



## Election update III

*(April 26- May 9)*

The International Society for Fair Elections and Democracy continues monitoring of pre-election period for local self-governmental elections and by-elections of Parliament of Georgia to be held on May 30, 2010. In the electronic bulletin of “Election update” ISFED presents the monitoring findings by May 9, 2010.

### Registration of electoral subjects and observers

#### Registration of political subjects

According to Election Code of Georgia<sup>1</sup>, no later than 30<sup>th</sup> day prior to Election Day, a registered party/election bloc has the right to present a candidate for Tbilisi Mayor. According to the legislation<sup>2</sup>, April 30 is the last day for the registered parties/election blocs to submit the party lists to the Central Election Commission in order to receive the mandates of members of Tbilisi City Council. Also, it is the last date to submit majoritarian candidates in local majoritarian election districts in order to receive the mandates of members of Tbilisi City Council<sup>3</sup>.

Respectively, the term for submitting the Mayor’s candidates by registered parties and election blocs, mandates for members of Tbilisi city council, party lists and majoritarian candidate to the CEC expired on April 30.

The applications of 9 candidates for Tbilisi Mayor were submitted to the CEC. By May 1, all candidates were registered by CEC. These registered candidates are as follows:

1. Nikoloz Ivanishvili – Ivaniishvili “People’s Democrats”
2. David Iakobidze – “Tortladze – Democratic Party”
3. Zviad Dzidziguri – “National Council”
4. Giorgi Ugulava – “United National Movement”
5. Giorgi Lagidze – political alliance “Future Georgia”
6. Giorgi Topadze – “Topadze Industrials”
7. Giorgi Chanturia – “Giorgi Targamadze, Inga Grigolia – Christian Democratic Alliance”
8. Tamaz Vashadze – political movement “Solidarity”
9. Irakli Alasania – “Alliance for Georgia” I. Alasania, S. Subari, D. Usupashvili, D. Gamkrelidze, S. Zurabishvili.

<sup>1</sup> Election Code of Georgia, article 126<sup>15</sup>, paragraph 2;

<sup>2</sup> Election Code of Georgia, article 126<sup>6</sup>, paragraph 1;

<sup>3</sup> Election Code of Georgia, article 119, paragraph 3; article 126<sup>3</sup>, paragraph 1;



On April 30, the party lists for elections of Tbilisi city council were submitted to the CEC by 14 political parties. All party lists submitted by political parties were registered by May 2. These parties are as follows:

1. Political alliance “Georgian Sportsmen Union”;
2. Political alliance “Ivanishvili - People’s Democrats”;
3. “Topadze-industrials”;
4. “Tortladze – Democratic Party”;
5. Political movement “Solidarity”;
6. “Alliance for Georgia” (I. Alasania, S. Subari, D. Usupashvili, D. Gamkrelidze, S. Zurabishvili);
7. Political party “Future Georgia”;
8. Political party “Our Country”;
9. “National Council”;
10. “Giorgi Targamadze, Inga Grigolia – Christian Democratic Alliance”;
11. “All-Georgia Radical-Democratic National Party”;
12. Political alliance of citizens “All-Georgia People’s Alliance”;
13. Political movement “Freedom”;
14. “United National Movement”.

April 30 was also the last date for submitting of majoritarian candidates for by-elections of the Parliament of Georgia (#7 Chugureti, #12 Gurjaani and #60 Ozurgeti election districts) by parties and election blocs.

