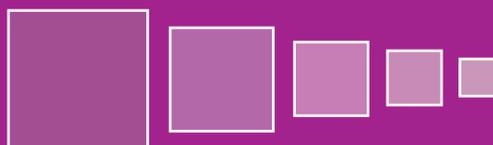


Monitoring Mission of
Local Self-Government
Elections of 2017

Monitoring Report of
Pre-Election Environment,
Election Day and
Post-Elections Period

June 1 – November 19, 2017

Tbilisi
2018



MONITORING MISSION OF LOCAL SELF- GOVERNMENT ELECTIONS OF 2017

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(June 1 – November 19, 2017)



ევროკავშირი
საქართველოსთვის
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I. INTRODUCTION

One of the strategic directions of Georgian Young Lawyers' Organization (GYLA) is to promote effective, accountable and transparent governance. In this regard (1994) GYLA is actively involved in the process of elections of legislative, executive and local self-government organs from the day it was established and during the mentioned process GYLA studies pre-election, voting day and post-election periods, how free, fair, competitive and inclusive environment is in Georgia.

When monitoring election processes the purpose of the organization is to ensure compliance with election legislation and international democratic standards by representatives of election administration, election subjects and public servants. Work of GYLA during the period of elections is not limited to revealing violations, rather, by filing complaints with the election administration and in court, it focuses its efforts on promotion of progressive interpretation of election legislation, taking legal measures against offenders and prevention of future election violations.

We consider that providing population and parties involved in the election process, with objective, competent and timely information regarding ongoing elections will promote improvement of election environment transparency and deepen those positive aspects that were reached during the past years.

Since the Association believes in supremacy of principles of free and fair elections, it remains strictly neutral towards political processes. Over the years, GYLA has proved its loyalty towards state principles and aspiration to establish fair election environment.

For this purpose, in 2010 GYLA signed Declaration of Global Principles and Code of Conduct developed by Global Network of Domestic Election Monitors (GNDEM) for non-governmental organizations.¹

Presented report includes period from June 1, 2017 to November 16, 2017 and focuses on consideration of pre-election, Election Day and post-election period complaints and tabulation of results of local self-government elections of October 21, 2017, as well second round of November 12, 2017. Furthermore, the reports includes information regarding the events that took place before the election campaign was officially launched, that became the subject of study of the organization.

Monitoring mission of local self-government elections 2017 was made possible through financial support of European Union, Ministry of Foreign Affairs of Sweden, US Agency for International Development (USAID), the Open Society – Georgia Foundation (OSGF) the National Endowment for Democracy (NED) and Embassy of the Kingdom of Norway in Baku.

II. SCOPES OF MONITORING MISSION AND METHODOLOGY

GYLA provided monitoring of 2017 local self-government elections processes through 8 regional offices in Tbilisi and 9 regions of Georgia: Ajara, Guria, Shida Kartli, Kvemo Kartli, Kakheti, Mtskheta-mtianeti, Samtskhe-javakheti and Samegrelo, with the involvement of up to twenty monitors.

GYLA long-term observers studied the activities of state agencies (Election administration, Audit service, Interagency Commission, Law enforcement organs, Georgian National Communications Commission and Court) involved in the elections and observed how transparently, objectively and protecting political neutrality did they work and made decisions.

GYLA monitors obtained information regarding alleged violations through different sources, including, through requesting information from public institutions, also through monitoring information disseminated via mass media.² Citizens, members of political parties and candidates often provided information to GYLA regarding the violations observed by them. GYLA monitors verified the information with applicants directly or with the persons who could have significant information regarding the case. GYLA lawyers provided proper legal aid to the certain persons in case of need.

Through the monitors sent to precincts and allocated in mobile groups, GYLA monitored the **October 21, 2017** local self-government elections on the voting day in **46** election districts of **Tbilisi and 9 regions of Georgia** through **510** monitors. The monitoring area was covered through **150** mobile and **340** precinct monitors.

Considering the monitoring experience, the main focus of the organization was aimed at problematic precincts revealed during the previous elections. Furthermore, the monitoring was conducted in districts densely populated with national minorities and IDPs. The organization monitored the issue of adaptation of election precincts for the

¹ DECLARATION OF GLOBAL PRINCIPLES FOR NON-PARTISAN ELECTIONOBSERVATION AND MONITORINGBY CITIZEN ORGANIZATIONS and CODE OF CONDUCT FOR NON-PARTISAN CITIZEN ELECTION OBSERVERS AND MONITORS.

