



## Assessment of the Pre-election period (short summary)

### ***Significance of Parliamentary Elections 2016***

2016 Parliamentary elections will be the first after the parliamentary elections back in 2012 when, after an extremely tense pre-election period, for the first time in the history of Georgia the ruling party was changed through elections; furthermore, this will be the first parliamentary elections after signing the Georgia-European Union Association Agreement. Accordingly, interest towards the elections and its significance for Georgia's future democratic development and Euro-Atlantic integration is great.

## ***Political Landscape***

Unlike the previous Parliamentary Elections, political spectrum is more diverse and includes multiple actors; still the level of political polarization is high; attempts from the side of “Georgian Dream – Democratic Georgia” and “United National Movement” to maintain bi-polar political landscape were visible. These attempts have been discussed by various experts during the pre-elections period and was openly criticized by other political parties.

Several instances of political party candidates leaving/changing their parties have been observed; in a number of cases this was conditioned by inner-party issues, but certain cases raised questions regarding possible external interferences.

Official pre-election period started on June 8, though political parties have not started active political campaigns until the end of August.

The Government initiated the process of reaching a consensus on important principles to be followed during pre-elections period by political parties; several political parties joined the initiative, but the others, including National Movement, dissociated themselves from these initiative. The meaning of these initiatives was diminished by the failure of the relevant state bodies to appropriately address a number of incidences that took place during the pre-election period and by public statements of certain representatives of the ruling party.

Despite a number of calls to carry out the pre-election activities in peaceful, constructive regime and focus on party programs, pre-election period was accompanied by mutual accusations between opposing parties, and in a number of cases – even personal insults. Political parties failed to conduct political discussions and debates without using hate speech and instrumentalization of vulnerable groups.

Such environment deepened mistrust towards significant state institutions and politicized legal issues.

**Number and severity of violations have increased as the date of elections approached.**

**Cases of interferences in pre-election campaign and facts of violence/physical abuse, damaging agitation materials, illegal agitation, vote-buying, dismissal on allegedly political grounds and using administrative resources has been documented.**

**Violent acts that took place several days before the elections in Didinedzi (Samegrelo), Gori and Tbilisi have put the stable election environment under risk and raised significant questions; these questions require convincing responses which must be provided by speedy, effective and unbiased investigation and fair court proceedings.**

**It should be noted that several political party representatives have talked about active involvement of security offices in [election processes](#).**

See info-graphics that depicts the statistics of violations recorded by GYLA:

## Your itinerary

### Sat. 01 April 2017: TBILISI GE - MUNICH DE

05:35 h TBILISI GE INTERNATIONAL (TBS)  
07:45 h MUNICH DE MUNICH INTERNATIONAL (MUC)  
TERMINAL 2

 LH2557

operated by: LUFTHANSA

Status: confirmed

Class/Fare: ECONOMY/CLASSIC (K)

### Sat. 01 April 2017: MUNICH DE - OSLO NO

08:35 h MUNICH DE MUNICH INTERNATIONAL (MUC)  
TERMINAL 2  
10:40 h OSLO NO GARDERMOEN (OSL)

 LH2452

operated by: LUFTHANSA

Status: confirmed

Class/Fare: ECONOMY/CLASSIC (K)

### Fri. 14 April 2017: OSLO NO - MUNICH DE

18:45 h OSLO NO GARDERMOEN (OSL)  
20:55 h MUNICH DE MUNICH INTERNATIONAL (MUC)  
TERMINAL 2

 LH2455

operated by: LUFTHANSA

Status: confirmed

Class/Fare: ECONOMY/CLASSIC (K)