Following majoritarian candidates were presented to the CEC:

#### **#7 Chugureti election district**

1. Lana Galdava – “Tortladze – Democratic Party”
2. Andro Alavidze – political alliance “United National Movement”

#### **# 12 Gurjaani election district**

1. Levan Cholokashvili – “Tortladze – Democratic Party”
2. Zaza Natsvlishvili – “Movement for Fair Georgia”
3. Levan Koberidze – “Party of Future”
4. Giorgi Chiviashvili – political alliance “United National Movement”

#### **# 60 Ozurgeti election district**

1. Maia Orjonikidze – “Tortladze – Democratic Party”
2. Gocha Shanidze – political alliance “United National Movement”
3. Ilia Kalandadze – “Movement for Fair Georgia”



### Registration of observer organizations

For conducting the monitoring the elections of May 30, 2010, by now 19 local observer-organizations are registered at CEC:

1. “International Society for Fair Elections and Democracy”;
2. “New Generation – New Initiative”;
3. Fund “Association of Help of the Disabled Persons”
4. Georgian Young Lawyers’ Association”;
5. “Healthy Worlds”;
6. “Free choice”;
7. Transparency International– Georgia;
8. “International Centre of Civil culture”;
9. Legislative Development Society;
10. “Society for Cooperation with Europe”;
11. Public Movement – Multinational Georgia;
12. International Organization for Truth and Law, Oppressed and Prisoners Rights’ Protection and Social Insurance;
13. Association for Free Development and Protection of Rights
14. “Eurasian International Partnership”
15. Non commercial legal entity “Centre of Democracy and Peace”
16. “National Centre of Cooperation Development of Non-Governmental Sector and the Government”
17. Professional Union of Workers and Students for Professional Education and Preparation of Qualified Staff of Georgia
18. International Union of Human Rights Protection and Assistance “Ndoba”
19. Registered Union “International Republican Institute”

And 7 international organizations:

- 1., Georgian National Representation of International Society of Human Rights
2. OSCE/ODIHR
3. British Embassy to Georgia.
4. European Centre for Minority Issues ( only in # 24 Dmanisi Election District)
5. American Centre for International Labour Solidarity
6. International Foundation for Electoral Systems
7. United States Embassy to Georgia

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## Election Administration

### Monitoring of precinct and district election commissions

According to the election legislation<sup>4</sup>, no later than 34<sup>th</sup> day prior to elections, the first session of newly established precinct election commission shall be held. During April 24-26, sessions of election commissions were held in almost every election precinct of district election commission. The sessions of PECs were not conducted within the timeframe stipulated by the legislation in the following election precincts: # 4 election precinct of # 56 **Chiatura** election district (there was no quorum, therefore the first session of PEC was held on May 1), election precincts of # 29 **Kazbegi** election district (the sessions were postponed because of bad weather and held on April 28), # 117 election precinct of # 6 **Samgori** election district (according to the voters' lists of Samgori election district presented by the Civil Registry there were 1613 registered voters in # 79 election precinct of the district, as according to the law the maximum number of voters for one precinct is 1500. Respectively, the mentioned precinct was divided in two and new, # 117 election precinct was added to Samgori district). The session was not held at # 202 election precinct of # 6 Samgori election district also (election precinct was created by the demand of apartments' owners and in which the voters removed from the registry based on the applications submitted to the Civil Registry by apartments' owners will be allowed to vote).

The representatives of opposition political parties were selected as secretaries of PECs. The Voters lists, signed by DECs chairmen and secretaries of commissions, were submitted to every PEC of election district in the timeframe set by the legislation, no later than April 26. # 6 **Samgori** and # 29 **Kazbegi** election districts were exceptions.

According to the election legislation<sup>5</sup>, newly created PECs shall display voters' lists and rules on deliberating the complaints regarding the voters' lists at the polling stations. According to monitoring results, every newly created PEC displayed voters' list in the polling station, except of # 2, # 117 and # 202 election precincts of # 6 **Samgori** election district, and # 3 election precinct of # 14 **Dedoplistkaro** election district.

The monitoring revealed that there were election precincts, in which voters' lists were displayed, but the information concerning procedures on lodging complaints and deliberation process was not posted. These were: the majority precincts of # 15 **Lagodekhi** election district, # 1 and # 47 election precincts of #12 **Gurjaani** election district, # 29 election precinct of # 16 **Kvareli** election district, #1, #7, #22 and #19 election precincts of # 14 **Dedoplistkaro** election district, # 45, # 7, # 5, # 55 and # 31 election precincts of #60 **Ozurgeti** election district (the mentioned information was displayed after an indication of ISFED long-term observer) and several precincts of # 62 **Chokhatauri** election district

<sup>4</sup> Election Code of Georgia, article 20, paragraph 4.