² Central and regional press, national and regional broadcasters, internet editions.

persons with disabilities. Study of issue of women candidates participating in the elections was also priority.³

GYLA conducted 4 briefings at the media-center founded by the local monitoring organizations, on polling day October 21 and on the next day assessed the polling day.⁴

GYLA monitored post-election day period in **46 DECs (DECs)**, when the GYLA monitors attended the process of discussion of complaints by the DEC and tabulation of results. When the violation was revealed organization monitors appealed to the DEC and courts with proper complaints.

On November 12, GYLA monitored the second round of local self-government elections in all six election districts with **up to 200** monitors. The static monitors were located on **154** election precincts of Ozurgeti, Khashuri, Borjomi and Kutaisi and covered all the precincts and mobile groups monitored the election processes on problematic precincts and adjacent premises in Martvili and Kutaisi districts.

On the polling day of the second round of elections, November 12, GYLA held 3 briefings at the in the media center founded by the local monitoring organizations. On the next day, November 13, GYLA assessed the polling day and held a press-conference.⁵

Monitoring of the pose-election period of the second round of elections was conducted by the GYLA monitors in **6 DECs**.

There was a hotline operating in GYLA throughout the day allowing citizens and journalists to report any alleged election violations. A mobile team took further actions to respond on received information by visiting the scene in case of need.

On the polling day GYLA monitors uploaded in election-analytical database all the information received from the monitors sent from all the regions of Georgia. The database analyzed the information. Furthermore, the citizens could upload the information on alleged violations on the web-site www.electionsportal.ge, via filling the online form or sending the free sms to number 90039.

III. MAIN FINDINGS

Legislative framework

- Wide public consensus was not reached in the process of constitutional reform. The main problem remained postponement of changes to election system, namely proportional election system to 2024. Ruling party is on one side and all opposition parties and NGOs on the other side. Maintaining majoritarian election system was assessed by GYLA as direct and intended effort to consolidate the power that is a serious threat to democracy in Georgia. All the above mentioned created the impression that through maintaining mixed electoral system the ruling party tried to create guarantees that would facilitate them to gain the advantage on 2020 elections.⁶
- Legislative amendments made to local self-government and election legislation several months before the elections became the subject of criticism as well. In particular, 7 self-governing cities were deprived the status that was conducted without participation of the society and was a step backwards in terms of decentralization reform started in 2014.⁷
- The changes were conducted to the rule of staffing the election commission that increased the risks of politicizing the election administration and strengthened the dominant position of the ruling party on every level of the election commission.⁸
- The issue of women participation in the politics still remained problematic for the 2017 self-government elections.
- The monitoring revealed the case when the elections administration used Article 91¹ of the Election Code unjustified that envisages liability for interfering with the functions and activities of the election commission. GYLA offered the CEC alternative interpretation of this article.⁹

³ <https://gyla.ge/ge/post/archevnebi-2017-shemajamebeli-sainformacio-biuleteni-7#sthash.B8Abb2ur.nL2hqISG.dpbs>

⁴ <https://gyla.ge/ge/post/saias-shefaseba-2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebis-dghestan-dakavshirebit#sthash.4Dn2KiWU.dpbs>

⁵ <https://gyla.ge/ge/post/archevnebi-2017-meore-turis-shemajamebeli-ganckhadeba#sthash.U9Ud9WoM.dpbs>

⁶ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-saqartvelos-demokratiuli-ganvitareba-safirtkeshia#sthash.JG1PvNTW.dpbs>

⁷ https://gyla.ge/files/news/2006/untitled%20folder/Legal%20analysis_geo.pdf

⁸ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebis-mosazrebebi-saqartvelos-organul-kanonshi-saqartvelos-saarchevno-kodeqsi-shesatan-cvilebebeze#sthash.FJYA0Do7.dpbs>

⁹ <https://gyla.ge/ge/post/archevnebi-2017-sainformacio-biuleteni-6#sthash.H4jTSGkG.XNuXPZpi.dpbs>

Election administration

The election administration carried out various interesting activities and expressed innovative approaches that should be assessed positively. However, the issues that will not be reflected positively on election environment were revealed during the monitoring.

- The cases were observed when those persons were selected in PECs (PECs) based on professional qualifications that recently represented different parties in election administration.¹⁰ Although these facts are not the direct violation of law, we consider that they undermine the issue of credibility of the election commission. Furthermore, in number of cases, the DEC selected the persons on the positions of PEC that were imposed various types of disciplinary liability during the past years' elections.¹¹
- The decisions made by election administration were characterized with a low standard of justification. As observed, the DEC in most cases have not studied in detail the materials provided in the case, and made decisions only based on explanatory statements of the alleged offender.
- The term, envisaged by the elections administration for independent candidates in regards to gathering the supporters' lists and submitting to the elections administration is unreasonable and cannot ensure the principle of equality of election subjects before the law.
- There was no need or necessity to establish the rule of accreditation of press and mass information to attend and video-record the commission sessions during non-election period¹² in terms of attending session of collegial public institution, especially when it comes to press and mass media.

