25; radios – Imedi, "Mtsvane Talgha", Adjara and Fortuna; newspapers – Adjara and "Batumelebi" transmitted and broadcasted the briefing. Therefore 1 Election Update and Press Release was disseminated;

2. **Batumi, 01-11-2008** – Briefing aimed to inform the public about the ISFED pre-election monitoring results for the period of September 5, to October 26. Nationwide TVs – Public Broadcasting, Rustavi 2 and Imedi; regional TVs – Adjara and TV 25; radios – Adjara, "Mtsvane Talgha" attended and transmitted the briefing. As a result ISFED's pre-election monitoring report and Press Release was disseminated;
3. **Batumi, 03-11-2008, 10:00 a.m. –** Press-conference aimed to inform the public about ongoing process of E-day, based on ISFED monitoring results of the November 3, 2008 Adjara Supreme Council Elections and by-Elections of Parliament of Georgia. ISFED informed the public based on information for 10:00 a.m. on opening the election precinct throughout the Autonomous Republic. Accordingly the relevant Press Release were disseminated;
4. **Batumi, 03-11-2008, 15:00 a.m. –** Press-conference aimed to inform the public about E-day processes, based on monitoring results for 15:00 p.m. Information was on election procedures, on violations and complaints submitted by ISFED observers on precinct and district election commissions. 1 Press Release was disseminated;
5. **Batumi, 03-11-2008, 22:00 a.m. –** Press-conference aimed to inform the public about E-day processes, based on monitoring results for 22:00 p.m. ISFED informed the society on closing the election precinct and at the same time organization publicized Parallel Turnout Tabulation (PTT) results. 1 Press Release was disseminated;
6. **Batumi, 04-11-2008 –** Press-conference aimed to present ISFED Preliminary Statement on the November 3, 2008 Adjara Supreme Council Elections and by-Elections of Parliament of Georgia. At the same time information on submitted complaints and appeals was disseminated. 1 preliminary Press Release was disseminated.

ISFED Media Statements and Election Updates disseminated centrally and locally are as follows:

1. **16-10-2008 –** ISFED disseminated Election Update in English and Georgian languages on the organization's mailing-list. Election Update provided information on ISFED pre-election monitoring results from September 5, to October, 15, 2008 concerning Election Administration activities in Adjara autonomous Republic and in # 2 Vake and # 8 Didube Election Districts;
2. **01-11-2008** – ISFED Election Update was disseminated in English and Georgian languages to ISFED mailing-list. Election Update contained information on pre-election monitoring conducted by ISFED during the period from October 16, to October 26, which was publicized on ISFED Briefing held on November 1, 2008;
3. **02-11-2008** – ISFED uploaded pre-election monitoring report in English and Georgian languages on ISFED web-site. Pre-election monitoring report included information on whole pre-election period, namely during the period from September 5, to November 1, 2008;
4. **03-11-2008** – During the Election-Day, ISFED disseminated three Media Statements on election ongoing process, both in Georgian and English languages. These statements contained information, that was publicized during the Press-conferences held on November 3, 2008;
5. **04-11-2008** - ISFED disseminated Media Statement concerning the Election-Day and PTT results, both in Georgian and English languages; Statement included information on complaints and appeals submitted by ISFED in different levels of the Election Administration.

B.

Monitoring of the Parliament of Georgia By-Elections

International Society for Fair Elections and Democracy monitored the by-elections of the Parliament of Georgia. Monitoring included three stages: pre-election period, election-Day and post-election period.

Pre-Election monitoring of the Parliament of Georgia By-Elections

ISFED's 2 long-term observers conducted monitoring of the pre-election period of the Parliament of Georgia By-Elections. The observers monitored the activities of the political subjects, election administration, and local governmental bodies.

In # 2 Vake and # 8 Didube election districts for participation in the elections 4 majoritarian candidates registered themselves in each election district. Noteworthy, the Unified National Movement did not participate in the By-Elections.