<sup>5</sup> Election Code of Georgia, article 13, paragraph 1;



(the representatives of election precincts took election documentation from election districts late and respectively the information was displayed afterwards).

Precinct Election Commissions have been composed in the majority of districts. Though several election district lack the members: **# 26 Tetrtskaro** ( as the “Labor Party” was late with submitting documentation and the number of members was filled by May, 3); **# 25 Tsalka**, **# 19 Tianeti** (“Republican Party” did not nominate any members), **# 10 Gldani** (“Conservative Party” fell 1 member short at each of **# 110**, **# 111** and **# 112** polling stations), **# 30 Kaspi** (**#2** and **#28** polling stations), **# 40 Akhalkalaki** (at the majority of election precincts the Republican and Labor Parties did not nominate their representatives), **#32 Gori** (all precincts have 13 members, but in many district not all of them attended the first sessions. During the reporting period political parties in some PECs recalled their representatives from Precinct Election Commissions. The vacant positions will be filled by other members. In addition, the members appointed by District Election Commissions submitted the letters of resignation, thus terminating the membership of the Election Commission. 4 vacant positions are remaining and the District Election Commission announced the repeat competition for the openings), **#48 Kharagauli** (2 members of **# 4** and **# 28** election precincts, elected by District Election Commission, left the committee based on personal letter of resignation. The competition was announced for the openings), **# 51 Zestafoni** (“Christian Democratic Movement” did not have a representative at **# 20** election precinct), **# 43 Oni** (“Christian Democratic Movement” did not have a member at **# 14** election precinct), **# 65 Martvili** (Members, appointed by the district, left the election precincts **# 29** and **# 3**, based on personal letters of resignation), **#80 Keda** (members of **# 11** and **# 13** election precincts terminated the membership by submitting their resignation), **#83 Khelvachauri** (members of **#65** and **#42** election precincts terminated the membership by tendering their resignation), **#70 Poti** (**#5**, **#15** and **# 26** election precincts), **# 58 Tskaltubo** (at **# 20**, **# 37**, **# 53** and **# 61** election precincts “Republican Party” replaced members of Precinct Election Commission, appointed as secretaries). The respective District Election Commissions announced the competitions for the Precinct Election Commission’s members ‘openings.

Registered parties and election blocks submitted their majoritarian candidates at every district according to the timeframe determined by law<sup>6</sup>, no later than April 30. The same day political parties / election blocks submitted their party lists to the respective election districts in order to participate in the elections of the local self-government representative body – the City Council.

As there were several shortcomings in the parties’ lists, election districts did not register some of them and granted time to the parties for correcting the lists. These districts are as follows: **# 70 Poti** (in the list of the “National Council”), **# 82 Shuakhevi** (party lists of “Christian Democratic Movement”, “National Council” and “Topadze – Industrialists”, as well as majoritarian candidates lists), **#59 Kutaisi** (“National Council” and “National Democratic Party” lists). In these districts, the candidates were registered after submitting the corrected documentation in the timeframe stipulated by the legislation.

<sup>6</sup> Election Code of Georgia, article 119, paragraph 3;



Still, some representatives of the party lists were refused the registration both before and after granted rectification period, as their documentation did not meet the legal requirements.

The lists of enlisted and contracted military service members of Georgian Military Forces and Ministry of Internal Affairs of Georgia were provided only to those election districts, in which such persons exist.

Within the timeframe stipulated by the law <sup>7</sup>, on May 1, all District Election Commissions published the lists of Precinct Election Commission members, except **#59 Kutaisi** (submitted to the newspaper for publishing), **#70 Poti** (lists are displayed at the election precincts), **#60 Ozurgeti** and **#62 Chokhatauri** (local newspapers in these districts are published only on Mondays) election districts. Nevertheless, the lists of those members, who refused the membership of the Precinct Election Commission, remain vacant. Also, because the parties replace members periodically the lists of members appointed by Parties is not known entirely.