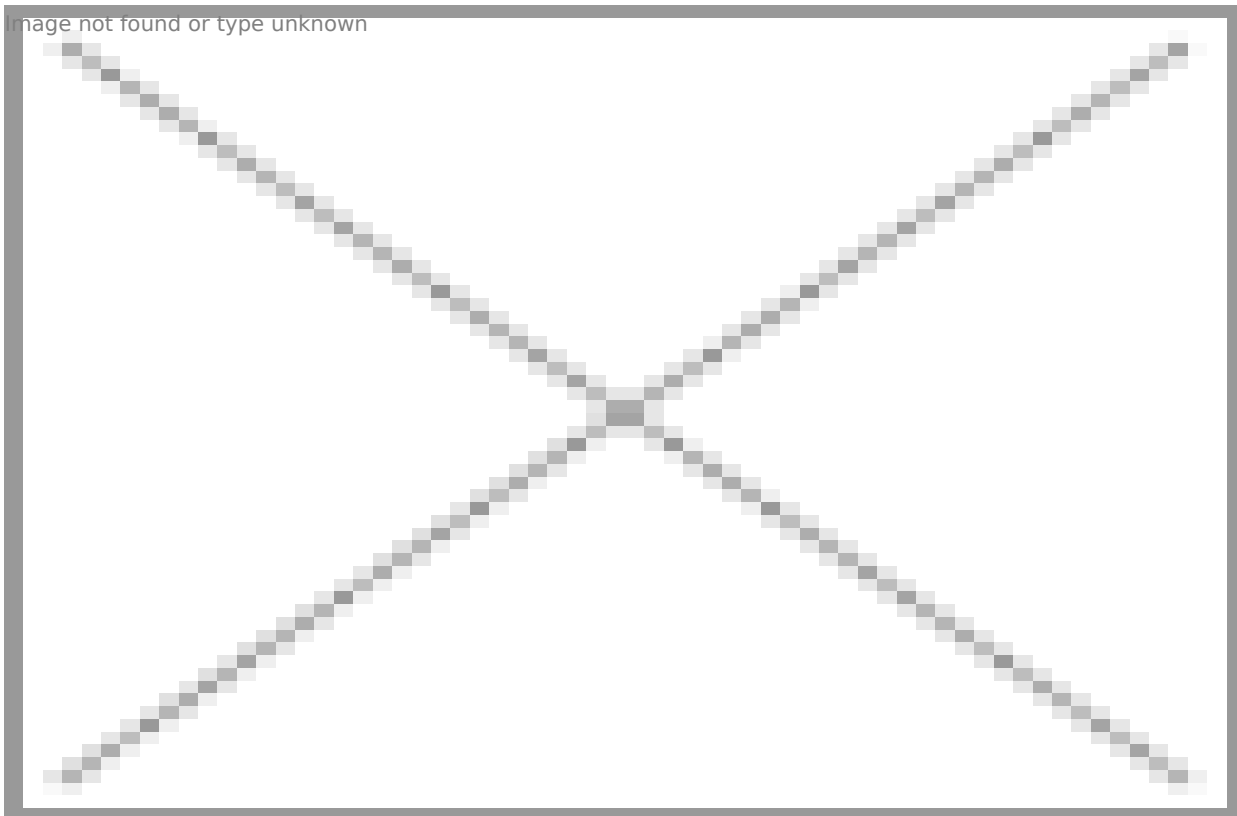
## Our response to violations

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



In total 82 violations/tendencies have been observed by GYLA in pre-election period. These violations have been committed by the ruling as well as opposition party representatives.

GYLA has submitted a number of applications/complaints regarding violations it has documented and submitted to relevant authorities. The statistics regarding our complaints can be seen below:



## ***Legislative framework***

It should be noted that despite the unprecedented consensus reached between political parties and civil society in 2016, the Government failed to conduct [election system reform](#)

and carried out only limited changes. Accordingly, elections of 2016 will be conducted using the old system that fails to ensure proportionate transformation of the voters' will into the MP mandate. Moreover, it should be noted that despite active efforts of civil society and number of politicians, parliament did not support quotas for women in party lists.

Long pre-election period and violations revealed in this period made it clear once against that election legislation of Georgia needs to be refined and requires further reforms, most significant among them is to renew certain legislative acts and bring them in line with the needs of modern times.

### ***Media environment in pre-election period***

Media environment is polarized along the lines of political spectrum; this became even clearer in pre-election context. Objective, unbiased coverage of events and editorial policies free from political influence are rare.

Despite serious threats towards maintaining independent and critical media in [2015-2016](#), media environment before parliamentary elections is much more independent and pluralistic than during the previous elections; the media environment enabled different political parties to reach out to the public, although certain parties made complaints regarding utilizing free advertising time, that was conditioned by recent legislative changes.

It should be positively noted that several media outlets offered their viewers thematic debates based on party programmes with the participation of different party representatives. However, it should be assessed negatively that, for instance on October 3 representatives of several political parties did not participate in thematic debates organized by the Public Broadcaster.

