



Office for Democratic Institutions and Human Rights

GEORGIA

LOCAL ELECTIONS

21 October and 12 November 2017

OSCE/ODIHR Election Observation Mission
Final Report



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**GEORGIA
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ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the authorities of Georgia, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) to observe the 21 October 2017 local elections and remained in the country to follow second round contests on 12 November. The ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. For the first round election day, the ODIHR EOM was joined by a delegation from the Congress of Local and Regional Authorities of the Council of Europe to form an International Election Observation Mission (IEOM).

The Statement of Preliminary Findings and Conclusions issued by the IEOM for the first round concluded that “fundamental freedoms were generally respected and candidates were able to campaign freely in the 21 October local elections. Efficient administration of the elections and accurate voter registration contributed to the quality of the process. The entire context of the elections was shaped by the dominance of the ruling party. There were cases of pressure on voters and candidates, as well as a few violent incidents. Although partisan, increasingly free and active media fostered greater political debate. Election day generally proceeded in an orderly manner, although minor procedural errors were noted during the count.”

The Statement of Preliminary Findings and Conclusions issued by the ODIHR EOM for the second round concluded that the 12 November run-offs in six districts “were well administered and the candidates were able to campaign freely. As in the first round, fundamental freedoms were generally respected. Restrictions on campaigning through media and on candidates’ right to withdraw negatively affected the competitiveness of the run-off contests and highlighted the wider need to improve the legal framework. In between the two rounds, the high number of complaints dismissed on procedural or formalistic grounds undermined candidates’ and voters’ right to an effective remedy and public confidence in dispute resolution. Election day proceeded in a smooth and professional manner, with voting, counting and tabulation assessed in positive terms by observers, although indications of possible intimidation and pressure on voters raised concern.”

The local elections in 64 municipal councils and for 64 mayors were held under a revised local governance structure introduced a few months prior. The legal framework is comprehensive and provides an adequate basis for the conduct of local elections in line with democratic principles. However, restrictions on voter and candidate rights, as well as gaps and inconsistencies remain. The July 2017 amendments to the Election Code were mainly technical and did not address a number of previous key ODIHR recommendations. The absence of specific legal regulations for the second round leaves certain aspects of the election process under-regulated or ambiguous.

The election administration led by the Central Election Commission (CEC) in general worked in a timely, efficient and professional manner. While the CEC generally enjoyed confidence among stakeholders, some opposition contestants and civil society organizations questioned the transparency

¹ The English version of this report is the only official document. An unofficial translation is available in Georgian.

and impartiality of the District Election Commissions (DECs), especially in relation to the recruitment of precinct election commission (PEC) members. Informative trainings were conducted at all levels of the election administration. The CEC ran a comprehensive voter information campaign and took initiatives to facilitate the participation of voters with disabilities. Three CEC members are women, including the chairperson, and women constituted 62 per cent of DEC and 71 per cent of PEC membership.

Authorities made commendable efforts to further improve the quality of voter lists and stakeholders expressed a high level of confidence and trust in their accuracy. Voters were given ample opportunity to verify their registration. More than 89,000 citizens benefitted from a government programme for issuing biometric identification cards free of charge. Recent amendments allowed 5,014 voters to re-register and lifted a requirement for cards of internally displaced persons to be used for voting purposes. However, 1,780 voters were disenfranchised due to poor quality or missing photos in the state register. Between the two rounds, voter lists were only updated to delete deceased voters and enter voters who turned 18 years of age.

The CEC and DECs registered 591 lists of 27 parties and blocs for proportional races for municipal councils, 369 mayoral candidates and 4,727 majoritarian candidates in an inclusive and transparent process. The recent removal of a two-year residency requirement significantly improved the inclusiveness of candidate registration. Female candidates were underrepresented in most contests. Following legal amendments, independent candidates could run for mayor. The United National Movement announced it would not take part in the second round and, as the law does not permit second round candidates to withdraw, this essentially left two out of six run-offs uncontested.

The campaign was overall subdued outside Tbilisi and largely calm, despite a few isolated violent incidents. While fundamental freedoms were generally respected and contestants were able to campaign freely, the ODIHR EOM noted, especially in the first round, instances of pressure on public sector employees to support the ruling party that are at odds with OSCE commitments. Some cases of misuse of administrative resources were also reported. A number of contestants withdrew their candidacy, some, reportedly, under pressure.

Significant differences in donation amounts to contestants distorted the level playing field. The State Audit Office (SAO), mandated to oversee campaign finance, worked in a professional manner. All candidates, including in the run-offs, were required to submit campaign finance reports. However, the absence of deadlines to examine financial reports and publish conclusions before election day reduced the transparency of campaign finance. The absence of expedited deadlines for the SAO to respond to complaints limited the effectiveness of its oversight. Most ODIHR recommendations remain unaddressed, and some Council of Europe's Group of States against Corruption (GRECO) recommendations remain to be fully implemented.

There are notable improvements in the overall freedom of media environment since 2012; however, important challenges concerning financial sustainability and independence of the media persist. Broadcast media are polarized and perceived as politically affiliated. A number of civil society groups were concerned about the growing influence of government associates and former Prime Minister Bidzina Ivanishvili over the Georgian Public Broadcaster. The Georgian National Communications Commission (GNCC) quantitatively monitored media for compliance with campaign provisions, but did not assess the tone of their coverage. Impartiality compliance was monitored by the self-regulatory mechanism of each broadcaster. Instructions from the GNCC limited the opportunities of contestants to campaign through the media in the second round.

The ODIHR EOM media monitoring showed that most media focused on the major parties. In the first round, media provided contestants with options to convey messages, including advertisements,

debates and talk-shows. This offered voters diverse information to make an informed choice; however, only by consulting several media outlets. While there was a notable absence of critical and analytical reporting in the newscast of the national broadcaster, the approach to the campaign coverage by the most popular broadcasters, *Imedi* and *Rustavi 2*, significantly varied, with either favouring a certain political side. The nationwide media largely ignored coverage of the run-offs, though several local media provided voters with information.

More than 1,200 national minority representatives ran as candidates, predominantly in minority areas; some 26 per cent were women. Ethnicity occasionally became a mobilizing or polarizing factor in the campaign. A few instances of hate speech, xenophobia, threats and tensions were noted. The election administration provided ballots, voter information and polling staff trainings in minority languages.

In an inclusive process, the CEC accredited 30 international and 71 citizen observer organizations. Participation of numerous observers and proxies of contestants in all stages of the electoral process contributed to the transparency of the elections. In an inclusive manner, the CEC extended the validity of existing observer accreditations for the second round and opened possibilities for additional accreditations. On both election days, parties and candidates deployed more representatives than legally permitted, typically accrediting them as citizen observers or media representatives. This resulted in overcrowding, and they were, at times, interfering in or directing PEC work, which negatively affected election day processes.

The legal framework for electoral dispute resolution is complex and unnecessarily restrictive, including on the standing of complainants. Contestants and citizen observers filed some 970 complaints to DECs and 28 to the CEC following the first round election day. The review of complaints was mostly done in an open and collegial manner, with due process guarantees and legal deadlines generally respected. However, many complaints were dismissed on procedural grounds, some based on a formalistic interpretation of the law. This undermined the right to effective remedy and public confidence in the electoral dispute resolution system. The consideration of election-related cases by courts at times fell short of consistent application of the law.

On the 21 October election day, opening and voting were assessed as good or very good in almost all polling stations, despite some attempts by authorized persons affiliated with parties or candidates to interfere in the process. Counting was evaluated in more negative terms, indicating some procedural irregularities and that some PECs had difficulties in completing results protocols. In some instances, persons inside polling stations, in co-operation with authorized persons outside, were noting voter data from signed voter lists. The CEC and the Personal Data Protection Inspector held different positions on whether such actions were permitted.

On 12 November, election day was conducted in a smooth and professional manner and was assessed positively by ODIHR EOM observers. Adherence to counting procedures improved notably compared to the first round, due to a less complex process and better preparedness. Relatively few complaints were filed regarding irregularities and procedural errors. Large crowds gathered outside of many polling stations, and observers noted indications of possible intimidation and pressure on voters. The CEC posted all PEC result protocols on its website and announced preliminary results immediately following both election days.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the authorities of Georgia, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 12 September to observe the 21 October 2017 local elections. The ODIHR EOM was headed by Corien Jonker and

consisted of 17 experts based in Tbilisi and 22 long-term observers (LTOs) deployed throughout the country for election day on 21 October and 15 experts and 12 LTOs for second rounds on 12 November.

For the first round election day, ODIHR was joined by a delegation from the Congress of Local and Regional Authorities of the Council of Europe (the Congress) to form an International Election Observation Mission (IEOM). Both institutions have endorsed the 2005 Declaration of Principles for International Election Observation.² The IEOM deployed 196 observers from 30 OSCE participating States on 21 October, and the ODIHR EOM deployed 106 observers on 12 November. Mission members were drawn from 31 OSCE participating States.

The ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. This final report follows Statements of Preliminary Findings and Conclusions that were released at press conferences on 22 October and 13 November.³

The ODIHR EOM wishes to thank the authorities for their invitation to observe the elections, and the Ministry of Foreign Affairs and the Central Election Commission (CEC) for their assistance. The ODIHR EOM also wishes to express its appreciation to other state institutions, political parties, media, civil society organizations and representatives of the international community for their co-operation.

III. BACKGROUND AND POLITICAL CONTEXT

The 21 October local elections were held under a revised local governance structure introduced a few months earlier. Shortly ahead of the elections, substantial administrative reform was undertaken; 14 municipalities were merged and seven cities lost their self-governing status.⁴ Voters elected members of 64 municipal councils (*sakrebulo*s) and 64 mayors, including in Tbilisi and 4 other self-governing cities. The administrative reform affected the delimitation of electoral constituencies. Changing fundamental aspects of the electoral legal framework less than a year prior to an election is contrary to international good practice.⁵

The 2016 parliamentary elections resulted in a constitutional majority for the ruling party, the Georgian Dream (GD), which won 115 of 150 seats. The United National Movement (UNM) won 27 seats, the Alliance of Patriots of Georgia (APG) 6 seats, the Industry Will Save Georgia (IWSG) 1 seat, and 1 independent candidate was elected. Since the elections, 21 members of parliament (MPs) left the UNM and established the Movement for Liberty – European Georgia (EG).

Constitutional amendments proposed by the GD in early 2017 to change the electoral system fostered discussion among parties and polarized the political debate in the country.⁶ Parties and civil society

² See the [Declaration of Principles for International Election Observation](#).

³ See [all previous ODIHR reports on Georgia](#).

⁴ The reform affected the status of Zugdidi, Gori, Telavi, Ambrolauri, Mtskheta, Ozurgeti and Akhaltsikhe.

⁵ The 2002 Code of Good Practice in Electoral Matters (Code of Good Practice) by the Council of Europe's European Commission for Democracy through Law (Venice Commission) states that the fundamental elements of electoral law, in particular the electoral system, membership of election commissions and the drawing of constituency boundaries, should not be open to amendments less than a year before an election.

⁶ The amendments envisage shifting competencies from the president to the government and the prime minister. They also provide for abolishing the direct election of the president and for a fully proportional parliamentary electoral system from 2024. The amendments had no legal effect on the local elections.

organizations did not reach a broad consensus over the amendments. On 26 September, the amendments were adopted; in protest, the parliamentary opposition parties boycotted the vote. On 9 October, the president vetoed the proposed amendments, but on 13 October, the parliament overrode the veto and the amendments were passed.⁷

IV. ELECTORAL SYSTEM

Elections to *sakrebulo*s are held under a mixed proportional-majoritarian system. In Tbilisi, 25 members are elected proportionally and 25 under the majoritarian component. In the other self-governing cities of Kutaisi, Poti, Batumi and Rustavi, 15 members are elected proportionally and 10 under the majoritarian component. In the remaining 59 municipalities, 15 members are elected proportionally and 1 is elected under the majoritarian component from each settlement; in addition, 1 to 5 majoritarian members are elected to represent the municipal centre depending on its size. While the above-mentioned formula results in considerably unequal voting power, it also enables a representation of minorities and sparsely populated settlements.⁸

In the proportional component, parties or blocs receiving at least four per cent of valid votes participate in the distribution of seats in the *sakrebulo*s. In the majoritarian component, a candidate receiving the majority of valid votes is elected. Mayors are directly elected. A candidate receiving more than one-half of the valid votes is elected. If no candidate is successful, a second round is held within 25 days between the two candidates with the most votes.

V. LEGAL FRAMEWORK

Local elections are primarily regulated by the 1995 Constitution, the 2011 Election Code, the 2014 Local Self-Government Code, as well as by the acts of the Central Election Commission (CEC). The legal framework is comprehensive and provides an adequate basis for the conduct of elections in line with democratic principles. However, gaps and inconsistencies remain and are related to candidate and voter eligibility, restrictive campaigning, and campaign finance provisions for independent candidates. Some undue restrictions on electoral rights are also of concern (see *Party and Candidate Registration, Voter Registration, and Complaints and Appeals* sections).

The Election Code does not have specific regulations for potential second round contests. While provisions are generally applicable to both rounds, certain aspects of the second round are inconsistent or ambiguous, which, at times, challenged legal certainty prior to the second round. Particular issues include the regulation of the election administration, voter and candidate registration, as well as some media provisions.

