



Election Update

(March 21, 2008 – April 13, 2008)

At the prebiliscite held on January 5, 2008, 79,174% of voters of Georgia ¹ voted for holding the Parliamentary elections in Spring 2008. Based on the plebiscite's results the date for holding the parliamentary elections was set on May 21, 2008.

International Society for Fair Elections and Democracy (thereafter ISFED) instantly expressed its readiness to conduct the monitoring of elections and commenced motoring of pre-election period through the organizations long-term observers. ISFED conducts monitoring on election administration's activities at all level, as well as on conducting pre-election campaigning by the political parties throughout Georgia.

Election Legislation

Prior to setting the date of elections on March 21, 2008, work on amending election legislation was carried out, and the Parliament of Georgia adopted the amendments to the "Election Code of Georgia". Some of important amendments are listed bellow:

- The number of members of District Election Commission increased from 5 to 13, and they are appointed according to the rule of forming Central and Precinct Election Commissions²;
- The period for voters' to check themselves in the voters' list increased up to 14 days;
- The period for lodging complaints on administrative acts of election administration (including summarization protocol) was defined as 1 day;
- Upon the lodging of complaints, the election administration was prescribed to define the shortcoming identified in the complaint and fix it;
- The precise procedure in order to request and view the video camera recordings was defined; according to the new procedure, it is allowed to request only 15 minute piece of video recording;
- The form of summarization protocol was changed, namely: the summarization protocol will be only 1 page; the number of special precinct was added; the number of total voters in supplement lists, as well as the number of voters who participated in the elections and total number of valid ballots were removed;
- The procedure of accreditation of local election observation organizations was changed and simplified. It is now similar to the accreditation procedure for international election observation organizations.

¹ According to the data of Central Election Commission of Georgia

² All election commissions are recruited with six independent and seven political parties representatives.

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During the process of defining amendments to the election legislation, ISFED together with other local non-governmental organizations participated in the meetings with representatives of the Parliament and regularly presented the organization's recommendations on various topics.

Registration of Electoral Subject and Observers

Registration of Political Parties

According to the # 196 decree of the President of Georgia by March 21, 2008, the elections of the Parliament of Georgia were appointed on May 21, 2008. No later than 56 days prior the elections (26 March³), the Central Election Commission completed receiving the applications from the political parties for the participation in the parliamentary elections. The political parties submitted the applications - the parties without representation in the Parliament were given 6 days to collect the lists of 30 000 supporters. On April 1 (no later than 50 days prior the elections⁴), only 23 out of 60 parties were registered for the participation in the parliamentary elections. Other political parties were refused registration on the grounds of deficiencies in the applications or either incompleting or unavailable supporters' lists.

No later than 43 days prior the elections, (8 April),⁵ political parties informed the Central Election Commission for uniting in the political blocks. As a result, by now, for the participation in the elections 9 political parties and 3 electoral blocks were registered:

Political Parties:

1. National Radical- Democrat Party of Whole Georgia;
2. Political Party of Georgia " Our Country";
3. Political Union of Citizens " Georgian Politics";
4. Political Union of Citizens " Christian-Democratic Movement";
5. Political Movement " Union of Sportsmen of Georgia";
6. Political Movement " Unified National Movement";
7. Labor Party of Georgia;
8. Republican Party of Georgia;
9. Political Movement " Christian-Democratic Alliance".

Electoral Blocks:

1. " United Opposition (National Council, Rights)";
2. " Traditionalists- Our Country and Women Party";
3. "Right Alliance Tophadze- Industrials".

³ Election Code, Article 129^b Sub article 2.

⁴ Election Code, Article 129^b Sub article 3

⁵ Election Code, Article 95 Sub article 12

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The deadline for submitting the party list and nominating majoritarian candidates in the electoral districts, for the political parties and electoral block is prior to 21 April, (no later than 30 days prior the elections).⁶

Registration of Observer Organizations

According to the data of April 19, for conducting observation of parliamentary elections May 21, 2008, the Central Election Commission, registered and awarded the observer status to two international observer organization- Organization of Security and Cooperation in Europe/ Office of Democratic Institutions and Human Rights (OSCE/ODIHR) and European Centre for Minority Issues (ECMI).