### ***Illegal Secret Recordings***

Even before the official start of pre-election period, secret recording became still actual, when video tapes depicting scenes of personal intimate life scenes were released in internet with threatening [messages](#). The above-mentioned caused wide public outcry.

Several secret audio recordings with various contents were released later. The time and content of the released recordings indicated attempts to manipulate public opinion and political processes through recordings; this is incompatible with the principles of democratic governance and have been many times criticized by the civil society. On the other hand, the content of some of the recordings, provided they were authentic, was also incompatible with democratic order and, and caused negative reactions from the society.

On September 27, State Security Service launched investigation based on one of the released secret recordings under the Criminal Code article pertaining to coup.

The abovementioned events prove again that the faulty practice of illegal tapping and using them for political aims still continues, that is even more encouraged by improper legislative reform, ineffective investigations and practice of impunity for perpetrators.

### ***Election Administration***

Parliamentary elections of 2016 once more revealed the problems in law and practice of selection of members of District and Precinct Election Commission. Concerns were expressed that instead of professional members, as provided by the law, people were selected according to their political affiliations and the lists were drawn-up in advance when completing the precincts.

As regards the Central Election Commission, several events were planned and implemented with their involvement in order to ensure transparency and involvement of different interested parties in the election processes. Also to conduct elections in safe environment and avoid violations during the pre-election period as well as the voting day. Although in some cases the CEC actions raised questions, in terms of its authority defined with existing legislative norms and coordination with different Government organs, as demonstrated during registration process of the parties and assignment of party numbers.

It should also be noted that during court disputes neither court and nor election administrations could not provide correct, progressive interpretation on a number of important issues, that created an impression that they were avoiding proper implementation of their authority on significant issues.

### ***Interagency Commission***

Interagency commission held 9 sessions during the reporting period and issued more than 10 [recommendations](#) concerning local self-governments and election subjects and was aimed at counteractions during pre-election campaign, refraining from damaging agitation materials and providing control to ensure observance of relevant legal regulations by the local self-governments. Unfortunately, despite several recommendations released by the Commission number of violations were observed after the recommendations were issued (e.g. in respect to civil servants).

Commission sessions were held mainly in constructive dialogue mode, but as the Election Day approached, in several instances discussions were politicized and representatives of the parties changed the constructive discussions into mutual accusations.



### ***State Audit Office***

Similar to 2014, with the initiative of State Audit Office, temporary consultation commission, staffed with representatives of the non-governmental organizations, working on the political financing legality and transparency monitoring issues was established.

Commission started working from the end of July, 2016. The creation of the commission and its work has significantly contributed to the transparency of the Audit Office and ensured awareness of the society regarding monitoring political financing.

The State Audit Office studied information regarding alleged violations, was questioning donators, was periodically releasing information regarding donations to the [election subjects](#).

### ***Ministry of Internal Affairs***

Several incidents of interference, violence and threatens were observed during the pre-election [campaign activities](#). In a number of cases, despite the fact, that activities were announced beforehand and the police were on the spot, their number was not sufficient. However, in certain cases police representatives responded in timely and adequate manner to the incidents. The full readiness and mobilization of the police on 5<sup>th</sup> of October on the United National Movement support rally in Tbilisi should be assessed positively.

Furthermore, it is positive that the ministry, in cooperation with CEC, took certain preparatory steps to conduct elections in peaceful environment.

On a different note, effectiveness of investigation launched by the Ministry of Internal

Affairs is under question, considering the number of facts, that may include different forms of threats, coercion, intimidation or violence that were discussed in media and also in the framework of the Interagency Commission. This negatively affects the trust towards the MIA, as of effective and politically neutral institution.

**GYLA considers it necessary for the government and political parties to demonstrate high sense of responsibility and take all relevant measures for the citizens of Georgia to vote in free, safe environment on October 8.**

**We urge the Government and Law Enforcement Organs:**

- to set it as its priority to conduct voting process and other election processes in safe and secure environment;
- also ensure rapid, full, transparent and unbiased investigation on every violation of election legislation

**We urge political parties:**

- To refrain from activities that cause confrontation and raise risks of escalations;
- To make every effort in order to avoid development of situation in violent ways;
- Facilitate peaceful and fair election environment;

***GYLA will monitor the voting day with 500 observers throughout the country in 49 electoral districts and will provide the results of the monitoring to the society.***

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