According to the Election Code May 5, no later than 25 days prior to the elections, is the last date for the voters with disabilities to request the precinct election commissions to make the necessary temporally arrangements to access the polling stations. Such requests were made at the following election districts # **7 Chughureti**, # **8 Didube**, # **21 Gardabani**, # **25 Tsaklka**, # **27 Mtskheta**, # **28 Dusheti**, # **Lentekhi**, # **56 Chiautura**, # **62 Chokhatauri**, # **67 Zugdidi** ( in Zugdidi non-governmental organization “Dea” made the request to the election commissions).

Within the timeframe stipulated by the legislation, every District Election Commission disseminated the certificates of candidates for the membership of Sakrebulo. However, not every candidate applied for receiving the certificates and consequently these certificates are kept at the Commissions. Such facts have been observed at # **1 Mtatsminda** and # **28 Dusheti** District Election Commissions.

## Campaign Environment

During the monitoring period, political parties/their majoritarian candidates and mayoral candidates who are participating in the upcoming elections were conducting pre-election campaign in various regions of Georgia. Pre-election campaigns were conducted by different political parties in the following election districts.

“Christian-Democratic Movement” met the voters in # **1 Mtatsminda**, # **3 Saburtalo**, # **5 Isani**, # **Samgori**, # **7 Chughureti**, # **8 Didube**, # **10 Gldani**, # **12 Gurgjaani**, # **13 Signagi**, # **17 Telavi**, # **20 Rustavi**, # **21 Gardabani**, # **Dmanisi**, # **25 Tsalka**, # **26 Tetrtskaro**, # **43 Oni**, # **45 Tsageri**, # **50 Sachkhere**, # **51 Zestafoni**, # **56 Chiatura**, # **58 Tskaltubo**, # **59 Kutaisi**, # **60 Ozurgeti**, # **67 Zugdidi**, # **70 Poti**, # **83 Khelvachauri** election districts.

<sup>7</sup> Election Code of Georgia, article 37, paragraph 4;



“United National Movement” held meetings with electorates in # 1 Mtatsminda, # Vake, # 3 Saburtalo, # 4 Krtsanisi, # 5 Isani, # 6 Samgori, # 7 Chughureti, # 8 Didube, # 9 Nadzaladevi, # 10 Gldani, # 11 Sagarejo, # 12 Gurjaani, # 13 Sighnagi, # 14 Dedoplistskaro, # 15 Lagodekhi, # 16 Khvareli, # 17 Telavi, # 18 Akhmeta, # 20 Rustavi, # 21 Gardabani, # 22 Marneuli, # 24 Dmanisi, # 27 Mtskheta, # 28 Dusheti, # 29 Khazbegi, # 30 Kaspi, # 32 Gori, # 36 Borjomi, # 43 Oni, # 44 Amblorauli, # 45 Tsageri, # 46 Lentekhi, # 50 Sachkhere, # 54 Samtredia, # 58 Tskaltubo, # 59 Kutaisi, # 60 Ozurgeti, # 61 Lanchkhuti, # 62 Chokhatauri, # 66 Khobi, # 68 Tsalendjikha, # 79 Batumi, # 80 Keda, #81 Kobuleti, # 82 Shuakhevi, # 83 Shuakhevi, #84 Khulo election districts.

Conservative Party met the voters in # 1 Mtatsminda, # 3 Saburtalo, # 4 Krtsanisi, # 5 Isani, # 12 Gurjaani, # 59 Kutaisi election districts.

“Movement – Alliance for Georgia” met the voters in # 6 Samgori, # 7 Chugureti, # 9 Nadzaladevi, # 11 Sagarejo, # 12 Gurjaani, # 13 Signagi, # 17 Telavi, # 32 Gori, # 43 Oni, # 56 Chiatura, # 60 Ozurgeti, # 63 Abasha, # 64 Senaki, # 67 Zugdidi, # 68 Tsalendjikha, # 69 Chkhorotsku, # 70 Poti, # 81 Kobuleti, # 83 Khelvachauri election districts.