The Central Election Commission registered as observer 11 local non-governmental organizations:

1. Georgian Young Lawyers' Association-m GYLA;
2. Union " Vedjini";
3. Union " International Society for Fair Elections and Democracy"- ISFED;
4. Registered union " Transparency International- Georgia";
5. Registered Union " Democracy Center";
6. Union " Ratio Legis";
7. Union " New Generation- New Initiative";
8. Youth Union " Initiative";
9. " Constitution Rights Protection Center";
10. "International Union for Human Rights Protection and Support " Ndoba";
11. Unified Invalids for Democracy.

Election Administration

As mentioned above, ISFED started monitoring the pre-lection period, which includes: monitoring of activities of all levels of election administration, adherence of election administrations' activities, formation and activities of staff of Central Election Commission, appointment of members of District and Precinct Commissions, and the process of defining election precincts.

At this stage the series of trainings for central, district and precincts election commissions' members at election administration is ongoing. The trainings for administration's staff are conducted by the group of CEC/UNDP/IFES trainers. Trainings are conducted in Bakuriani according to the following scheme: group of CEC/UNDP/IFES trainers organizes trainings for 24 regional coordinators and 131

⁶ Election Code, Article 96 Sub article 9; Article 97 Sub article 3.



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trainers, who afterwards conduct two level trainings for District Election Commissions' members. At the same time the group of CEC/UNDP/ IFES trainers conducts special 2 day trainings for the heads of District Election Commissions. The same group of trainers conducts separate trainings for Precinct Election Commissions' members. It is planned to hold trainings again 3-4 days prior the elections. In addition, the trainings will be organized for Central Election Commission staff members. ISFED will provide detailed information about the trainings later through the final report on pre-election process.

On April 1, every District Election Commission announced the competition for Precinct Election Commissions. Consequently, according to the period specified by legislation on April 5 (no later than 50 day prior elections⁷) Precinct Election Commissions' members were selected in every District Election Commission, except **#35 Khashuri**, **#30 Kaspi** and **#65 Martivili** District Election Commissions. It should be mentioned that according to the information of ISFED long term observers, Precinct Election Commissions' members' selections were conducted by recommendation and suggestions of local-self government representatives (**# 62 Chokhatauti** Election District), National Movement (**# 79 Batumi**, **# 60 Ozurgeti**, **# 61 Lanchkhuti**, **# Poti**, **# 11 Sagaredjo**, **# 12 Gurjaani** and **# 13 Signagi** Election Administration) and the authorities and other political parties. In many cases, the recruitment was properly posted however, the actual hiring was not competitive because people were appointed as the Commissions' members whether they had appropriate experience or not. There were cases (**# 64 Senaki election district**), than the Commissions' members with the experience at the presidential elections were appointed, while the persons with certificates from the new certification process were not selected at the Commissions.

Despite the fact those sessions at the District Election Commissions should be held regularly, in many cases the sessions are not held in a number of Election Districts. In the period of March 24-30 March, sessions were not held at **# 44 Ambrolauri**, **# 46 Lentekhi**, **# 63 Abasha**, **# 64 Senaki**, **# 29 Kazbegi**, **# 28 Dusheti**, **# 66 Khobi** and **# 56 Chiatura** Election Districts. In the period of April 7-13 April, sessions were not held at **# 13 Signaghi**, **# 1 Mtatsminda**, **# 4 Krtsanisi**, **# 5 Isani**, **# 6 Samgori**, **# 7 Chughureti**, **# 10 Gldani**, **# 19 Tianeti**, **# 20 Rustavi**, **# 21 Gardabani**, **# 26 Tetrtskharo**, **# 28 Dusheti**, **# 30 Kaspi**, **# 32 Gori**, **# 37 Akaltsikhe** and **# 38 Adigeni** District Election Commissions.

In a number of Election Districts the sessions were not attended by the every member of the Commissions such as in **# 85 Liakhvi**, **# 25 Tsalka** District Election Commissions. It should be noted, in a number of Election Districts the decisions were made by one person usually chairperson rather than through consensus (**# 64 Senaki** Election District).

⁷ Election Code, Article 37, Sub article 1.



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According to the timetable of election activities, on 6 April (no later than 45 days prior the elections⁸), Election Districts should have published the numbers, addresses, telephone (fax) numbers and other requisites of Election Precincts through the print and mass media. The above mentioned requisites were not published on time at **# 79 Batumi, # 83 Khelvachauri, # 81 Kobuleti, # 60 Ozurgeti, # 62 Chokhatari, # 61 Lanchkhuti, # 46 Lentekhi, # 56 Jiatura, # 52 Bagdati, # 65 Martvili, # 66 Khobi and # 35 Khashuri** Election Districts.