The Election Code was last amended in July 2017 to introduce a number of mainly technical changes. These amendments eased candidacy requirements, set up timelines for unregistered voters to register,

⁷ On 9 October 2017, the Venice Commission adopted [an Opinion](#) on the draft revised Constitution as adopted by the parliament of Georgia.

⁸ There is no legal requirement to ensure equal voting power in the majoritarian contest. Only 1 in 5 majoritarian constituencies established for these elections was within 15 per cent of deviation from the average number of registered voters within each municipality. Section I.2.2 of the [Code of Good Practice](#) provides that seats should be evenly distributed among constituencies, with a permissible deviation up to a maximum of 15 per cent, except in special circumstances such as the protection of a concentrated minority or sparsely populated administrative entity.

and introduced electronic registration of election contestants' proxies.⁹ However, they did not address a number of previous ODIHR key recommendations.

A thorough review of the Election Code should be conducted to address undue restrictions, and gaps and inconsistencies, including those related to a second round. Any electoral reform should be conducted in an inclusive manner, well in advance of the next election.

VI. ELECTION ADMINISTRATION

Elections are managed by three levels of administration comprising the CEC, 73 district election commissions (DECs) and 3,634 precinct election commissions (PECs).¹⁰ Commissions at all levels are composed of 13 members, with 7 of them nominated by parties that qualify for public funding (qualified parties).¹¹ The CEC chairperson is nominated by the president and elected by the CEC with a two-thirds majority. The five non-partisan members are elected by the parliament upon nomination by the president.¹² In addition to party appointees, DECs include five permanent members and one temporary member selected by the CEC in an open recruitment process. PECs include six members selected by DECs in the same manner. Three CEC members are women, including the chairperson. Women constituted 62 per cent of DEC membership (71 per cent in PECs) and 36 per cent of DEC chairpersons (63 per cent in PECs).

While the CEC generally enjoyed confidence among stakeholders, some opposition contestants questioned the transparency and impartiality of the DECs, especially in relation to the recruitment of PEC members, claiming that the review and shortlisting of applications were not done in public sessions.¹³ In the absence of elaborated criteria for PEC membership recruitment, the CEC recommended that previous election experience and participation in trainings be considered. The low number of applicants for PEC positions gave DECs a limited choice.¹⁴ According to the CEC, 82 per cent of DEC-appointed PEC members had previous election experience and more than 60 per cent served in the same capacity in 2016. Some DEC-appointed PEC members were previously party appointees.

PECs were established and held opening sessions by the legal deadline. In an overwhelming majority of cases, DEC-appointed members were elected to the leadership positions on the PEC. In PECs where party appointees were elected to the leadership position, the result favoured the GD or its coalition partners.¹⁵ Some political parties withdrew their PEC members after the first round without replacing them; 696 vacant party-appointed positions on PECs were filled by the DECs.¹⁶

⁹ Some changes will take effect only after these elections. This includes provisions for the composition of election commissions, which will result in increased representation of the ruling party at all levels of the administration.

¹⁰ In the first round, 10 additional polling stations were formed in penitentiary institutions. The run-off elections were administered by 6 DECs and 317 PECs, including 1 PEC in a penitentiary institution.

¹¹ According to the Law on Political Associations of Citizens, these parties are those receiving at least three per cent of valid votes in the last parliamentary or local elections. For these elections, qualified parties were the APG, the Christian-Conservative Party (CC), the EG, the GD, the IWSG, the United Democratic Movement (UDM) and the UNM.

¹² In case the CEC fails to elect a chairperson, the chairperson is elected by a majority vote in the parliament.

¹³ Six complaints claiming a lack of transparency of PEC recruitment process were filed, of which three were not satisfied by the DEC Krtsanisi and another three were dismissed by the CEC for deadlines being missed.

¹⁴ On average, they were fewer than eight applications available to fill the six vacant positions on each PEC. According to the CEC, 46 positions were filled only after re-announced contests.

¹⁵ For example, in 221 of 224 PECs where party-nominated members were elected as chairpersons, they were nominated by the GD or IWSG.

¹⁶ The UNM and the CC withdrew their members from all run-off PECs.

The authorities should consider improving procedures and increasing the transparency of the recruitment process for lower-level commission members by elaborating and publishing clear selection criteria and by conducting the selection in public sessions. PEC leadership positions could be drawn from among trained and certified individuals with prior experience in administering elections.

In general, the elections were administered in a timely, efficient and professional manner at all levels. The CEC and DEC registered some 17,000 candidates, selected 21,804 PEC members, accredited numerous observers, representatives of electoral contestants and media, produced and distributed voter lists, printed and distributed more than 9.5 million ballots and other election materials within legal deadlines.

While the CEC held sessions regularly, DEC only convened for specific purposes; sessions were open to accredited observers and media.¹⁷ CEC session minutes and decisions were posted on its website in a regular and timely manner, unlike those of DEC. The work of the election administration was mostly transparent; however, informal preparatory meetings, to which all CEC members were invited and participated at will, were closed to observers. This resulted in lack of substantive public discussion during CEC sessions. While the work of the election administration was overall collegial and inclusive, the legal requirement for the CEC and the DEC chairpersons to decide on some substantive matters in their individual capacity rather than during open sessions detracted from the principles of collegiality and transparency.¹⁸

To further increase transparency and confidence in the election administration, the CEC should consider discussing all substantive matters in public sessions. In addition, the law should stipulate that all substantive electoral matters fall under the purview and responsibility of election commissions as opposed to chairpersons. As previously recommended, consideration should be given to require that DEC decisions are centrally published.

The CEC's training centre conducted trainings for DEC and PEC members, developed an e-learning programme, and produced manuals and video spots on election day procedures.¹⁹ DEC and PEC trainings observed by the ODIHR EOM were informative and interactive, but at times with low attendance. As a result of problems revealed during the first round election day, additional training for PEC members was conducted prior to the second round with a focus on counting procedures and the completion of results protocols, including practical exercises.

The CEC training centre could consider enhancing the effectiveness of its training on election day procedures, with a particular focus on the vote count and how to complete summary results protocols through dedicating more time to practical exercises on these issues.

The CEC provided comprehensive voter information through meetings with voters, videos and print materials, including in national minority and sign languages. It undertook several well-received initiatives to facilitate the participation of persons with disabilities, including the creation of barrier-

¹⁷ The CEC held 24 sessions during the election period, including 3 between the first and the second rounds.

¹⁸ Among others, the CEC chairperson is legally mandated to determine the amount of state funding of political parties, register political parties and blocs as election contestants, issue decrees to dismiss complaints on procedural grounds and propose administrative sanctions in relation to electoral violations to the court. Similarly, DEC chairpersons in their individual capacity register initiative groups of voters and majoritarian candidates and issue decrees to dismiss complaints on procedural grounds.

¹⁹ In addition, it trained various stakeholders including state and local officials, representatives of the judiciary and media, and engaged civil society organizations.

free polling stations equipped with special voting booths. Between the two rounds, the voter information campaign continued in all six run-off districts, including through the distribution of leaflets and televised spots on voting procedures.

VII. VOTER REGISTRATION

Citizens who are 18 years of age by election day have the right to vote, except those serving a prison term of more than five years. Citizens who are declared beneficiaries of support by a court decision have the right to vote unless they are placed in an inpatient establishment. The blanket denial of voting rights of persons recognized by a court to be beneficiaries of support and placed in an inpatient care establishment on grounds of mental disability is at odds with international standards.²⁰

Voter registration is passive. The CEC is responsible for compiling voter lists based on the state register of citizens maintained by the Public Service Development Agency (PSDA) and data from other relevant state institutions.²¹ The PSDA undertook considerable and commendable efforts to further improve the quality of voter lists including by conducting door-to-door voter verification and using facial recognition software to detect potential duplicates. In the last eight months prior to the elections, 12,274 persons were removed from the register, of which 1,961 were deceased.²² Following a recent amendment to the Election Code, voters without an address and those whose registration has been declared invalid by the PSDA were given a possibility to re-register; 5,014 voters did so. Stakeholders expressed a high level of confidence and trust in the accuracy of voter lists in both rounds.

As previously recommended, authorities should consider adopting a permanent solution for voters without an officially registered address instead of repeatedly introducing transitional provisions.

Voters with a valid identification document (ID) card or biometric passport and who are registered at a permanent or temporary address are included in the voter register. As part of the government programme, prior to the first round ID cards were issued free of charge to 89,274 citizens. Some 199,300 internally displaced persons (IDPs) were included in voter lists for these elections at their current places of residence. Those with terminated or unofficial IDP status were notified and given an opportunity to register. A recent amendment also lifted a requirement for IDP cards to be used for voting purposes. As other voters, IDPs were required to present one of the regular accepted IDs.

Since 2014, each voter's registration must include a digital photograph as a measure to enhance voter identification. Voters are still allowed to vote if inconsistencies exist between their photos on the voter lists and those on the IDs presented on election day.²³ The PSDA reached out to 2,049 citizens with a poor quality or no photo in the register, of which 228 cases were successfully resolved. However, the CEC did not include 1,780 voters in voter lists due to a poor quality or absent photos who were

²⁰ [Article 12 of the Convention on the Rights of Persons with Disabilities](#) obliges states to “recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life”.

²¹ Among others, the Ministry of Accommodation and Refugees and its territorial units provides information on the registration of internally displaced persons, local self-government units provide information on deceased voters, and the Ministry of Interior provides information on persons abroad.

²² Other reasons for removal included lacking or incomplete address information and duplicate entries.

²³ If an inconsistency is confirmed, the PEC Secretary shall make a record in the log-book, record certified by signatures of PEC chairperson and secretary, attach a copy of the document presented by a voter. Such entries are forwarded to the CEC and the PSDA for checking against the state register data.

therefore disenfranchised at odds with international commitments.²⁴

Authorities should consider measures to ensure that technical deficiencies are not grounds for denying voting rights.

Voters were given ample opportunities to verify and request correction of their registration. Voter lists were made available for public scrutiny at polling stations and DEC, on the CEC website and through 9,500 payment terminals around the country from 21 September until 3 October. According to the CEC, 991,924 citizens checked their data.²⁵ The CEC provided 11 contestants and 1 civil society organization with a digital copy of voter lists upon request, as provided by law.

In total, 3,440,123 voters were registered. Final voter lists for the first round were updated between the two rounds to delete some 290 deceased voters and enter 258 voters who turned 18 years of age, including on the run-off election day. No other changes to voter lists were permitted.²⁶ A total of 328,272 voters were registered in the six districts holding run-offs. Voters entered on special voter lists in the first round maintained their status and changes of election administration members were reflected. Ahead of the second round, voter lists were available for scrutiny at polling stations and on the CEC website.

VIII. PARTY AND CANDIDATE REGISTRATION

Citizens who are 21 years old and have a right to vote may stand as a candidate for a municipal council. To run for mayor, candidates must be at least 25 years old. The recent removal of the requirement for candidates to have residency in Georgia in the two years preceding an election simplified eligibility requirements and positively impacted the inclusiveness of candidate registration. The law, however, still stipulates a five-year overall residency requirement, which is at odds with international good practice.²⁷ Furthermore, the law provides that candidates who contest in the Tbilisi *Sakrebulo* elections must speak Georgian. No language provision applies in other municipal contests. The language requirement, however, is not enforced.²⁸ In general, the ODIHR EOM interlocutors did not express concerns regarding the candidate registration process.

To align candidate registration provisions with international commitments and good practice, the language requirement for candidates in the Tbilisi Sakrebulo elections and the overall five-year residency requirement should be lifted.

²⁴ Paragraph 24 of the [1990 OSCE Copenhagen Document](#) provides that any limitations must be related to the objectives and aims of the law and be strictly proportional to them. Paragraph 10 of the [1996 UN Human Rights Committee's General Comment No. 25 to the ICCPR](#) provides that any restriction on voting rights must be reasonable.

²⁵ In total, 1,863 requests for corrections were made of which 1,686 were satisfied and 177 rejected. The satisfied requests included removal of deceased voters and reassigning voters to a polling station located closer to their actual residence. Rejections were mainly due to persons without a registered address or valid ID.

²⁶ While the Election Code is ambiguous whether corrections to voter lists are allowed between the rounds, the CEC, by its decision, closed voter lists for further amendments for the second round. According to the CEC, its decision was motivated by the intention to prevent speculations that voters would deliberately change their address of registration to support a candidate.

²⁷ Article 1.1.c.iv of the Code of Good Practice states that “the requisite period of residence should not exceed six months; a longer period may be required only to protect national minorities”. Furthermore, paragraph 7.3 of the 1990 OSCE Copenhagen Document states that “the participating States will guarantee universal and equal suffrage to adult citizens”, and paragraph 24 provides that restrictions on rights and freedoms must be “strictly proportionate to the aim of the law”.

²⁸ The CEC informed the ODIHR EOM that the candidates contesting Tbilisi *Sakrebulo* elections proved their knowledge of the Georgian language by signing the candidacy application forms.

Parties must register with the CEC in order to nominate candidates. In line with previous ODIHR recommendations, the Law on Political Associations of Citizens has been amended to streamline the provision of party registration data from the Public Register kept by the Ministry of Justice to the CEC. Parties that did not contest the last parliamentary elections were additionally required to collect supporting signatures.²⁹ The CEC verified all submitted signatures in the presence of representatives of the respective contestant. Thirty eight political parties applied to the CEC, of which 36 were registered in an inclusive and transparent process and two were rejected for not meeting the requirements.³⁰ Three political parties withdrew after registration.³¹ Eleven parties subsequently formed 5 electoral blocs and 22 parties ran independently.