According to the election legislation of Georgia, 30 days prior to the elections[15], on October 4, the Central Election Commission via casting a lot identified the numbers of electoral subjects[16]. The numbers of majoritarian candidates were the following:

 # 2 Vake Election District

1. Gocha Pipia - citizens' political union "Georgian Politics";
2. Tamaz Kvachantiradze - "Giorgi Targamadze- Christian-Democracts";
3. Levan Asatiani - political union "By Ourselves";
4. Kakha Qoridze - political union "Georgian Dasi".

 # 8 Didube Election District

1. Jumber Kirvalidze- citizens political union "Georgian Politics";
2. Jemal Natelashvili - Radical-Democrat National Party of Whole Georgia;
3. Guram Chakhvadze - political organization- National Democratic Party;
4. Natela Miqiashvili - political union "Qartuli Dasi".

By November 1, twelve international organizations have been registered at the Central Election Commission for observation of the Parliament of Georgia By-Elections:

1. International Republican Institute;

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[15] The organic law of Georgia "Election Code of Georgia", Article 99.
[16] The organic law of Georgia "Election Code of Georgia", Article 99; The law of Adjara Autonomous Republic "Adjara Autonomous Republic Supreme Council Elections", Article 80, sub article 5.

2. British Embassy to Georgia;
3. National Democratic Institute for International Affairs;
4. Office of Special Representative of European Union to the South Caucasus;
5. Embassy of Romania to Georgia;
6. Commission of European Union;
7. Embassy of Azerbaijan to Georgia;
8. Embassy of the United States of America to Georgia;
9. Central Election Commission of Kazakhstan;
10. Parliament of Poland;
11. Embassy of Lithuania to Georgia;
12. Embassy of Armenia to Georgia

And eight domestic Election Monitoring organizations:

1. International Society for Fair Elections and Democracy;
2. Georgian Young Lawyers' Association;
3. New Generation- New Initiative;
4. General Civil Movement "Multinational Georgia".
5. Fund " Civic Education Development
6. Civic Development Organization;
7. Union of Human Rights Protection and Democratic Principles of Georgia
8. Union "Public Darbazi of Whole Georgia".

The political subjects participating in the Parliament of Georgia By-Elections did not actively conduct the pre-election campaigning. Only several meetings with the voters were observed. ISFED did not observe any kind of electoral violations or facts of illegal interference in political subjects' campaigning.

Election Day

The Parliament of Georgia By-Elections in # 2 Vake and # 8 Didube Election Districts ISFED deployed 60 observers in Tbilisi. ISFED central office in cooperation with Tbilisi Regional Office developed the observers' deployment scheme, the monitoring forms, communication and reporting system. The Election Day observers were trained in election observation related topics.

ISFED observed the Election Day of the Parliament of Georgia Election through deploying 60 election precinct observers, 2 mobile teams, 1 Central Election Commission observer, and 2 election district observers.

Election Day Monitoring Findings

Despite the low voter turnout (according to the official figures in # 2 Vake Election District 97 577 voters participated in the elections and in # 8 Didube Election District 72 283 voters participated in the elections) the Parliament of Georgia By-Elections in # 2 Vake Election District and # 8 Didube Election District were held in consistence with the election legislation and ISFED did not observe the violations. The complaints were not submitted by the political subjects and other election monitoring organizations.

Post-Election observation of the Parliament of Georgia By-Elections

As at the Parliament of Georgia By-Elections no complaints were submitted to the election administration, on November 10 the Central Election Commission of Georgia adopted the Final Protocol according to which in # 2 Vake Election District Tamaz Kvachantiradze, the representative of the political party - "Giorgi Targamadze-Christian-Democrats" was elected. In # 8 Didube Election District Guram Chakhvadze, the representative of National-Democratic Party was elected.

Conclusion

The November 3, 2008, Adjara Supreme Council Elections can be considered as valid. However the monitoring process identified a variety of factors, the existence of which has affected the efforts to conduct elections in full compliance with democratic standards. In particular:

- ✓ Insufficient efforts were made by the Election Administration for building the voters' confidence in the election processes;
- ✓ The issue of impartiality and neutrality of the professional (non-partisan) members of the Election Administration on all levels was critical;
- ✓ Usage of administration platform by the representatives of the political parties in the Election Administration for making political statements and the lack of constructivism on their part;
- ✓ Insufficiently transparent performance of the Election Administration at all level.