“National Council” held meetings with electorate in # 6 Samgori (Mayoral candidate), # 7 Chughureti, # 10 Gldani, #14 Dedoplistskaro (it was more a preliminary poll in order to find out who would register as a candidate), # 54 Samtredia, # 70 Poti, and # 81 Samtredia in election districts.

“Georgian Democratic Party” met community in # 4 Krtsanisi, # 7 Chughureti, # 8 Didube, # 26 Tetrtskaro, # 79 Batumi election districts.

The party “Movement for fair Georgia” held meeting with electorate in # 12 Gurjaani election district.

The party “Industry will save Georgia” conducted meetings with community in # 1 Mtatsminda, # 3 Saburtalo, # 7 Chughureti, # 79 Poti election districts.

The party “People’s Democrats” met with the voters in # 6 Samgori election district.

The “People’s Party” held the meeting with voters in # 59 Kutaisi election district.

The Republication Party met the voters in # 12 Gurjaani and # 50 Sachkhere election districts.



### Violation of the Law / Interference in election campaign / Pressure / Intimidation

During monitoring period, the frequent cases of withdrawal of registration by the registered majoritarian candidates were observed.

**# 68 Tsalenjikha** election district: on April 29 the leader of “Alliance for Georgia” Tsalenjikha organization, Dato Belkania declared, that their majoritarian candidates were put under political pressure from the authorities. 2 days later, on May 1, Zviad Gergedava, “Alliance for Georgia” majoritarian candidate withdrew his candidature by tendering personal application.

**# 69 Zugdidi** election district: Louisa (Isolda) Tevzadze, the chair of “For Fair Georgia” office, passed the information to the long-term observer regarding the party member Gulordava, who was absent from the party office for several days and did not answer the phone calls. Later on, the party member Gulordava, without any explanations, terminated the party membership.

**#14 Dedoplistskharo** election district: Tengiz Tukhashvili “Christian Democratic Movement” majoritarian candidate, who participated in Tsiteltskaro majoritarian district elections, withdrew his candidacy.

The Same, **#14 Dedoplistskharo election district**: Avtandil Kharkhelauri “Industry will save Georgia” majoritarian candidate withdrew his candidacy in Zemo Kedi majoritarian precinct.

**# 81 Kobuleti** election district: Khamza Gorgadze “Christian-Democratic Movement” majoritarian candidate in **# 3 Chakvi** precinct terminated his candidacy and joined “the Alliance for Georgia”. He did not elaborate about the detail causes on the television commentary, and ISFED’s coordinator was not able to obtain the information about the causes for this decision.

**# 60 Ozurgeti** election district: Aleko Rusieshvili and Jijiko Kheladze “All-Georgia People’s Alliance” majoritarian candidates withdrew their candidacies; Nikoloz Ghlonti and Temur Soselia “Tortladze-Democratic Party” majoritarian candidates and Nona Mdinaradze “the Alliance for Georgia” majoritarian candidate also withdrew their candidacies.

The representatives of those political parties which majoritarian candidates terminated their registration mentioned with ISFED’s representatives that these candidates withdrew their candidacies as a result of pressure, though the ex-candidates themselves do not confirm the facts of pressure.

**# 60 Ozurgeti** election district: the District Election Commission received a statement from Inga Majorashvili (the member of # 13 Narudja Precinct Election Commission appointed by the District Election Commission). This person demanded to leave the position of the member of the Precinct Election Commission citing the pressure from Valodia Beridze, the former Rtsumentuli of the village, currently the majoritarian candidate of “United National Movement”. According to the statement the candidate blamed Majorashvil for politicization agitation on behalf of “Christian-



Democratic Movement” and threatened with firing from membership of the Commission. Marajashvili requested # 13 Precinct Election Commission to terminate the membership at the Commission, but as the Commission according to the law is not authorized to make such decisions, the Commission did not register her statement. Majorashvili submitted the statement with similar request to # **60 Ozurgeti** District Election Commission which held its session. The Commission adopted the decision to impose the warning to the Chair of # 13 Precinct Election Commission and the Secretary. According to the decision of the District Election Commission Majorashvili should remain the Member of the Precinct Election Commission and She herself agreed to this decision.