Independent candidates are nominated by initiative groups of at least five voters. In line with a previous ODIHR recommendation, following a 2016 Constitutional Court decision, independent candidates are entitled to run for mayor if they collect supporting signatures of at least one per cent of registered voters in the respective constituency. However, while parties had 60 days to collect these signatures, following the submission of an application to the CEC, independent candidates had less than 10 days.³² This resulted in unequal opportunities for independent candidates compared to party-nominated ones.³³ In total, 11 mayoral and 190 majoritarian candidates contested the elections as independents.³⁴

The law should provide equitable conditions for the collection of supporting signatures by candidates running independently and those nominated by parties.

Altogether, the CEC and DEC registered 591 candidate lists of parties and blocs comprising 12,902 candidates (37 per cent women), 369 mayoral candidates (13 per cent women) and 4,727 majoritarian candidates (16 per cent women). Four parties met the voluntary quota of at least 30 per cent of candidates of the less represented gender among every 10 candidates of the respective list, thereby qualifying for an additional 30 per cent of public funding.³⁵ However, as this financial incentive applies only to the proportional component of the elections, women remained under-represented in majoritarian contests.³⁶ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee had recommended to the authorities to introduce mandatory quotas for parties to significantly increase the representation of women in national and local legislative bodies.³⁷

To further increase the political participation of women, consideration could be given to introducing a binding gender quota, in addition to financial incentives. Existing financial incentives could be extended to majoritarian contests.

²⁹ Qualified parties needed to collect 1,000 signatures, non-qualified parties needed 25,000 signatures.

³⁰ The Economic Development and Poverty Reduction Party did not submit its application for registration by an authorized representative, while the *Girchi* did not submit a sufficient number of supporting signatures.

³¹ The IWSG, the Communist Party of Georgia – Stalinists and the *Kartuli Dasi*.

³² By a CEC decision, the deadline for voter initiative groups to nominate independent candidates was set at 50 days prior to election day (1 September), although election commissions only began accepting applications from voter initiative groups after the calling of the elections on 22 August.

³³ Paragraph 7.5 of the 1990 OSCE Copenhagen Document stipulates respect for the right to seek office “individually or as representatives of political parties or organizations, without discrimination”.

³⁴ The ODIHR EOM requested information from the CEC about the number of female candidates who contested as independents; this information was unavailable.

³⁵ The APG, the EG, the Liberal Party (LP) and the UNM. In total, seven parties were eligible for such funding.

³⁶ In the *sakrebulo*s, 190 women (20 per cent) were elected on proportional lists; only 87 women (8 per cent) were elected in majoritarian contests.

³⁷ See CEDAW/C/GEO/CO/4-5, [Concluding observations on the combined fourth and fifth periodic reports of Georgia](#), 18 July 2014.

Candidates could withdraw by 9 October and 196 (4 per cent) majoritarian candidates did so. In some majoritarian contests, competition was limited or candidates ran unopposed. A number of independent candidates withdrew in favour of being included on a party list. Some candidates reportedly withdrew under pressure. In a few of these instances, the ODIHR EOM was able to confirm such reports.³⁸

According to the Election Code, candidates reaching the second round cannot withdraw. The reason for this restriction is unclear. Its implementation in these elections compromised some contestants' right to stand and negatively affected the competitiveness of two run-off contests.³⁹

In case a candidate wishes to withdraw from a second round contest, the law should ensure competitiveness and the right of other candidates to stand.

IX. ELECTORAL CAMPAIGN

The election campaign period officially started on 22 August, once the president called the elections. However, the main contestants began announcing nominations of candidates for Tbilisi mayor and reportedly engaged in campaigning prior to this date. The campaign was overall subdued outside of Tbilisi but intensified closer to the first round election day. In general, it was more visible in urban areas. Freedoms of expression, association and assembly were overall respected. The issue of prohibiting campaigning by foreigners and charitable and religious organizations is of concern.⁴⁰ The election atmosphere was generally calm, except for a few isolated violent incidents.⁴¹

The ruling GD ran an extensive campaign with canvassing, numerous billboards, televised and outdoor campaign ads, while other parties, including the opposition, had a less visible campaign. A few independent candidates were actively campaigning in their constituencies. Most contestants used small community meetings, door-to-door canvassing, leaflets, traditional media, in particular TV, as well as social media in their campaign. Instances of negative campaigning targeting two mayoral candidates featured in Tbilisi. A number of parties and blocs including the UNM, the APG, the Labour Party (LP) and the Democratic Movement – Free Georgia (DM-FG) had campaign activities with low visibility due to limited financial resources mainly coming from state funding. The law allows political officials to participate in campaign events; the Prime Minister used the opportunity extensively and presented GD candidates in every region of the country.⁴²

³⁸ ODIHR EOM observers noted cases in Akhalkalaki, Ambrolauri, Dmanisi, Gori, Tetrtskaro and Tsageri.

³⁹ As a result, the candidate with the third highest number of votes cannot stand in the second round if a run-off candidate withdraws. Paragraph 15 provides that the effective implementation of the right and the opportunity to stand for elective office ensures that persons entitled to vote have a free choice of candidates. Paragraph 24 of the 1990 OSCE Copenhagen Document provides that any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law.

⁴⁰ The 2011 ODIHR and Venice Commission [Joint Opinion](#) on the draft Election Code stressed, in part, that restrictions on campaigning by religious and charitable organizations, as well as by foreigners violate fundamental rights to freedom of religion, non-discrimination and expression.

⁴¹ On 23 September in Sadakhlo, an EG candidate was physically assaulted by a GD candidate and by a local self-government employee. Protests organized by the UNM on 2 and 10 October in front of the Tbilisi city hall and Tbilisi *Sakrebulo*, respectively, turned violent after UNM councillors and an MP were denied access to enter the city hall and *sakrebulo* buildings. Several people were detained including at least one candidate. On 19 October in Marneuli municipality, the GD office in Kizilajlo village was attacked by an armed person, wounding four people, including a majoritarian candidate.

⁴² According to law, political officials include the president, MPs, the prime minister and members of the government and their deputies, members of the Supreme Representative Bodies of the Autonomous Republic of Adjara and its heads, mayor and governors.

While campaign messages addressed issues of infrastructure, social security and unemployment, most of the campaign evolved around individuals rather than proposed policies. The Tbilisi mayoral race attracted nationwide attention and the main contestants relied on more substance-based platforms.

Several stakeholders expressed concerns that the electoral choices of public sector employees, a segment of society vulnerable to pressure, can have consequences on their livelihood and future employment. Widespread allegations of the use of teachers to mobilize support for the ruling party and to attend its campaign events, sometimes under pressure, were confirmed in two instances.⁴³ This raised concern about public sector employees' ability to vote free of fear of retribution, which is at odds with the OSCE commitments and international good practice.⁴⁴ In a media interview on 7 October, the Minister of Justice, in her capacity as the chairperson of the Interagency Commission for Free and Fair Elections (IACFFE), acknowledged that these violations took place, and, on 9 October, the IACFFE issued a statement condemning such instances.

Authorities should ensure a clear separation between the state and party and guarantee that public sectors employees are not subject to pressure to engage in election campaigns.

Allegations of misuse of administrative resources by the ruling party were raised by several interlocutors. The ODIHR EOM was able to verify some of them.⁴⁵ On 29 September, the state-funded Georgian Football Federation conducted a charity game with participation of former football stars and the Tbilisi mayoral candidate from the GD. While not breaching the campaign regulations, such an event during the campaign period was seen by stakeholders as favouring the ruling party candidate. The EG and one citizen observer organization filed complaints to the State Audit Office (SAO) to check whether sponsorship of the event was considered a donation.⁴⁶

To ensure public confidence in the electoral process, law enforcement should effectively investigate instances of pressure and intimidation of candidates, as well as possible misuse of state resources for campaign purposes.

According to the Election Code, there is no break in the campaign period after the first round and the same regulations apply to both rounds.⁴⁷ Competitive campaigning took place in four of six districts, due to the UNM decision not to participate in the run-offs in Kutaisi and Martvili. As in the first round, candidates were able to campaign freely and fundamental freedoms were generally respected.

⁴³ On 18 September, in Adjara, a public school teacher was accused of organizing children to support the GD. The Adjara Ministry of Education and Sport subsequently issued a warning to the teacher and the CEC drew up an administrative protocol. On 27 September, in Borjomi, a public school teacher organized an event in the school, where she and pupils were waving GD flags. On 9 October, the Interagency Commission on Free and Fair Elections (IACFFE) on its meeting referred a case of illegal involvement of public kindergarten directors in Tbilisi in collecting list of supporters of the ruling party to the Prosecutor's Office for investigation following media reports implicating the Tbilisi city hall as the initiator of this illegal campaign activity. Following an explanatory letter from the Kindergarten Management Agency, authorities concluded there was no breach of the Election Code.

⁴⁴ See paragraph 7.7 of 1990 OSCE Copenhagen Document. See also Paragraph 209 of the 2010 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

⁴⁵ On 15 September, the Batumi city court warned an official from the Ministry of Finance and Economy of the Autonomous Republic of Adjara for posting pictures of a GD campaign event on the official Facebook page of the institution. On 19 September, the Tbilisi City Hall aired a public social advertisement showing achievements of the incumbent administration. On 22 September, in Tbilisi, on the opening of a new bicycle lane organized by the city hall, only the GD mayoral candidate was invited. On 16 October, the GD Tbilisi mayoral candidate together with the Prime Minister took part in the opening of a new metro station.

⁴⁶ The case remains under investigation at the time of writing this report.

⁴⁷ The law stipulates that the electoral period starts from the day when a legal act issued on calling an election enters into force through until the day when the summary protocol of the final results is published by a respective election commission.

The campaign dynamics and tone differed across the run-off districts. However, campaign activities were overall limited. Candidates primarily used direct meetings with voters, social media and, to some extent, traditional media. While canvassing, the GD focused on areas where their candidates received less support during the first round. The Speaker of the Parliament expressed support for GD candidates in several meetings with public employees.

During second round contests, the misuse of administrative resources was not raised as a major concern by stakeholders. Two instances of pressure and intimidation on a candidate representative in Ozurgeti and on the election administration in Borjomi were reported.⁴⁸

X. CAMPAIGN FINANCE

The Election Code and the Law on Political Associations of Citizens regulate party and campaign finance. While the Election Code was amended in July 2017, previous ODIHR and Council of Europe Group of States against Corruption (GRECO) recommendations on campaign finance, including on ensuring a uniform legal framework, were not addressed. Inconsistencies in campaign finance regulations for independent candidates remain. The SAO, which oversees party and campaign finance, addressed some of the inconsistencies.⁴⁹ On 2 October, the new SAO chairperson (State Auditor) took office.⁵⁰

The law provides for both private and public funding for parties/blocs; independent candidates are not entitled to public funding. Annual expenses of each party, including expenditure of their candidates during the campaign, could not exceed 0.1 per cent of last year's gross domestic product (GDP).⁵¹ The expenditure limit for independent candidates varied in each district and could not exceed 0.2 per cent of last year's GDP divided by the number of voters in the district.⁵² The annual donation from an individual could not exceed GEL 60,000 and from legal entities GEL 120,000. Contestants were required to open a campaign bank account and report to the SAO on income and expenditure every three weeks and on donations within five days of receipt.

Significant differences in the campaign funds that contestants were able to raise did not provide for a level playing field. The SAO started to review campaign donations from 1 July, once parties began to nominate candidates. For the first round period until 21 October, 14 parties, 4 blocs, as well as 37 independent candidates raised and declared a total of GEL 14,889,107 and 31 in-kind donations from

⁴⁸ On 6 November, the APG informed the IACFFE about State Security Service employees and regional officials pressuring PEC and DEC members and party representatives in the DEC 36 Borjomi. On 8 November, in Ozurgeti, a proxy of an independent candidate went missing for two days following allegations of being pressured by representatives of the GD candidate. On 10 November, the police issued a statement that the proxy had been found and was unharmed. The police ended the investigation after the candidate stated to the press that he had been visiting friends in Batumi.

⁴⁹ For example, the Law on Political Associations of Citizen does not set campaign expenditure ceilings for independent candidates for mayor nor does it extend obligations to submit regular financial reports to independent candidates. The SAO issued a decree clarifying these matters and shared it with election stakeholders.

⁵⁰ Following the appointment procedure, the three deputies stepped down. As none of the previous deputies, one of whom is responsible for monitoring party and campaign finances, were reappointed, some election stakeholders raised concern about the impartiality of the SAO.

⁵¹ This was GEL 35,048,000 (EUR 11,806,300) in 2016 (1 EUR is approximately GEL 2.96).

⁵² The inconsistency in the calculation of campaign ceilings between parties and independent candidates was highlighted in the [ODIHR EOM Final Report on the 2013 presidential election](#).

some 1,175 individual donors and 63 legal entities.⁵³ Contributions to the GD accounted for 91.1 per cent of this amount. Contestants spent a total GEL 16,861,130 in the first round. While qualified parties were also entitled to receive public funding, including reimbursement of certain campaign expenses, independent candidates are not, contrary to international good practice.⁵⁴

To ensure a level playing field, all candidates should be provided with the same access to financial support, including reimbursement of some campaign expenses.