Widespread cases of intimidation of independent observers during the Election Day considerably hindered the domestic election monitoring organizations' capacity to conduct their impartial monitoring mission- which is harmful pattern for a country in transition.

Election administration at all levels suffered from lack of neutrality and objectivity.

Despite of a series of preparation for posting precinct election commissions' summarization protocols on the website in a timely and effective manner the protocols were not posted on time. The whole process shadowed the efforts to transparently administer the elections.

The assessment on elections entails the assessment of pre-election, Election Day and post-election periods. ISFED closely observed all the three stages (pre-election campaign, Election Day, post-election period) of November 3, 2008, Adjara Supreme Council Elections. ISFED notes that the Election Day and post- Election periods stood out for its special complexity and peculiarities. ISFED believes that the deficiencies occured during the Election Day had a substantial impact on the results of the Election Day. In the pre-election period, the Election Administration failed to take initiative to react to the violations in order to prevent their further occurrence.

In the post-election period, the Election Administration's performance in terms of consideration of and reaction to the complaints from ISFED's representatives deteriorated in comparison to the May 21 Parliamentary Elections. For the By-Elections on November 16, 2008, in Khelvachauri and Shuakhevi

Districts and the Repeat Elections in Khelvachauri District, ISFED also observed the unjustified rotation of Election Administration members who underperformed during November 3, 2008, Adjara Supreme Council Elections.

ISFED Recommendations

Based on the activities it has performed, ISFED has formulated series of recommendations, the consideration of which will help bring the election processes close to democratic standards in Georgia.

- Comprehensive amendments should be introduced into the law of Adjara Autonomous Republic on Adjara Autonomous Republic Supreme Council Elections;
- The Adjara Supreme Election Commission of Georgia should pay more attention to the amelioration of the Voters' Lists;
- The work of the Adjara Supreme Election Commission members should become more constructive in order to administer the entire election process in a most transparent manner;
- Improvement, enhancement, updating, accuracy and comprehensiveness of the voters list should be an ongoing effort;
- The election administration should be severely limited in the ability to change the character and content of the law of Adjara Autonomous Republic on Adjara Autonomous Republic Supreme Council Elections through the use of normative acts;
- The law of Adjara Autonomous Republic on Adjara Autonomous Republic Supreme Council Elections should identify the authority of the electoral administration, as well as determine accountability in case of inadequate administration of elections or failure to undertake specific obligations as stipulated by law;
- Electoral procedures, especially the rules for transparency and issuance of precinct summary protocols, should be improved;
- The Adjara Supreme Election Commission should immediately inform the public about official results in Adjara;
- Specific selection criteria should be developed for recruiting members of electoral commissions and the precinct level; Commission members should be selected according to their professionalism through transparent process; The previous performance should be strictly taken into consideration;
- More effort should be paid to raise the level of electoral administration's qualification and professionalism;
- The election administration should carry out comprehensive voter education campaigns in order to raise voters' awareness on election related issues;

- The election precinct video records should be made public and it should be technically possible to timely obtain them;
- If possible, all the election precincts should be fitted with a video camera;
- The law of Adjara Autonomous Republic on Adjara Autonomous Republic Supreme Council Elections should draw a clear dividing line between the state and a party;
- Control should be tightened on the facts of pressure on and intimidation of citizens and public servants and all the alleged facts should be investigated by law-enforcement authorities and informed to the public;
- Total terms of appeal over election disputes should be increased;
- The law of Adjara Autonomous Republic on Adjara Autonomous Republic Supreme Council Elections should streamline procedures for lodging and hearing complaints in the Election Administration;
- Adjara Supreme Election Commission's activities should become maximally inclusive in which the members appointed by political parties will take the active part;
- The public servants of the Election Administration who broke law or did/could not ensure fulfillment of law should be publicly identified and held adequately accountable.