# **67 Zugdidi** election district: according to Nona Toloraia, the Chair of “the Alliance for Georgia” office, in village **Orulu # 61** election precinct at Zurab Mamphoria, the representatives of the “the Alliance for Georgia”, who was the Secretary of the Precinct Election Commission, was exercised pressure, and as a result he submitted the statement of termination his membership at the Commission. ISFED’s long-term observer despite many attempts was not able to contact this person.

# **13 Sighnaghi** election district: on May 26, Constantine Khmaladze (Chief of Infrastructure Service) “United National Movement” candidate went to #**1** Precinct Election Commission Chairperson and requested to change the location of the room for Precinct Commission. The request was not preliminarily agreed with the District Election Commission. Eleonora Gelashvili, member of ISFED witnessed the above-mentioned event and reminded Khmaladze of the fact that he was an ordinary election subject and the issue of election precinct location was above his competence. In addition, the agreement of such issue should be made with District Election Commission and not with the Precinct. Khmaladze verbally insulted ISFED’s member. ISFED’s Long-Term Observer in Sighnagi met with the Chairperson of # **13** Sighnagi District Election Commission. ISFED calls each electoral subject to cooperate with the election monitoring organizations and their representatives in contractive and legal manner, so their actions should be perceived as the pressure on members of the independent election monitoring organizations.

# **66 Khobi** election district- Revaz Tsulaia, the representative of “United National Movement” verbally insulted Maia Tskiria, the Head of Kindergarten in **Nojikhevi**, and threatened if she would support “United National Movement” she would lose her job. The staff of kindergarten confirms that such fact took place. The fact was aired via Poti local television station. According to Tskiria, she experienced pressure, as her relative (son-in-law) is the majoritarian candidate of “National Council”.

# **46 Lentekhi** election district- According to the information provided by ISFED’s long term observers, the village proxy at # **46 Lentekhi** election district is putting pressure on the voters below the poverty line (village **Djakhunderi**). Particularly, voters are intimidated that if “United National Movement” would not to win the elections they will lose the social assistance. Such fact was observed in # **84 Khulo** election district (**Vashlovani** community) where Minur Abuladze, the chief of election headquarters of “United National Movement”, who also is the Chairperson of Adjara Representation of Social Service Agency of Georgia), intimidates the voters of Vashlovani community during the



individual meetings that they will lose the social assistance if they would not vote for the “United National Movement”.

**# 2 Vake** and **# 3 Saburtalo** election districts- according to the statement made by “the Alliance for Georgia”, on May 4 in these election districts, the party posted their pre-election posters. According to the party, the very same evening the representatives of “United National Movement” posted their posters over those of “the Alliance for Georgia”. ISFED’s Long-Term Observer confirmed that in **# 2 Vake** election district on Chavchavadze str. and Phaliashvili str. (near Gegeshidze Square) and in **# 3 Saburtalo** election district in III and VII micro districts of Vaja Pshavela, between IV and VI micro districts indeed the posters of the candidates of the “United National Movement” were indeed posted over the posters of the candidates of the “Alliance for Georgia”. On May 5, regarding this fact, “the Alliance for Georgia” conducted the special briefing. Such fact was observed in **# 3 Saburtalo** election district regarding the agitation materials of “Christian-Democratic Movement”. According to the representatives of the party in Saburtalo str. they observed the fact of tearing down their posters by the unknown individuals. These individuals stated that they are representatives of the cleaning service. According to the representatives of “United National Movement” in **# 9 Nadzaladevi** and **# 59 Kutaisi** election districts their party posters are daily damaged. We would like to highlight, that in accordance with the article 126<sup>19</sup> of the Elections Code of Georgia, the interference in the distribution of pre-election materials and agitation is considered the violation of law and causes fine -1000 GEL.