Two parties and blocs, 10 independent mayoral and 103 independent majoritarian candidates failed to comply with the campaign finance reporting requirements.⁵⁵ Another three parties and 125 independent candidates ran a no-cost campaign. Existing legal inconsistencies caused a delay in the obtaining information from the bank on campaign accounts of independent candidates.⁵⁶

To enhance the effectiveness of the campaign finance oversight, the legal framework should be harmonized and address inconsistencies related to provisions concerning independent candidates.

By law, contestants are additionally granted the right to apply for bank loans to finance their campaign. However, several parties experienced that their applications were rejected by commercial banks on the grounds of internal bank policies that do not allow them to provide loans to parties. Several qualified opposition parties raised concern over a 3 October decision of the CEC training centre to disburse state funds for training purposes to qualified parties in monthly rather than quarterly instalments. The UNM appealed the decision to court arguing that the decision disadvantaged the party during the election campaign. The court upheld the CEC decision.

The general campaign finance regulations applied also for the second round and in the period from 22 October to 12 November, four contestants received a total of GEL 1,267,045 in contributions from 62 individual donors and 6 legal entities.⁵⁷ Of this amount, GEL 1,265,100 (99.8 per cent of the total amount of all second round donations) was contributed to the GD from 58 donors. In total, the declared expenditures amounted to GEL 2,331,117.

The law does not provide deadlines for the SAO to examine contestant reports and publish its conclusions of such reviews before election day.⁵⁸ This limited the transparency of campaign finances contrary to international good practice.⁵⁹

⁵³ For instance, the GD received GEL 13,503,551, followed by the EG with GEL 944,232; the UNM – GEL 121,674; the APG – GEL 63,492; the New Georgia (NG) – GEL 59,600; the DM-FG – GEL 38,829; the DM – GEL 37,182; LP – 23,196; Aleksandre Elisashvili – GEL 89,554. In addition to donations qualified electoral subjects received GEL 7,911,625 of public funds.

⁵⁴ Paragraph I.2.3 of the Code of Good Practice states that equality of opportunity should be ensured between parties and candidates. Paragraph 130 of the Guidelines on Political Party Regulation states that where registered political parties are provided state support, such as the provision of public media airtime, there should be a system of support for independent candidates to ensure they are awarded equitable treatment in the allocation of state resources.

⁵⁵ Based on the cases submitted by the SAO, the Tbilisi City Court warned these contestants.

⁵⁶ Despite the SAO raising the issue in 2015, the Law on Political Associations of Citizen stipulates that the SAO has a right to request information from the party, from administrative bodies and commercial banks on party financing only and does not regulate the access to such information regarding independent candidates.

⁵⁷ For instance, the DM-FG – GEL 1,895; Konstantine Sharashenidze – GEL 500; the UNM – GEL 50.

⁵⁸ The second interim report containing aggregated information on income and expenditure of contestants related to the first round was published on 6 November, 16 days after the first round election day.

⁵⁹ Paragraph 194, 200 and 206 of the Guidelines on Political Party Regulation states that voters must have access to the relevant information as to the financial support given to political parties in order to hold them accountable. It requires publication of financial reports in a format understandable for the general public in a timely manner.

As previously recommended, to further enhance transparency and accountability, the SAO could publish campaign finance reports submitted by contestants, as well as the results and conclusions of its oversight in a timely manner, including prior to election day.

During the entire election campaign, the SAO, on its own initiative, inquired about the sources of funding from 53 donors.⁶⁰ Five contestants were sanctioned for not complying with campaign finance regulations (two were fined, three were warned by court).⁶¹ The SAO considered 21 complaints and initiated 17 investigations, of which 8 were concluded without providing a formal written decision before election day. The ODIHR EOM was informed that the majority of the complaints would be addressed only after the run-off election day, as the law does not provide for expedited deadlines for the SAO to respond to complaints.⁶² This practice negatively impacted the effectiveness of oversight.

The legal framework could be amended to envisage expedited timeframes for addressing campaign finance violations and to ensure that the investigation conducted by the SAO is thorough, comprehensive and timely.

XI. MEDIA

A. MEDIA ENVIRONMENT

The media are diverse and comprise 92 TV channels (including 12 nationwide digital channels), 51 radio stations, and some 300 print outlets.⁶³ Television is the most important source of information, especially outside of the capital. The role of online media is steadily growing, especially in urban centres.⁶⁴

There are notable improvements in the overall freedom of the media environment since 2012, including the absence of intimidation and acts of violence against journalists. Also, the 2015 digital switchover continues to increase the availability of media sources. Nevertheless, important challenges concerning the financial sustainability and independence of the media persist. In addition, broadcast media are particularly polarized and perceived by most election stakeholders as visibly politically affiliated.

The 2 March 2017 Supreme Court ruling that would have led to a changed ownership structure of one of the most popular television, *Rustavi 2*, known for a critical and strongly pro-oppositional stance, was criticized by several domestic and international organizations.⁶⁵ The European Court of Human Rights later decided that the ruling should be suspended and that the authorities should abstain from interfering in the broadcaster's editorial policy. While the channel operates, it faces serious financial constraints stemming from its uncertain ownership status.

⁶⁰ Those donors contributed to five different electoral subjects, in particular to the GD and the EG, and to a lesser extent to the UNM and independent candidates.

⁶¹ As of 11 January, the LP and the *Tavisupleba – Zviad Gamsakhurdias Gza* were fined GEL 2,000 for not reporting on cash expenditures. The Patriot Order *Samshoblo*, the *Sakartvelo* and the Merab Kostava Society were warned.

⁶² According to the SAO, investigation was concluded in a number of first round cases, including the negative campaigning on Facebook against the independent candidate for Tbilisi mayor post; the distribution of calendars by an EG candidate in Kutaisi; the public premises used by a GD candidate in Ozurgeti; and the distribution of brochures by employees of the Rustavi City Hall. However, as of 8 November no written decisions were provided. On 29 December, the SAO informed that decisions had been issued in all cases.

⁶³ Information about broadcasters was provided by the Georgian National Communications Committee.

⁶⁴ See the [European Journalism Center report](#).

⁶⁵ See the [press release](#) by the OSCE Representative on Freedom of the Media from 3 March.

In January 2017, changes in the management of the Georgian Public Broadcaster (GPB) resulted in the closure of several socio-political programmes on *GPB 1* and in no political programmes on *GPB 2* for several months, including during the election campaign.⁶⁶ The GPB resumed the broadcast of new socio-political programmes on *GPB 1* only after the elections.⁶⁷ On 2 November, 29 civil society organisations issued a joint statement condemning the increasing influence of associates of the government and former Prime Minister Bizdina Ivanishvili over the GPB. The statement called for parliament to examine the situation and the channel's legal obligations over its public service mandate.

To enhance a genuine and independent public service mandate, authorities should refrain from interference in the activities of the public broadcaster. The public media should develop comprehensive political programming during an election period and an impartial, critical and analytical editorial policy should be ensured, including when covering activities of officials.

B. LEGAL FRAMEWORK

The legal framework for the media provides for freedom of expression and prohibits censorship. The Election Code obliges broadcasters to allocate different portions of free airtime to contestants, to organize debates for qualified election contestants and to provide equal conditions for paid campaign advertisements.⁶⁸ It also stipulates that the GPB and the regional public broadcaster *Adjara TV* should allocate time to all non-qualified election contestants. However, the law does not provide any conditions for free-time allocation or participation of independent candidates in debates, at odds with OSCE commitments.⁶⁹

In line with the principle of editorial independence, the obligation placed on nationwide private broadcasters to organize debates for qualified subjects could be revisited, so that consideration could be given to allowing the broadcaster to decide on the format of its own election-related programmes.

The Georgian National Communications Commission (GNCC) is vested the responsibility to oversee media compliance, in particular for advertising and opinion polls during the electoral campaign. The GNCC conducts media monitoring using a quantitative methodology; however, without assessing the tone of the coverage.⁷⁰ It issued only one report of its findings ahead of the first round election day.⁷¹

To increase transparency, the GNCC should consider presenting its detailed media monitoring reports, with a qualitative assessment, and more frequently, including closer to election day.

⁶⁶ As of 17 July, *GPB 2* aired only sessions of the parliament and Champions League football matches.

⁶⁷ As of 6 November, *GPB 1* launched its new programming structure with two new political programmes. During the initial three weeks, 9 of 12 policy-oriented editions featured guests representing the ruling GD, including government actors in their official capacities. In the remaining editions, the guest was a former Speaker of Parliament, an MP of the opposition party EG, an independent MP and a representative of the non-parliamentary opposition party *Girchi*.

⁶⁸ Paid advertising is allowed without any campaign-related expenditure ceiling. Broadcasters were obliged to inform the media regulatory body about rates and agreements with contestants and to publish them on the CEC website.

⁶⁹ Paragraph 7.8 of the 1990 OSCE Copenhagen Document commits participating States to ensure “that no legal or administrative obstacle stand on the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in electoral process”.

⁷⁰ The GNCC monitored 41 national and regional TV channels as well as 34 newspapers financed from the central and local budgets prior to the first round; and 16 national and regional TV channels prior to the run-off.

⁷¹ The GNCC published the monitoring report of the first month of the first round campaign on 4 October and of the second month on 6 November. The monitoring report concerning the run-offs was published on 17 November.

The conduct of the campaign in the media is further regulated by the 2004 Law on Broadcasting, the 2009 Code of Conduct for Broadcasters (with a force of law) and other GNCC regulations.⁷² Among other things, they stipulate that impartiality and balance within the news and other political programmes are to be dealt with by a self-regulation mechanism of the individual broadcaster.⁷³



C. ODIHR EOM MEDIA MONITORING

On 15 September, the ODIHR EOM commenced its media monitoring with quantitative and qualitative analysis of 15 TV channels and 5 print media.⁷⁴

During the entire monitored period, the freedom of expression was respected. While the campaign period prior to the 21 October election day was extensively covered by all monitored media, the run-offs were largely ignored by the national media, and only several local media provided voters with information on contestants.⁷⁵

First Round

In the first round, media provided contestants with numerous ways to convey messages to the electorate. While voters were offered diverse information to enable them to make an informed choice, they could only do so by consulting several media sources. The campaign was highly visible via various programmes, including debates on national and local broadcasters.⁷⁶ Media, including public broadcasters, complied with the requirements for the allocation of free time and paid advertising.⁷⁷

The ODIHR EOM media monitoring showed that a number of media focused their election coverage only on several major election contestants.⁷⁸ While the regional public *Adjara TV* covered the campaign in a balanced manner, the national GPB gave more coverage to the ruling GD than to the

⁷² The 2012 Decree on Media Participation in Elections and its Implementation; and the 2016 Guidelines and Recommendations on Media Monitoring of Election Campaign was amended in 2017.

⁷³ The Law on Broadcasting obliges a broadcaster to establish an effective mechanism for self-regulation that will make it possible to review and provide timely and justified responses to complaints. The Code of Conduct for Broadcasters stipulates that “broadcasters shall ensure accurate, impartial and fair coverage of elections”.

⁷⁴ Monitoring was conducted daily from 18:00 until 24:00 for *GPB 1*, *Rustavi 2*, *Imedi* and *Adjara TV*. In the case of *Maestro*, *Obiectivi TV*, *Pirveli* (Tbilisi-based) and *Guria TV*, *Gurjaani TV*, *Kvemo Kartli TV*, *Odishi TV*, *Rioni TV*, *Trialeti*, *TV 9* and *TV 25* (regional channels), the main news programmes were monitored. Also politically relevant articles of the newspapers *Rezonansi* (daily), *Alia*, *Asaval Dasavali*, *Kronika+* and *Kviris Palitra* (weeklies) were monitored. The ODIHR EOM also followed election-related coverage in the online outlets www.ipn.ge, www.netgazeti.ge, www.on.ge and www.tabula.ge. Regional channels *Gurjaani TV*, *Kvemo Kartli TV* and *TV 25* were not monitored for the run-offs.

⁷⁵ At the regional level, several media outlets were actively covering the campaign, such as local broadcasters *Borjomi TV*, *Guria TV* and *Rioni TV*.

⁷⁶ There were 16 qualified subjects contesting the elections. The GPB aired a series of mayoral debates from all the regions. Leading channels, *Rustavi 2* and *Imedi* aired debates with the participation of representatives of the seven and five most popular parties, respectively. On 9 October, the National Forum complained to the GNCC after neither of its requests to participate in debates on two private channels had been satisfied. However, the media regulator issued a warning to both broadcasters only on 16 November.

⁷⁷ On 21 September, the GNCC drew a protocol on administrative violation concerning the GPB and *Adjara TV* refusals to air a political advertisement of the DM-FG (broadcasters claimed an alleged promotion of the medicine product), and passed the case to the respective courts to decide on the administrative sanctions. On 26 September, the Batumi and the Tbilisi City Courts warned the respective broadcasters. While both channels appealed the decisions, the Tbilisi Court of Appeal upheld the warnings.

⁷⁸ The Code of Conduct for Broadcasters stipulates that “news and current affairs-political programmes should provide a thorough and balanced coverage of campaign activities of qualified election subjects”.

two next most covered parties combined.⁷⁹ In addition, GPB newscasts were characterized by general absence of critical and analytical reporting. On 12 October, a group of 14 political parties in a public statement expressed their dissatisfaction with the perceived bias in the coverage of the major broadcasters. However, they did not pursue an official complaint through the self-regulatory mechanism of the broadcasters.