By 10 April (no later than 41 day prior the elections⁹) the total number of voters in each Election District and all of its Election Precincts were not published as prescribed by law in the following Election Districts: **# 79 Batumi, # 84 Khulo, # 82 Shuakhevi and # 81 Kobuleti** Election Districts. In **# 15 Lagodekhi** Election District, the data was published only at Election District and not at its Precincts.

According to ISFED's long-term observers, several District Election Commissions' members are occupied with other activities. We must note that, according to the Georgian election legislation¹⁰, precinct election commissions do not have right to have other job at the same time (except being a teacher). These Election Districts are: **# 15 Lagodekhi, # 16 Kvareli, # 17 Telavi, # 43 Oni, # 69 Chkhorotskhu, # 56 Chiatura, #57 Tkhibuli, # 47 Mestia, # 68 Tsalenjikha, # 82 Shuakhevi, # 83 Khelvachauri, # 60 Ozurgeti, # 70 Poti, # 32 Gori, # 36 Borjomi, # 38 Adigeni, # 85 Liakhvi, # 3 Saburtalo, # 19 Tianeti, # 21 Gardabani, # 25 Tsalka, # 26 Tetrtskaro, # 28 Dusheti and # 29 Kazbegi** Election Districts.

It should be noted that ISFED's long-term observers checked the data of every Election District and the web-page of Central Election Commission¹¹ and found that the data posted at the Election Districts in most cases do not coincide with the data posted at CEC web-page. Also the significant deficiencies with voters' list were discovered. ISFED plans to make a special statement with regard to voters' list in a near future. According to the official data of the Central Election Commission of Georgia, a present the total number of voters is 3 458 020.

⁸ Election Code, Article 16, Sub article 7.

⁹ Election Code, Article 9¹, Sub article 2.

¹⁰ Election Code, Article 18, Sub Articles 5, 5¹, 6.

¹¹ www.cec.gov.ge

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Pre-Election Campaign

ISFED's monitoring of the pre-election campaign reveal that the representatives of National Movement are most actively engaged in the campaign. The second most active is Christian-Democratic Party. So far the campaign has been conducted in calm environment, though there are cases of intimidating parties and voters.

One fact of obstructing pre-election campaigning was observed at # **63 Abasha** Election District, when on March 31 in Village **Qolobani** local-self government representative (village Proxy) called to disperse the voters, gathered for meeting with the candidate Gocha Phiphia and warned the director of village club for allocating the hall for the meeting. However, Phiphia's meeting with voters still took place.

During the pre-election campaign, there were cases where the representatives of opposition parties had problems with renting offices. For example, in # **84 Khulo** Election District, the Christian-Democratic Party had problems with renting office as the coordinator of National Movement ordered a landlord in Vashlovani not to rent the place to the Christian-Democrats and demanded to consult on that with Gamgebeli. However, the Christian-Democrats still rented the place, but later they moved out of that office into another place.

At # **60 Ozurgeti** Election District teacher were ordered not to communicate with opposition parties and not to work at election commissions. At # **62 Chokhatauri** Election District Gamgebeli met with schools directors and demanded a list of teachers supporting opposition.

At # **64 Senaki** Election District, during the distribution of fuel (on Gamsakhurdia Street) citizens were asked to support majoritarian candidate of Untied National Movement, Guram Mesabishvili. The same fact was observed at # **45 Tsageri** Election District, where during distribution of fuel and vouchers agitation for supporting the Untied National Movement candidate was carried out.

A case of bribing was observed in # **32 Gori** Election District, where the majoritarian candidate from the National Movement, Giga Tatishvili, promised the school teacher of Gori District villages (**Karaleti, Kvakhvrel, Nikozi**) to repair the school if he received lots of votes from the above-mentioned schools.

A case of intimidation of an observer was also observed. In # **60 Ozurgeti** Election District, ISFED's observer was warned that if she would interfere with the work of the District Commission, the Commission would adopt the decree and lodge the appeal to the court on the ground of violating the observer's duties. However, the observe was not interfering with the activities of the Commission.



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Monitoring the pre-election period is financially supported by the European Union and Swiss Agency for Development and Cooperation.

International Society for Fair Elections and Democracy - ISFED continues conducting the monitoring of pre-election campaign and will regularly provide the findings to the public.



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