**# 62 Chokhatauri** election district - Dimitri Koriphadze, the First Deputy of Municipality’s Gamgebeli and the majoritarian candidates of the “United National Movement” had the behind the closed doors meetings with the directors of Chokhatauri public schools in order to identify the teachers who support the opposition parties. The directors of the schools were ordered to create the list of such teachers (so called “Black Lists”).

**# 84 Khulo** election district - according to the representatives of Adjara Office of “For Fair Georgia” in this election district the use of administrative resources by the governing party was observed. Namely, on May 5 in village Okruashvilebi the pre-election meeting was jointly held by Zurab Khozrevanidze - Adjara Supreme Council Member, Nodar Tavartkiladze - the Chairperson of the Agrarian and Environmental Protection Commission of Khulo Sakrebulo and the number 2 in party lists of the “United National Movement” in Khulo Election District (currently on leave), Aslan Tunadze - Majoritarian Candidate of the “United National Movement” and Emzar Abuladze - the Majoritarian Member of Sakrebulo representing Dekanashvilebi Community. According to “For Fair Georgia” because of this meeting the educational process was cancelled at the school. ISFED believes that election campaign should not be the cause for interfering with the educational process and negatively evaluates such kind of facts.

Regarding this fact Nodar Abashidze, the majoritarian candidate of “People’s Party“ in **# 84 Khulo** election district, lodged the complaint in which he accuses the Heads of Municipality and “United



National Movement” on intimidation to the voters.<sup>8</sup> The District Election Commission will deliberate on this complaint on its session on May 12.

**# 17 Telavi** election district- Gogona Shavadze, the member of **# 29** Precinct Election Commission (appointed by the District Election Commission) who also is the accountant of the public school and a delivery person for the pensions and assistance (public servant)<sup>9</sup> during delivering the pensions and assistance conduct the verbal agitation in favor of “United National Movement”. According to the sub-paragraph “A” and “T” of paragraph 5 of article 73 of the Election Code of Georgia the following persons can not engage in the pre-election agitation: 1) the members of election administration; 2) public servants of the state and local self-governmental bodies, when they directly exercise their duties.

**# 15 Lagodekhi** election district- according to Nana Bokeria, the representative of “National Council” in the election district, on Meurneoba street in Lagodeskhi city the asphalt covering is being laid and the sports square is build built. The members of “United National Movement” in return ask the voters to support their party at the elections. The voters did do not confirm or deny such fact with conversation with ISFED’s Long-Term Observer.

## Voter’s Lists

The previous releases by ISFED on the monitoring results, discussed those problematic issues within the voter’s lists, which required immediate response. In particular, the issue of approximately 12000 voters, whose place of registration, based on the applications of owners, has been canceled since 2008 (according to the Civil Registry information), was emphasized. The situation of such voters was not clarified. It was not clear if such voters would participate in the elections, and if they would, then what would be the principle. It must be noted, that due to the nature of the local self-government elections, the voter elects the self-government, to which he belong according to his place of registration. Also, the paragraph 3 of Article 9 of the Election Code of Georgia imperatively defines, that voters data is entered into unified voter’s list according to his/her place of registration. Respectively, those 12000 voters, whose place of registration were cancelled, could not be entered into the unified voters’ list according to their old place of registration.

On May 2, 2010, on its session, the Central Election Commission reached the consensual decision regarding this issue. In particular, the Central Election Commission adopted resolution according to which the voter, whose place of registration was cancelled, based on application by the owner, will be

<sup>8</sup> In the statement the Majoritarian Candidate states that after the meeting the representative of “United National Movement” asked Badri Abashidze- the teacher of Okruasvilebi secondary school and the son of majoritarian candidate Tamaz Abashidze- asked to vote for “United National Movement”, and assist so everybody votes for this party.