The campaign coverage by most popular broadcasters, *Imedi* and *Rustavi 2*, differed significantly. The latter often voiced criticism against the GD and the government and showed preferential treatment of the UNM and its Tbilisi mayoral candidate. *Imedi* presented visible bias towards the GD in terms of the amount of coverage. In addition, numerous news reports on *Imedi* promoted activities and projects of Mr. Ivanishvili. *Obieqtivi TV* openly promoted the APG.⁸⁰

Print and online media provided a plurality of views, with more balanced coverage offered by the online portal netgazeti.ge. Oppositely, the most-popular tabloid, *Asaval Dasavali*, often served as a forum for rumours and allegations, with an anti-western narrative, which coincided with the platform presented by the APG.

Second Round

While the official campaign period legally did not pause between the two rounds, on 24 October, the GNCC informed broadcasters that all specific election-related regulations apply only after the CEC set the date of the run-offs (which happened on 1 November). Thus, the public and national private broadcasters began allocating free airtime and offering paid campaign advertisements only on 2 November. As a result, the opportunity for contestants to campaign was limited.

Before the announcement of the run-offs, the campaign coverage was mostly devoted to party reactions to the results and to commentaries on post-first round developments, including a recount process in DEC 19 (Tianeti). The campaign became more visible after 1 November, mostly through the use of free airtime. Out of the three parties that qualified for these free spots, the GD and the APG made use of this possibility.

Overall, the GD continued to dominate media coverage on the national level, with the Tbilisi mayor elected in the first round covered extensively throughout the entire period. The GPB dedicated 25 per cent of its news coverage to the GD, while all other parties combined received approximately 29 per cent. At the same time, the GPB extensively reported on events connected to UNM-affiliated former authorities, with some 13 per cent, often in a negative tone. *Imedi* covered the GD most extensively with some 39 per cent, mostly in neutral and positive tone.⁸¹ *Pirveli* offered more balanced coverage, providing more comparable time amongst the major parties and presenting them in largely factual manner.

⁷⁹ The GPB provided 22 per cent of its political news to the GD, 9 and 10 per cent to the UNM and the EG, respectively. While the tone of the GD coverage was fairly balanced, for the UNM it was neutral and negative, and the EG was presented mostly in a neutral or positive tone. *Adjara TV* presented all contestants in an overwhelmingly neutral manner, giving 18 per cent to the GD, 12 per cent to the UNM, and 6 per cent to the EG.

⁸⁰ *Rustavi 2* devoted 22 per cent of mostly neutral and negative coverage to the GD, and 17 and 12 per cent of balanced coverage to the UNM and the EG, respectively. *Imedi* showed a preferential treatment by dedicating 35 per cent to the GD, as compared to 12 per cent to the EG and 7 per cent to the UNM. *Obieqtivi* dedicated 43 per cent of its political newscasts to the APG.

⁸¹ It also covered the government extensively, with some 23 per cent.

XII. PARTICIPATION OF NATIONAL MINORITIES

According to the 2014 census, national minorities make up 13.2 per cent of the population, with the Azeri (6.3 per cent) and the Armenians (4.5 per cent) being the most numerous ethnic groups.⁸² The Constitution grants national minorities full political rights, including the right to use their mother tongue in private and in public. Discrimination on national, ethnic, linguistic or religious grounds and the formation of political parties promoting ethnic strife or based on territorial principles, is prohibited.

The Election Code contains provisions for the translation of ballots and voter lists into minority languages. The CEC provided voter education and information materials in Armenian and Azeri languages. Trainings and material for polling staff of 345 PECs in minority areas were provided in their languages.⁸³ The CEC also provided specific information for ethnic minorities on its website, available in the Armenian and Azeri languages. In addition, the CEC operated a trilingual hotline in minority languages and awarded small grants to 27 non-governmental organizations for voter education projects, with minority participation components. National minorities were relatively well represented in DEC and PECs in ethnic Armenian areas, not represented in DEC in Azeri areas, yet adequately represented in PECs. Those representing the minorities in the commissions were predominantly male.

Persons belonging to national minorities were nominated by all main political parties and blocs or ran as independent candidates, predominantly in the regions densely populated by minorities, but less so in Tbilisi and other cities where minorities reside.⁸⁴ The number of national minority candidates (7 per cent) remained below their relative population size.⁸⁵ Some 26 per cent of them were women.

Candidates were able to campaign freely in minority languages. Although national minority issues did not feature significantly in the campaign, aside from instances in Akhalkalaki, ethnicity occasionally became a mobilizing or polarizing factor, namely in Marneuli.⁸⁶ A few instances of hate speech, xenophobic messages, threats, tensions, and intimidation were noted, affecting inter-ethnic relations.⁸⁷ The Prosecutor's Office opened a few cases concerning threats (see *Complaints and Appeals* section).

⁸² There are also Russians 0.7 per cent, Ossetians 0.4, Yazidis 0.3, Ukrainians 0.2, Kists 0.2, Greeks 0.1, Assyrians 0.1, others 0.4 per cent combined.

⁸³ Some 208 mixed Georgian-Azeri, 133 mixed Georgian-Armenian, and 4 mixed Georgian-Azeri-Armenian PECs were formed in the 12 election districts most densely populated by national minorities.

⁸⁴ In the Samtskhe-Javakheti region, mayoral candidates were ethnic Armenian: five in Akhalkalaki, all four in Ninotsminda, and one in Borjomi. In the Kvemo Kartli region, seven mayoral candidates were ethnic Azeri: five in Marneuli and two in Gardabani. In the Kakheti region, three mayoral candidates were ethnic Armenian, none Azeri.

⁸⁵ Twenty national minority candidates stood for mayor (5.4 per cent of candidates), 392 ran in majoritarian contests (8.3 per cent), 822 were on proportional lists for seats in local councils (6.7 per cent) and 52 for the Tbilisi city council (5.3 per cent).

⁸⁶ On 14 September, the APG candidate in Akhalkalaki promised that if elected he would put recognition of the Armenian Genocide at the top of his priorities and to do his best to strengthen Armenian-Georgian relations. On 18 September, after the ethnic Georgian GD mayoral candidate in Marneuli was replaced by an ethnic Azeri, supporters of the former candidate held a protest outside the GD main offices in Tbilisi. The GD then submitted a party list placing ethnic Georgians in the first 12 positions, followed by ethnic Azeri in less winnable positions.

⁸⁷ On 24 September, APG leaders used strong anti-Turkish rhetoric at a rally in Batumi. On 13 October, at a rally in Tbilisi, the DM-FG mayoral candidate made xenophobic comments. Two party spots broadcast on various TV channels, including on the GPB, contained anti-immigrant and Islamophobic messages. On 23 September the EG mayoral candidate in Marneuli accused a GD majoritarian candidate and supporters of assault against an EG majoritarian candidate in Sadakhlo. On 25 September, the DM-FG mayoral candidate in Akhalkalaki alleged majoritarian candidates were pressured to withdraw. On 9 October, several EG majoritarian candidates in Tetrtskaro withdrew under alleged pressure. See also *Party and Candidate Registration* section.

ODIHR EOM interlocutors reported that a number of residents of the Irganchai village in the Dmanisi election district were pressured by GD supporters to swear on the Qur'an that they would vote for GD candidates. According to the chairperson of the IACFFE, the incident was being investigated by the relevant authorities. Two days before the first round, a GD majoritarian candidate and party supporters were injured in a gun fight in the village of Kizilajlo, near Marneuli, an incident law-enforcement treated as criminal.

XIII. CITIZEN AND INTERNATIONAL OBSERVATION

The Election Code provides for citizen and international observation of the entire electoral process. Representatives of contestants (proxies) enjoy the same rights. The accreditation of observers, proxies and media representatives was inclusive. The CEC accredited 71 citizen observer organizations with 19,942 observers and 30 international observer organizations with 581 observers. In addition, 4,824 journalists from 82 media outlets were accredited. DEC's additionally registered citizen observers, proxies and media representatives at the district level. For the run-offs, the CEC extended the existing accreditation of observers, proxies and media representatives, including those accredited by DEC's where run-offs took place and accredited an additional 1,926 observers, proxies and media representatives.

The active participation of citizen observers at all stages of the electoral process contributed to transparency of the elections. However, by law, citizen observers are limited to observe the election preparations, including sessions of election commissions that take place only during the election period.

The law should be amended to grant the possibility to civil society organizations to observe the work of the election administration outside of the election period.

In the polling stations on election day, IEOM observers noted a large presence of those who were accredited as citizen observers while being affiliated with contestants (See *Election Day* section).⁸⁸ This indicates that some parties and candidates deliberately circumvented the legal provision that limits their presence to one proxy per polling station by accrediting additional representatives as citizen observers and media. Such practice contradicts internationally recognized principles governing non-partisan citizen election observation.⁸⁹

Contestants should refrain from registering their activists as citizen observers and media representatives and respect the principle of an equal and limited presence in polling stations. Civil society organizations should ensure that their representatives in the polling stations maintain impartiality when carrying out their functions.

Well established and credible citizen observer organizations carried out long-term observation and deployed short-term observers on election day. Two citizen observer organizations carried out parallel

⁸⁸ ODIHR EOM observers reported that citizen observers accredited by the public associations *Union 21st Century*, *the New Word*, and the *Center for Socio-Political Development* often openly admitted affiliation with the ruling party, *the Green Earth* and *the New Generation for Democratic Georgia with the APG*, and the *Club Free Zone with the UNM*. These organizations jointly fielded over 39 per cent of all accredited citizen observers.

⁸⁹ Paragraph 8 of the [Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations](#) states that "no one should be allowed to be a non-partisan citizen election observer or monitor unless she or he is free from any political, economic or other conflict of interest that would hinder that person from conducting her or his election observation and monitoring activities in a non-discriminatory, impartial accurate and timely manner.

vote tabulation; several organizations established a media centre on election day and issued joint statements followed by separate final reports.⁹⁰

Citizen observer groups actively used their right to file complaints with election commissions or courts.⁹¹ In several cases, citizen observer also litigated on behalf of contestants or assisted them in the complaints process, raising some concerns about their neutrality.

XIV. COMPLAINTS AND APPEALS

The legal framework for electoral dispute resolution is complex and unnecessarily restrictive. Only certain categories of appeals filed by a narrow list of eligible complainants are subject to expedited procedures that envisage one or two days for appealing and adjudicating. Registered contestants as well as accredited observer organizations can appeal in most of the cases. Voters' rights are limited to filing an appeal if they are not included in a voter list and to filing complaints about voting procedures in the polling station on election day. These restrictions on the standing of complainants are at odds with international commitments and good practice.⁹² In a large number of cases, the ODIHR EOM observed that complaints were dismissed due to missed deadlines or ineligible complainants.⁹³

The legal framework for electoral dispute resolution should be reviewed to simplify the complaints procedures, to eliminate the restrictions on the standing of complainants and extend the deadlines for filing and considering election-related complaints. Everyone whose electoral rights have been violated should be entitled to lodge a complaint.

In the first-round campaign period, a small number of complaints was filed with DEC's and the CEC, most on violations of campaign regulations and the work of PECs.⁹⁴ Only four complaints were considered by the CEC in session.⁹⁵ Three CEC decisions were appealed to the Tbilisi City Court and were all upheld. The review of complaints in CEC sessions was done in an open and deliberative manner, in observance of due process guarantees. District courts considered several election-related cases; while generally well-reasoned, at times decisions fell short of a consistent application of the law.⁹⁶

Under the Election Code, the CEC Chairperson, an authorized DEC member (usually the chairperson), as well as the GNCC, the SAO and local executive bodies can draw administrative protocols seeking sanctions for election violations; it is then up to courts to apply the sanctions. Precepts of the CEC (or a DEC) chairperson to deny a request for application of such sanctions cannot

⁹⁰ This included the Georgian Young Lawyers' Association (GYLA), the International Society for Fair Elections and Democracy (ISFED) and Transparency International Georgia.

⁹¹ Over half of the complaints submitted to DEC's following the first round, and all but one complaint filed after the second round were lodged by citizen observers.

⁹² Paragraph 5.10 of the 1990 OSCE Copenhagen Document states that everyone should have an effective means of redress against administrative decisions. Section II.3.3.3.f of the Code of Good Practice provides that "all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections."

⁹³ Several stakeholders, including court officials, informed the ODIHR EOM that the timeframes for the consideration of complaints are insufficient for an adequate review of electoral cases.

⁹⁴ According to CEC's online complaints registry, about 140 complaints were filed with DEC's, the CEC, and district courts; of these, 20 were filed with the CEC.

⁹⁵ The vast majority of complaints received by the CEC were considered by the Chairperson.

⁹⁶ While the Election Code envisages only fines for certain violations, in a number of cases courts applied the general provisions of the Code of Administrative Offences and issued warnings.

be appealed, at odds with OSCE commitments and international standards.⁹⁷ The law does not provide for an expedited review process for complaints requesting administrative sanctions. As a result, a number of such complaints were considered within weeks or remained essentially unaddressed. This compromised the effectiveness of the review process.

To allow for an effective remedy, the law should provide for an expedited review of complaints requesting administrative sanctions. They should be reviewed in open sessions and in a collegial manner. All decisions of election commissions should be subject to appeal.

As of 17 November, the Prosecutor's Office had initiated 48 criminal cases based on reports about election-related offences, including 12 cases on alleged abuse of public office, 13 cases on alleged violence, 4 cases on reported threats or coercion, and 1 case on vote buying. On the basis of charges brought by the Prosecutor's Office, 6 persons, including one incriminated with use of threat, were imposed a criminal fine of GEL 3,000 or 5,000 by courts. Nine cases were terminated due to lack of evidence confirming elements of a crime; the rest were still under investigation at the time of writing this report.

As provided by law, the IACFFE was established in July and mandated to "ensure that public officials prevent and respond" to election violations. The IACFFE issued eight non-binding recommendations to public officials, election administration, contestants and citizen observers. While the work of the IACFFE was commended by citizen observer groups and provided them with a forum to have their election-related complaints and allegations discussed publicly, there was a general confusion about the mandate of the body among election contestants.

Overall, the handling of complaints was overly formalistic and often lacked proper investigation of substance, undermining the right to effective remedy and public confidence in the electoral dispute resolution, which is at odds with OSCE commitments and international good practice.⁹⁸

The election law should be amended to ensure that complaints are not dismissed for deficiencies in format; election commissions and courts should refrain from a formalistic interpretation of the law and should give full and impartial consideration to the substance of all complaints, respecting the right to an effective remedy.

XV. ELECTION DAY (FIRST ROUND)

On the 21 October election day, the IEOM observed the opening of 77 polling stations, voting in 758 polling stations, the vote count in 71 polling stations and the tabulation in 61 of the 73 DEC's.

The 21 October election day generally proceeded in an orderly manner. The presence of a high number of proxies of parties and candidates and citizen observers contributed to the transparency of the process. The IEOM observers noted, however, that some of those accredited as media or citizen observers were affiliated with a political party or candidate and, at times, interfered in the process. In

⁹⁷ Paragraph 5.10 of the 1990 OSCE Copenhagen Document states that everyone shall have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity. Article 6 of the [European Convention on Human Rights](#) provides that in determination of his civil rights and obligations, everyone is entitled to a fair a public hearing by an independent and impartial tribunal.

⁹⁸ Paragraph 5.10 of the 1990 OSCE Copenhagen Document states that everyone will have "an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity". Section II.3.3b of the Code of Good Practice recommends that "the procedure must be simple and devoid from formalism, in particular concerning the admissibility of appeals".

some instances, persons outside, often in co-operation with those authorized to be present in the polling station, were keeping a record of data of voters who voted. While voting was assessed in positive terms, the assessment of the vote count was markedly worse due to PECs not following procedures or interference of unauthorized persons in the count.

A. OPENING AND VOTING

Polling stations observed opened on time, in a few cases with minor delays. Opening was overall assessed positively in all but two polling stations observed by IEOM observers, indicating an orderly process with procedures generally followed.⁹⁹

Voting was assessed as good or very good in 97 per cent of polling stations observed, and procedures were generally followed. In 36 per cent of polling stations observed, however, parties and candidates deployed more representatives than permitted, typically accrediting them as citizen observers in order to circumvent the legal provision to allow for only one representative of a contestant inside a polling station.¹⁰⁰ This contributed to the overcrowding of polling stations (noted in six per cent of observations), which was further exacerbated by the inadequate layout of some of them (five per cent of observations). Significantly, those accredited as citizen observers were observed interfering in or directing PEC work in five per cent of polling stations during voting (see also *Citizen and International Observers* section). In two per cent of polling stations, observers noted persons influencing voter choice.

Instances of group voting were noted in two per cent of polling station, more frequently in rural than urban areas. In 12 per cent of observations, one or more voters were seen being turned away and not allowed to vote for failure to present a valid ID or for not being on the voter list in the polling station. No voters were observed being turned away without a reason defined by the law.

In four per cent of observations, IEOM observers noted problems outside of polling stations. In some instances, groups of persons in the vicinity of polling stations appeared to be intimidating or pressuring voters or recording information of which voters had voted. Although voting in general was positively assessed in polling stations in minority populated areas, a few instances of voter intimidation and interference were observed.¹⁰¹

In a number of cases, most frequently observed in Tbilisi and noted in all the capital's election districts, observers affiliated with parties or candidates were noting down ordinal numbers of voters from the signed voter list, often with the purpose of contacting voters who did not vote.¹⁰² In press statement issued on election day, the CEC clarified that PECs should provide representatives of contestants and citizen observers with this information, which is considered to be public. The CEC

⁹⁹ The information about the number of ballots received was not announced aloud by the PEC chairperson or not entered in the display protocols (18 and 11 observations, respectively).

¹⁰⁰ More than one representative of the GD was present in 21 per cent of polling stations observed during the voting, the UNM – in 9 per cent, the EG – in 8 per cent, the APG and the UDM – in 4 per cent each, and independent candidates – in 1 per cent.

¹⁰¹ IEOM observers assessed the voting process negatively in 3 out of 38 polling stations in ethnic Azeri areas, positively in all 25 polling stations observed in ethnic Armenian areas and in one polling station observed in a mixed area.

¹⁰² This was also noted by citizen observer groups. ISFED reported that this practice was observed in 17 per cent of polling stations countrywide and in 75 per cent of polling stations in Tbilisi.

press statement was noted with concern by the Personal Data Protection Inspector.¹⁰³ The ambiguity of this practice is also reflected in international reference documents.¹⁰⁴

While not restricting observers' rights to observe all aspects of the voting process, authorities could consider amending the law to prohibit the possibility of collecting and further processing personal data of voters on election day.

Although authorities established a number of barrier free polling stations, IEOM observers noted that 63 per cent of polling stations did not enable independent access for persons with disabilities.

B. COUNTING

Counting was evaluated negatively in 11 out of 71 polling stations observed. The negative assessments were typically related to PECs not following the procedures or interference in the process. Unauthorized individuals participated in counting in 10 polling stations observed, mainly party or candidate proxies and citizen observers. Tension and unrest in the vicinity of polling stations was observed in a few instances.

Serious irregularities that negatively affected the assessment of the integrity and transparency of counting included PECs signing the results protocols before completing them (11 observations), PECs having difficulties in completing the results protocols (13 observations) and revision of the previously established results before entering them in the protocols (9 observations). In about a quarter of counts observed, PECs did not post a copy of the protocol for public display, as required by law. In every fifth polling station, unused ballots were not cancelled. IEOM observers, however, did not note any evidence of deliberate attempts to falsify the results.

C. TABULATION

Tabulation was evaluated positively in all but 1 of the 61 DEC observed. IEOM observers noted no significant procedural errors or omissions in the work of the DECs. Although the intake of election materials and processing of PEC protocols was generally transparent, there was not always a clear view of process in 10 DECs observed. This was mostly due to inadequate facilities (noted in 11 of 61 DECs observed), which in 5 DECs resulted in overcrowding. Tension and unrest were noted in six DECs, and attempts to disrupt the process in one DEC, resulting in a negative assessment.

The IEOM observed that more than 10 per cent of all PEC protocols contained corrections, which in most cases appeared to be due to technical mistakes. It underscores the difficulties that PECs experienced with accurately reporting the election results due to the complicated counting procedures and insufficient training.

The CEC could consider a comprehensive review to identify and eliminate errors and omissions in the work of the PECs related to counting and tabulation. The authorities could consider simplifying

¹⁰³ On 21 October, the Personal Data Protection Inspector stated "The observer has the right to observe voter registration on the voter lists. However, at the same time, it is crucial not to collect and further process the personal data with the aim of pressure on voters or for any other illegitimate purpose. The Personal Data Protection Inspector calls on political parties to process the personal data in accordance with the law."

¹⁰⁴ Section 4.54 of the explanatory note referring to I.4.c of the Code of Good Practice states that "since abstention may indicate a political choice, lists of persons voting should not be published." The Venice Commission's [interpretative declaration](#) on the publication of lists of voters having participated in elections notes, however, that "access to the lists of voters having participated in elections may be granted to certain electoral stakeholders."

counting procedures by amending the relevant law provisions and regulations to the extent possible without compromising the integrity of the process.

According to the law, DEC's had 11 days, after election day, to finalize the election results within their districts. This process included the verification of PEC result protocols, correction protocols, review of complaints and PEC members' explanatory notes. PECs drew up 1,507 such explanatory notes.¹⁰⁵ Corrections to result protocols based on complaints further required a DEC decision. Some DEC's approved corrected protocols based only on explanatory notes without examining the reasons for the corrections. In cases of violations of procedures for completing results protocols, the DEC's often did not apply sanctions against members of the PECs or did so inconsistently.

A total of 213 requests for recounts and 143 requests for annulment of PEC results were submitted to DEC's, predominantly based on alleged procedural irregularities. The law does not stipulate the grounds for recounts or annulments to be requested and ordered. All but two requests for recounts (both from the GD) were denied for lack of sufficient grounds.¹⁰⁶

The Election Code should be amended to clearly stipulate on which grounds recounts and annulments can be requested and on which grounds they must be granted.

The CEC started receiving PEC result protocols at 23:00 on election day and immediately published the scans of the protocols on its website, which contributed to the transparency of the process. The CEC announced preliminary results at 11:00 on 22 October. According to official results, voter turnout was 45.65 per cent. Invalid ballots constituted 4.0 per cent (mayoral race), 4.6 per cent (proportional race) and 4.7 per cent (majoritarian race).¹⁰⁷

XVI. POST FIRST ROUND DEVELOPMENTS

A. POST FIRST ROUND COMPLAINTS AND APPEALS

Following the 21 October election day, DEC's received 966 complaints mainly concerning procedural violations during voting and the completion of results protocols in polling stations. More than half of the complaints were filed by citizen observer groups, and the rest by contestants. A total of 336 complaints were satisfied or partially satisfied, with the others either denied or dismissed without consideration of the merits.¹⁰⁸

The DEC's' review of complaints was mostly done in an open and collegial manner, with due process guarantees and legal deadlines generally respected. Many complaints, however, were dismissed on

¹⁰⁵ PEC members may draw up a note explaining corrections or omissions made when completing the result protocol.

¹⁰⁶ In PEC 22 of DEC 47 (Mestia), the recount revealed that the mistake in the protocol was technical and did not influence the result. In PEC 20 of DEC 19 (Tianeti), the recount changed the result in favor of the GD candidate, but was later overturned by court decision (see *Complaints and Appeals* section).

¹⁰⁷ Blank votes are counted as invalid votes.

¹⁰⁸ Many complaints concerned minor technical issues and requested punitive actions against PEC members. A significant number of complaints regarding voting procedures concerned the systematic collection of information from signed voter lists by proxies and observers; these were denied as DEC's found no legal provisions prohibiting these practices.

procedural grounds, some of them based on a formalistic interpretation of the law.¹⁰⁹ As such, DEC's did not review the substance of a large number of complaints or conduct proper investigation of alleged violations. The Election Code is ambiguous as to whether complaints can be submitted to the DEC's if not initially filed with a PEC and a large number of complaints submitted directly to the DEC's were dismissed. In the post-election period, the CEC reviewed 23 complaints in an open session, all denied, predominantly on procedural grounds.¹¹⁰

Two CEC and 35 DEC decisions were appealed to district and city courts. Courts of Appeals in Tbilisi and Kutaisi adjudicated 21 appeals against district court decisions. A large number of appeals were denied or dismissed on procedural grounds, leaving the substance of complaints often unaddressed.¹¹¹ In some cases, courts upheld the DEC's practice of dismissing complaints based on a formalistic interpretation of the law.¹¹² The adjudication of complaints in the Court of Appeals was marked by an inconsistent interpretation of the law by different panels of judges, undermining legal certainty and the principle of equality before the law.¹¹³

To ensure legal certainty and equality before the law, consideration could be given to strengthening measures to ensure a consistent application of law.

Following the first round, the IACFFE held two public meetings. On 6 November, it issued a recommendation to the election administration to prevent, and to citizen observers and contestants to refrain from the collection of voter information from signed voter lists in polling stations. This contradicted a clarification to contestants and officials circulated by the CEC on 21 October election day. The IACFFE also commended the courts for overturning the DEC 19 (Tianeti) decision ordering the recount of invalid ballots at the time the complaint requesting a second round in Tianeti was still pending with the Tbilisi city court. Such actions raise concern about potential undue influence on contestants or independent bodies tasked with election administration, law enforcement or dispute resolution.

B. FIRST ROUND RESULTS AND PREPARATIONS FOR THE SECOND ROUND

The 21 October elections resulted in the election of 57 mayors from the GD and 1 from the UG. In the municipal council elections, the GD won 1,009 of 1,088 of majoritarian seats and 55.8 per cent of the vote in proportional contests countrywide. The UNM received 17.1 per cent of the proportional vote, the EG 10.4 per cent, and the APG 6.6 per cent. In total, 14 contestants passed the 4 per cent threshold for seat allocation in different constituencies (see Annex I *Final Results*). In the newly elected local bodies, women are represented with only 1 of 64 mayors and 13.4 per cent of councillors.

¹⁰⁹ Article 72 of the Election Code prescribes the format for filing complaints with PECs: complaints shall include the name and registration address of the complainant, the alleged offender and the witness, as well as specify the "essence and time of the violation". Some complaints were dismissed on such formalistic grounds as being "abstract", for not indicating the time of the violation, or not being filed immediately. In many cases, complaints were not reviewed on substance when correction protocols were drawn that formally eliminated the violation.