<sup>9</sup> The law of Georgia “ On Public Service” Article 4, 5;



entered into the unified voter's list according to his/her latest place of registration and within the relevant election district territory. If such voter tenders his/her polling application to the relevant election district up until May 14, 2010, he/she will be able to participate in the voting process.. Such voter will vote only in local self-government body –proportional system elections of the City Council, and Tbilisi Mayor Elections (voters registered in the capital). According to the rules defined by law, these voters will be able to vote upon presenting their ID card or Georgia's Citizen's Passport. IDP's in such case must present their ID card and refugee certificate.

ISFED considers that the above decision contradicts the principle of the local self-government election participation –to elect the self-government of the district, to which he/she belongs according to the place of registration.

It must be emphasized, that participation in the elections is guaranteed constitutional right of every single citizen and its unsubstantiated limitation is intolerable. We believe that those voters, whose place of registration was cancelled, based on the application submitted by owners, should be given the right to obtain new ID card according to the present living place. Respectively, in such case, such voter would give vote in his/her place of residence election district. In case such voter would not have an address, he/she would vote in accordance with the regulation on voting by voters without address, prescribed by the Election Code.

Organization's notion is contradicting the amendment introduced to the Election Code of Georgia by Georgian Parliament on March 12, 2010. According to this amendment, starting from the January 15,, 2010, up until June 1, 2010, due to the change of the place of residence (registration at the new address), Georgian Citizen will receive temporary ID card in place of the old one. Although the temporary ID card has equal legal effect, it cannot be used for voting at May 30, 2010 elections. ISFED believes, that based on timely and relative legislative changes it would be possible to regulate the issue of such voters participating in the elections in correct and legal manner.

It is very important to inform timely such voters about the details of their participation in voting. ISFED calls election administration to provide such voters with timely and comprehensive information, using various effective means of communication.

### **Checking out the voters' list**

The previous publications of "Election update" mentioned that the representatives of ISFED, "International Transparency for Georgia", GYLA and the Civil Registry Agency conducted voters' recheck. Representatives of the above mentioned organizations jointly conducted door-to-door monitoring of the addresses by random sampling, where based on the applications of owners, the registration of voters to these addresses has been canceled. Below is given the concrete details about two facts:

**International Society for Fair Elections  
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Website: [www.isfed.ge](http://www.isfed.ge)**



1. Moskovi Ave 2, bldg. 1, Apt. #112 – the owner of the apartment is Maia Kobakhidze, though 7 persons (Vachik Minasiani, Vardkes Minasiani, Karina Minasiani, Albert Minasiani, Sopia Minasiani, Elene Vartaniani, Aleksandre Minasiani), who actually do not live at this address, are registered there. The basis for registration is consent of owner Vachik Minasiani, meanwhile according to statement of Civil Registry Agency (registration of application # 882008230666, date: 23.07.2008, registration of ownership 24.07.2008) the owner of the mentioned apartment was Maia Kobakhidze. The owner of apartment always received water bill on the name of above-mentioned persons. She tried to change existing situation for several times, but in vain. According to the material provided by the Civil Registry Agency, 6 from 7 persons are registered on the basis of reform of Soviet passport. One of them, Aleksandre Minasiani, is registered on May 25, 2009, on the basis of Vasil Misiani's (one of persons who was removed from registry) consent and confirm, meanwhile Maia Kobakhidze have received certification concerning registration of right of ownership on 23 July, 2008.

2. B. Khmelinski Street, bldg. 151, Apt. #22 - The owner of this apartment is Abesalom Chikhradze, who purchased the flat in 1998. He addressed to Isani-Samgori office of the Civil Registry Agency and requested to terminated the registration of 3 persons registered in his apartment. These persons are: Natalia Sardjveladze, Maia Vardosanidze and Lasha Khurtsidze. One person from these people was registered at another address; meanwhile others were removed from registry by the Civil Registry Agency. The owner of the apartment did not remember who was registered at the presented address during 2008 election, but he received the voters' tickets. Abesalom Chikhradze did not remember which party presented the list in which these people were and did not read the list himself, and he wrote an application based on verbal presentation of the list.

The ISFED continues monitoring of pre-election period and will periodically present monitoring results in next publications of an online bulletin "Election Update".