¹¹⁰ A further five complaints were dismissed due to ineligible complainants or for already being lodged with courts.

¹¹¹ The DEC 19 decision ordering recount of invalid ballots in Tianeti was overturned by the Mtskheta district court on procedural grounds. The Tbilisi Court of Appeals upheld the district court's decision on the same procedural grounds, leaving the substantive claim on the validity of ballots essentially unaddressed.

¹¹² For example, on 4 November the Batumi city court upheld a DEC 79 decision dismissing a complaint for not being filed in the PEC immediately, as required by law, but rather five hours after the alleged violation on election day.

¹¹³ On 27 October, the Tbilisi Court of Appeals ruled on a complaint by the UNM that collection of information from the signed voter lists was lawful as it was in line with the provisions of the Election Code. On 28 October, adjudicating a similar complaint by GYLA, the same court ruled that this practice violated the Law on Personal Data Protection.

A number of national minority candidates were elected, primarily in regions densely populated by minorities.¹¹⁴ Elected national minority candidates, who are ethnic Armenians were relatively well represented (7 per cent), but ethnic Azeris less so (5 per cent). Only 10 per cent of elected national minority candidates are women.

Between the two rounds, the majority of opposition contestants raised concerns that the election results were impacted by the misuse of administrative resources and pressure on voters from the ruling party, including on the 21 October election day. The DM-FG, the UNM and the APG challenged the results of several hundred polling stations across the country alleging widespread irregularities (See *Complaints and Appeals* section).

Second rounds of mayoral elections were called for 12 November in six districts.¹¹⁵ The run-offs included a GD candidate in all six races, two candidates from the UNM, one from the APG, one from the DM-FG and two independents. No woman stood in the second round. On 23 October, the UNM announced it would not participate in the second round, essentially leaving two of the six races uncontested (See *Party and Candidate Registration* section).¹¹⁶

The CEC administered most technical aspects of the run-offs after the announcement of the first round results. This included extending the tenure of relevant PEC and DEC members and determining a procedure for replacing PEC and DEC members. Based on this, DEC members reopened recruitment and filled most vacant positions with non-party PEC members through an open competition. In line with the previous practice, the CEC prescribed shorter deadlines for several procedures in contradiction to the deadlines determined by the Election Code, which are general and not specific to the first or the second round.¹¹⁷ The CEC by its decree also made it impossible for voters to request amendments to voter lists between rounds despite this not being explicitly prohibited in the Election Code (see *Voter Registration* section).

XVII. ELECTION DAY (SECOND ROUND)

On 12 November, voting took place in 317 polling stations. The ODIHR EOM observed the opening of 40 polling stations, voting in 240 polling stations, the vote count in 37 polling stations, and the tabulation in all DEC members where run-offs were held.

All polling stations observed opened on time. ODIHR EOM observers assessed opening positively in 39 of 40 polling stations observed, indicating an orderly process with procedures generally followed. In seven polling stations observed, a citizen observer or media representative interfered in procedures.

¹¹⁴ Three mayoral candidates in Marneuli, Akhalkalaki and Ninotsminda, 110 majoritarian candidates and 64 party list candidates (all mostly ethnic Armenian and Azeri) were mainly elected in the Kvemo Kartli, Samtskhe-Javakheti and Kakheti regions. None in Tbilisi or other larger cities.

¹¹⁵ The run-offs took place in the self-governing city of Kutaisi and in the five self-governing municipalities of Kazbegi, Khasuri, Borjomi, Martvili and Ozurgeti.

¹¹⁶ Second round candidates do not have the right to withdraw and their nomination may not be revoked. Thus, the UNM candidates in Kutaisi and Martvili remained on the ballots.

¹¹⁷ The Election Code prescribes that special voter lists of electoral administration officers shall be completed no later than the fifth day before election day, but the CEC decree for the run-offs sets a three-day deadline. The law defines 15 days before election day as the last day for a PEC member to withdraw while the decree allowed withdrawals up to four days before the second round. The Election Code gives international observer organizations up to two days before election day to submit their lists of observers and five days for citizen observers, while the decree allows up to three days before election day.

Voting was assessed as good or very good in 98 per cent of polling stations observed, indicating a smooth process with procedures largely followed. Similar to the first round, in 30 per cent of polling stations observed during voting, parties and candidates deployed more representatives than permitted, typically accrediting them as citizen observers or media representatives.¹¹⁸ In three per cent of observations, they interfered in or directed the work of the PECs. Unauthorized persons, including proxies of first round contestants with expired accreditation, were present in four per cent of observed polling stations. The voting process was generally assessed as transparent, but overcrowding was noted in four per cent of polling stations observed. In 11 per cent of observations, voters were turned away and not allowed to vote for failure to present a valid ID or for not being on the voter list. In 10 per cent of polling stations observed, an official complaint was filed.

ODIHR EOM observers noted large groups of persons, including party or candidate supporters, in the vicinity of polling stations, most notably in Borjomi and Ozurgeti in 30 and 21 per cent of observations, respectively. In some three per cent of observations, indications of pressure or intimidation on voters were reported.

To ensure that voters are able to cast their votes free of pressure and undue influence, authorities could consider extending the prohibition of partisan and campaign activities not only within polling stations, but also in the vicinity of polling stations during voting hours.

Attempts to influence voters inside polling stations were noted in two per cent of observations. As noted in the first round, there were indications of systematic recording of voter information outside and inside of polling stations (most frequently in Ozurgeti with 26 per cent of observations).¹¹⁹ In all run-off districts, proxies of parties or candidates inside the polling station were observed keeping a record of voters who voted. In some observed instances, such voter information was passed to persons outside the polling stations.¹²⁰ This was at odds with the statement issued by the Personal Data Protection Inspector on first round election day, as well as a 6 November IACFFE recommendation.

Counting was evaluated positively in all polling stations observed indicating a transparent process without serious irregularities. Adherence to counting procedures improved notably as compared to the first round, due to a less complex process and better preparedness. Tension was noted in a few instances. Unauthorized individuals participated in the count in six polling stations observed. In 12 of 37 observations, minor deviations from the prescribed order of counting procedures were noted. The completion of results protocols was assessed mostly positively.

Tabulation was evaluated positively in all 6 DEC's observed, indicating a smooth and orderly process with procedures generally followed. The intake of election materials and processing of PEC protocols was transparent.¹²¹ The CEC began posting PEC results protocols at 21:30 on election day, shortly after the closing of polling stations. Preliminary turnout was reported at 33 per cent. Full preliminary results of the six contests were announced by the CEC at 03:00 on 13 November.

¹¹⁸ More than one representative of the GD was present in 18 per cent of polling stations observed during voting, independent candidate in 7 per cent, the APG in 6 per cent, and the UNM in 2 per cent.

¹¹⁹ In Taleri village in DEC 65 (Martvili), GD activists were in a back room of PEC 35 with a list of voters with marks for voters who already voted and arranging phone calls.

¹²⁰ For example, in PEC 7 in DEC 36 (Borjomi), an APG proxy stood next to the registrar with the marked voter list and took notes. In PEC 17, also in DEC 36, an observer affiliated with the GD did the same and passed voter data to persons outside the polling station. In DEC 60 (Ozurgeti), GD activists were handing voter data to persons sitting in cars outside PECs 2, 4 and 5.

¹²¹ In Ozurgeti, a large crowd created tension outside the DEC premises, but it dispersed when results were announced.

XVIII. POST ELECTION DEVELOPMENTS

Following the run-offs, according to the CEC, DEC's received some 50 complaints, mostly on procedural irregularities during election day. Five complaints requested an annulment of results or a recount, all were denied. The rest requested disciplinary sanctions against PEC members. In 19 cases, requests for disciplinary sanctions were fully or partially satisfied. All but one complaint were filed by citizen observer organizations.¹²² DEC's reviewed complaints in open session and generally respected deadlines and procedural safeguards. No appeals against DEC decisions were filed to courts.

The GD won five of six mayoral run-off elections. An independent candidate formerly affiliated with the GD won the mayoral seat in Ozurgeti against the GD candidate. The GD attempted to challenge the results of the vote in four polling stations in Ozurgeti, but later acknowledged the official result of the contest.

Amendments to the Election Code passed in July 2017 adjusted the representation of political parties at all levels of the election administration. They took effect after the publication of the final results of these elections leading to an increased representation of the ruling party in all election commissions.¹²³ A number of ODIHR EOM interlocutors raised concern that this may negatively impact the impartiality of the election administration in future elections.

Authorities should re-consider the formula for the composition of election commissions to ensure more balanced political representation.

XIX. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Georgia and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that remain to be addressed, in particular in its final reports from the 2012 and 2016 parliamentary and the 2013 presidential elections. The ODIHR stands ready to assist the authorities of Georgia to further improve the electoral process and to address the recommendations contained in this and previous reports.¹²⁴

A. PRIORITY RECOMMENDATIONS

1. A thorough review of the Election Code should be conducted to address undue restrictions, and gaps and inconsistencies, including those related to a second round. Any electoral reform should be conducted in an inclusive manner, well in advance of the next election.
2. Authorities should re-consider the formula for the composition of election commissions to ensure more balanced political representation.

¹²² GYLA and ISFED filed 24 and 19 complaints respectively; 1 complaint was filed by GD and the rest were filed by 3 other citizen observer groups.

¹²³ In their future composition, election commissions will have 12 members, of which 6 are party-appointed and allocated proportionally to parties that won most party list votes in the last parliamentary elections. Thus, the GD will have three seats on all commissions, the APG one, the EG one and the UNM one.

¹²⁴ According to the paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

3. The authorities should consider improving procedures and increasing the transparency of the recruitment process for lower-level commission members by elaborating and publishing clear selection criteria and by conducting the selection in public sessions. PEC leadership positions could be drawn from among trained and certified individuals with prior experience in administering elections.
4. To further increase the political participation of women, consideration could be given to introducing a binding gender quota, in addition to financial incentives. Existing financial incentives could be extended to majoritarian contests.
5. Authorities should ensure a clear separation between the state and party and guarantee that public sectors employees are not subject to pressure to engage in election campaigns.
6. To enhance the effectiveness of the campaign finance oversight, the legal framework should be harmonized and address inconsistencies related to provisions concerning independent candidates.
7. To enhance a genuine and independent public service mandate, authorities should refrain from interference in the activities of the public broadcaster. The public media should develop comprehensive political programming during an election period and an impartial, critical and analytical editorial policy should be ensured, including when covering activities of officials.
8. Contestants should refrain from registering their activists as citizen observers and media representatives and respect the principle of an equal and limited presence in polling stations. Civil society organizations should ensure that their representatives in the polling stations maintain impartiality when carrying out their functions.
9. The legal framework for electoral dispute resolution should be reviewed conducted to simplify the complaints procedures, to eliminate the restrictions on the standing of complainants and extend the deadlines for filing and considering election-related complaints. Everyone whose electoral rights have been violated should be entitled to lodge a complaint.
10. While not restricting observers' rights to observe all aspects of the voting process, authorities could consider amending the law to prohibit the possibility of collecting and further processing personal data of voters on election day.

B. OTHER RECOMMENDATIONS

Election Administration

11. To further increase transparency and confidence in the election administration, the CEC should consider discussing all substantive matters in public sessions. In addition, the law should stipulate that all substantive electoral matters fall under the purview and responsibility of election commissions as opposed to chairpersons. As previously recommended, consideration should be given to require that DEC decisions are centrally published.
12. The CEC training centre could consider enhancing the effectiveness of its training on election day procedures, with a particular focus on the vote count and how to complete summary results protocols through dedicating more time to practical exercises on these issues.

13. The training of members of district and precinct election commissions on the resolution of election day disputes and the conduct of investigation into the substance of complaints could be further enhanced.

Voter Registration

14. As previously recommended, authorities should consider adopting a permanent solution for voters without an officially registered address instead of repeatedly introducing transitional provisions.
15. Authorities should consider measures to ensure that technical deficiencies are not grounds for denying voting rights.

Party and Candidate Registration

16. To align candidate registration provisions with international commitments and good practice, the language requirement for candidates in the Tbilisi Sakrebulo elections and the overall five-year residency requirement should be lifted.
17. The law should provide equitable conditions for the collection of supporting signatures by candidates running independently and those nominated by parties.
18. In case a candidate wishes to withdraw from a second round contest, the law should ensure competitiveness and the right of other candidates to stand.

Campaign

19. To ensure public confidence in the electoral process, law enforcement should effectively investigate instances of pressure and intimidation of candidates, as well as possible misuse of state resources for campaign purposes.

Campaign Finance

20. To ensure a level playing field, all candidates should be provided with the same access to financial support, including reimbursement of some campaign expenses.
21. As previously recommended, to further enhance transparency and accountability, the SAO could publish campaign finance reports submitted by contestants, as well as the results and conclusions of its oversight in a timely manner, including prior to election day.
22. The legal framework could be amended to envisage expedited timeframes for addressing campaign finance violations and to ensure that the investigation conducted by the State Audit Office is thorough, comprehensive and timely.

Media

23. In line with the principle of editorial independence, the obligation placed on nationwide private broadcasters to organize debates for qualified subjects could be revisited, so that consideration could be given to allowing the broadcaster to decide on the format of its own election-related programmes.

24. To increase transparency, the GNCC should consider presenting its detailed media monitoring reports, with a qualitative assessment, and more frequently, including closer to election day.

Citizen and International Observers

25. The law should be amended to grant the possibility to civil society organizations to observe the work of the election administration outside of the election period.

Complaints and appeals

26. To allow for an effective remedy, the law should provide for an expedited review of complaints requesting administrative sanctions. They should be reviewed in open sessions and in a collegial manner. All decisions of election commissions should be subject to appeal.
27. To ensure legal certainty and equality before the law, consideration could be given to strengthening measures to ensure consistent application of law.
28. The election law should be amended to ensure that complaints are not dismissed for deficiencies in format; election commissions and courts should refrain from a formalistic interpretation of the law and should give full and impartial consideration to the substance of all complaints, respecting the right to an effective remedy.

Election Day

29. The CEC could consider a comprehensive review to identify and eliminate errors and omissions in the work of the PECs related to counting and tabulation. The authorities could consider simplifying counting procedures by amending the relevant law provisions and regulations to the extent possible without compromising the integrity of the process.
30. The Election Code should be amended to clearly stipulate on which grounds recounts and annulments can be requested and on which grounds they must be granted.
31. To ensure that voters are able to cast their votes free of pressure and undue influence, authorities could consider extending the prohibition of partisan and campaign activities not only within polling stations, but also in the vicinity of polling stations during voting hours.

ANNEX I: FINAL RESULTS

Results of the Tbilisi mayoral election

Candidate	Name of the Party/Bloc/Initiative Group of Voters	Percentage of votes received
Kakha Kaladze	Georgian Dream – Democratic Georgia	51.1
Aleksandre Elisashvili	Independent (nominated by initiative group of voters)	17.5
Zaal Udumashvili	United National Movement	16.6
Elene Khoshtaria	Bakradze, Ugulava – European Georgia	7.1
Irma Inashvili	Davit Tarkhan-Mouravi, Irma Inashvili – Alliance of Patriots of Georgia	3.0
Other candidates		4.7
TOTAL		100

Mayoral elections countrywide (64 mayors)

Name of the Party/Bloc/Initiative Group of Voters	Number of mayors
Georgian Dream – Democratic Georgia	62
Tamaz Mechiauri for United Georgia	1
Independent candidates	1
TOTAL	64

Tbilisi Sakrebulo or local self-government council election (50 seats)

Name of the Party/Bloc/Initiative Group of Voters	Percentage of proportional votes received	Number of proportional seats	Number of majoritarian seats	Total number of seats
Georgian Dream – Democratic Georgia	53.1	15	25	40
United National Movement	17.7	5	0	5
Bakradze, Ugulava – European Georgia	9.2	3	0	3
Davit Tarkhan-Mouravi, Irma Inashvili – Alliance of Patriots of Georgia	5.6	2	0	2
Shalva Natelashvili – Labour Party of Georgia	3.9	0	0	0
Eleven other parties/blocs	10.5	0	0	0
TOTAL	100	25	25	50

Sakrebulo or local self-government council election countrywide (970 proportional and 1,088 majoritarian seats)

Name of the Party/Bloc/Initiative Group of Voters	Percentage of proportional votes received	Number of proportional seats	Number of majoritarian seats	Total number of seats
Georgian Dream – Democratic Georgia	55.8	583	1,009	1,592
United National Movement	17.1	157	25	182
Bakradze, Ugulava – European Georgia	10.4	105	1	106
Davit Tarkhan-Mouravi, Irma Inashvili – Alliance of Patriots of Georgia	6.6	79	14	93
Shalva Natelashvili – Labour Party of Georgia	0.8	17	4	21
Nine other parties/blocs	9.3	29	13	42
Independent candidates	-	-	22	22
TOTAL	100	970	1,088	2,058

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

Congress of Local and Regional Authorities of the Council of Europe

Stewart DICKSON	Thematic Spokesperson on observation of local and regional elections	United Kingdom
Barbara TOCE	Vice-President	Italy
Jos WIENEN	Thematic Spokesperson on observation of local and regional elections	Netherlands
Renate ZIKMUND	Head of Division, Local and Regional Election Observation	Austria
Ségolène TAVEL	Election Observation Officer	France
Martine ROUDOLFF	Assistant, Local and Regional Election Observation	France
Christina BINDER	Expert on electoral matters	Austria

ODIHR EOM Short-Term Observers

Erjola LIKAJ	Albania
Uarda CELAMI	Albania
Arsen MIKAYELYAN	Armenia
Andrea WEISS	Austria
Clemens DROESSLER	Austria
Emma VINCENT	Austria
Matthaeus RADNER	Austria
Petra POLGAR	Austria
Richard WINKELHOFER	Austria
Werner ROHRACHER	Austria
Andrei RUSAKOVICH	Belarus
Andrei SHUPLYAK	Belarus
Aleš FOJTIK	Czech Republic
Aneta SUBRTOVA	Czech Republic
Jakub SIMAK	Czech Republic
Marek FIEBICH	Czech Republic
Claus STOUGAARD-ANDRESEN	Denmark

Erik NIELSEN	Denmark
Ewa Apolonia CHYLINSKI	Denmark
Hanne BERGMANN	Denmark
Kirsten MOGENSEN	Denmark
Mette SELCHAU	Denmark
Michael RASMUSSEN	Denmark
Niels HJORTDAL	Denmark
Poul SVANE	Denmark
Suzanne LASSEN	Denmark
Siret SCHAER	Estonia
Juho ROMPPAINEN	Finland
Maritta PAKARINEN	Finland
Reetta PURONTAKANEN	Finland
Sami RANTAMÄKI	Finland
Sampo COLLANDER	Finland
Caroline Emmanuelle Isabelle Véronique ANTUNES	France
Charles OUTTERS	France
Joan AUDIERNE	France
Julie GODIGNON	France
Khatchig SOUKIASSIAN	France
Melissa DIAGNE	France
Olivier TIPHANE	France
Pascal DELUMEAU	France
Tiphane BRANDT	France
Alexander KNIPPERTS	Germany
Andreas GLODDE	Germany
Andreas HASENKNOPF	Germany
Anke KERL	Germany
Anke SMOLLICH	Germany
Annelie KOSCHELLA	Germany
Bernhard Thomas Otto HECK	Germany

Birgit DAIBER	Germany
Carla MERKEN	Germany
Chaban SALIH	Germany
Christa MUELLER	Germany
Christian EGBERING	Germany
Christoph BÜRK	Germany
Christoph WIEDEMANN	Germany
Claudia PREUSSER	Germany
Detlev PALLUCH	Germany
Edith MÜLLER	Germany
Elisabeth SCHMITZ	Germany
Frank MEYKE	Germany
Geert BAASEN	Germany
Gisela GAUGGEL-ROBINSON	Germany
Hanns-Christian KLASING	Germany
Harald HAENDEL	Germany
Hartwig Hans KABOTH	Germany
Holger MICHAEL	Germany
Ino FLEISCHMANN	Germany
Irene FELLMANN	Germany
Joachim FRANKE	Germany
Joerg LEHNERT	Germany
Johannes HOLZ	Germany
Klaus SCHULZE	Germany
Markus VOGEL	Germany
Moritz MOORE	Germany
Peter VOGL	Germany
Regina CORDES LARSON	Germany
Renate PASCH	Germany
Rolf BOEHNKE	Germany
Rudolf SACKENHEIM	Germany

Sabine ALCK	Germany
Sandra Caroline MASS	Germany
Sepp Gerd GERSBECK	Germany
Sonja SCHIFFERS	Germany
Sophie HARING	Germany
Stefanie DUFAUX	Germany
Ulrike ROCKMANN	Germany
Ulrike DÄSSLER	Germany
Ursula SCHULZE-ABOUBACAR	Germany
Walter ASCHMONEIT	Germany
Bryndis PALMARSDOTTIR	Iceland
Gunnar SALVARSSON	Iceland
Ann ORMONDE	Ireland
John DURNIN	Ireland
Maria KIERNAN	Ireland
Patrick QUINLAN	Ireland
Sean O CALLAGHAN	Ireland
Dovile VAISVILAITE	Lithuania
Evaldas MAROZAS	Lithuania
Gabriele CEKUOLE	Lithuania
Jurate RAMOSKIENE	Lithuania
Jurgita LAURINENAITE	Lithuania
Justina SLENYTE	Lithuania
Konstantinas DUREIKO	Lithuania
Kristina SUTKAITYTE	Lithuania
Marijus PETRUSONIS	Lithuania
Vilija ALEKNAITĖ-ABRAMIKIENĖ	Lithuania
Anne SKATVEDT	Norway
Arve BØRSTAD	Norway
Asgeir RUSTAD	Norway
Camilla HOUELAND	Norway

Hilde VÆRDAL	Norway
Øystein WIIK	Norway
Soren MUNCH	Norway
Turid POLFUS	Norway
Magdalena WERALSKA	Poland
Marta DABROWSKA	Poland
Bernt Tommy KARLSSON	Sweden
Eva JAKOBSSON	Sweden
Frida ANDERSSON	Sweden
Gunilla DAVIDSSON	Sweden
Hans NARESKOG	Sweden
Henrik NILSSON	Sweden
Ida EKLUND LINDWALL	Sweden
Kerstin SUNDBERG	Sweden
Lars BJORKLUND	Sweden
Marie UTTERMAN	Sweden
Mats Ingvar Holger EKHOLM	Sweden
Per g. WIIK	Sweden
Per NYMAN	Sweden
Rebecca PALMER	Sweden
Stina MAGNUSON BUUR	Sweden
Alexandra VON ARX	Switzerland
Bernhard MATHYER	Switzerland
Christine BEGUELIN SARGENTI	Switzerland
Claude BÉGLÉ	Switzerland
Fritz KREBS	Switzerland
Jon Cristian SANDI	Switzerland
Loic Alexis DEGEN	Switzerland
Maja Barbara HUERLIMANN	Switzerland
Marianne GERBER	Switzerland
Natascia ZULLINO	Switzerland

Raphaël BERGER	Switzerland
Sascha ALDERISI	Switzerland
Shumit CHANDA	Switzerland
Victor PAZINSKI	Switzerland
Alka KOTHARI	United States of America
Andrew GRANDJEAN	United States of America
Anne DILLEN	United States of America
Anne PESKOE	United States of America
Aubrey MENARNDT	United States of America
Bujar AJDARI	United States of America
Chase FOSTER	United States of America
Cynthia BUNTON	United States of America
Daniel VILLEGAS	United States of America
Daniel YASTISHOCK	United States of America
Dara ERCK	United States of America
Deborah ALEXANDER	United States of America
Degee WILHELM	United States of America
Dwight PELZ	United States of America
Elia VARELA SERRA	United States of America
Florence BARNA	United States of America
Giulio VENEZIAN	United States of America
Jacob DINNEEN	United States of America
Jill VENEZIAN	United States of America
Jonathan EKHOLM	United States of America
Kathleen JOHNSON	United States of America
Kathryn GEST	United States of America
Louis PALMER III	United States of America
Mark DILLEN	United States of America
Marsha WEINERMAN	United States of America
Mary NEMICK	United States of America
Melinda LORD	United States of America

Patrick REILLY	United States of America
Quentin LIDE	United States of America
Rebecca HORSFALL	United States of America
Rene VALDIOSERA	United States of America
Reno DOMENICO	United States of America
Robert PAULLIN, JR	United States of America
Robert SORENSON	United States of America
Sheila JAGHAB	United States of America
Steven SHAPIRO	United States of America
Thomas GALLAGHER	United States of America
Tracey NEWELL	United States of America
Vernon NELSON	United States of America

ODIHR EOM Core Team

Corien JONKER	Head of Mission	Netherlands
Armen MAZMANYAN		Armenia
Hanna EFREMENKO		Belarus
Davor ČORLUKA		Bosnia and Herzegovina
Vedrana HALILOVIĆ		Croatia
Harald JEPSEN		Denmark
Marc FUMAGALLI		Italy
Dimash ALZHANOV		Kazakhstan
Ahmad RASULI		Kyrgyz Republic
Tomasz JAŃCZY		Poland
Roman RAILEAN		Romania
Maša JANJUŠEVIĆ		Serbia
Saša POKRAJAC		Serbia
Ivan GODARSKY		Slovakia
Robert BYSTRICKY		Slovakia
Anders ERIKSSON		Sweden
Goran PETROV		the former Yugoslav Republic of Macedonia

Ruslan OVEZDURDYEV	Turkmenistan
Polyna LEMOS	United Kingdom

ODIHR EOM Long-Term Observers

Alois SCHLAEFFER	Austria
Petr NETUKA	Czech Republic
Zaneta VENCOUROVA	Czech Republic
Poul Erik LAURITSEN	Denmark
Helena LAATIO	Finland
Pekka VIHERVAS	Finland
Anne RIO	France
Sabrina ROUGUI	France
Annabelle GAMBE	Germany
Ingo BUETTNER	Germany
Jehodit Tamar ORLAND	Germany
Edward NAESSENS	Ireland
Nurul RAKHIMBEKOV	Kazakhstan
Eleonora BULAT	Moldova
Ellen Johanne SAMUELSEN	Norway
Narve RIO	Norway
Lars TOLLEMARK	Sweden
Mario BARFUS	Switzerland
Stefan ZIEGLER	Switzerland
A. Shelley McTHOMAS	United States of America
Douglas WAKE	United States of America
Hans OPSAHL	United States of America
Linda CHURMA-SUMNER	United States of America

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).