Interagency commission

- Interagency commission is one of the multi-component and large agencies among those working on election issues, however should be noted that the violations were still identified even after the recommendations of the Interagency Commission were issued that is problematic and is caused by the fact that the commission lacks the mechanism of monitoring of implementation of the recommendations in practice.

Funding of election subjects and State Audit Office

- As it is revealed based on the analysis of the donations and expenses, 90% of donations were made in favor to ruling party¹³ and 70% of expenses are for the ruling party as well.¹⁴
- 99.87% of donations of legal entities were received by the ruling party.¹⁵ Mainly non-monetary donations were made by the legal entities in favor of opposition parties and independent candidates.
- The mentioned circumstances gave big advantages to the ruling party and made competitive environment impossible.
- Besides responding to the cases of failing to provide information and submit the declarations, the State Audit Service was less effective in terms of responding to different alleged violations.¹⁶

Pre-election period

- Dominance of the ruling party throughout the country was obvious, including in terms of mobilizing administrative and financial resources.¹⁷
- Pre-election period mainly was conducted in calm environment and activity of political parties was noticeable. Election subjects managed to introduce their programs and promises to the voters through meeting with electorate and pre-election large-scale activities and events. However should be noted that still less focus was made on programs of certain parties of candidates, with the exception of Tbilisi. The most active

¹⁰ E.g. 272 members out of 612 selected by Batumi District Commission were nominated to the commission with party list on various elections. 177 members out of 390 selected by Kobuleti District Election Commission were nominated to the commission with party list on various elections.

¹¹ Akhalkalaki - 10, Akhaltsikhe - 9, Kaspi - 7, Gori - 7, Kareli - 25, Khashuri - 2, Adigeni - 2, Aspindza - 1, Chiatura -2, Tskaltubo -19, Vani - 6, Zestaponi -14, Tkibuli - 7, Bagdati - 9, Khoni - 5, Kharagauli - 10, Kutaisi - 82, Marneuli -13, Gardabani - 6, Bolnisi - 3, Tetritskaro -2

¹² Resolution of CEC 08.08. 2017, #27/2017

¹³ From July 1 to November 1, 2017, in the four month period donation of 13,814,532.60 GEL, i.e. 90% of out of total 15,333,951.92 was received by the Georgian Dream

¹⁴ Totaled to **16,861,130.00 GEL** from August 22 to October 21, 2017, the largest out of which **11, 651, 146.00 GEL** is of the ruling party.

¹⁵ From July to November, 2017 **4,720,654.00 GEL** was donated by the legal entities. In total **4,714,563.00 GEL**.

¹⁶ See Funding of pre-election campaign and State Audit Service.

¹⁷ <https://gyla.ge/post/2017-tslis-adgilobrivi-tvitmartvelobis-archevnebi-tsinasarchevno-garemos-shefaseba#sthash.yDLHAW4x.dpbs>

pre-election campaign was carried out by Tbilisi mayoral candidates.¹⁸

- The main problems were identified in Kvemo-kartli, Samtskhe-Javakheti and Samegrelo regions, were the cases of inner party confrontations and alleged pressure were revealed, also strong competitive environment was observed.
- Before the pre-election campaign was started, certain activities were carried out (mainly charity projects, free of charge events) and based on outlined tendencies the impression was made that the mentioned activities carried out through using administrative resources were aimed at winning the hearts of voters.
- The cases of using resources of persons employed in budgetary organizations in favor of ruling party was also revealed in pre-election period. In particular, the employees of public schools, kindergartens, non-commercial legal entities were attending ruling party pre-election meetings in groups that created the impression that these types of attendances were well-organized and obligatory that was confirmed in separate cases.¹⁹
- Cases of counter-agitation via social networks also became an issue that was permanent and was carried out against various subjects via sponsored pages.
- Media environment was pluralistic, however polarized. No cases of attack on journalists or pressure were revealed.²⁰ However, the majority of televisions actively covered local self-government elections, debates were carried out on every national channel. The population was able to get informed regarding the election issues via various televisions, however the televisions failed to ensure unbiased coverage of all candidates in the programs.²¹ Lack of in-depth assessment and analysis of election programs remained problematic,²² and opposition political parties discussed the restriction of media space for them.²³
- Cases of physical violence were also revealed. Furthermore, detention of representatives of opposition political parties was also observed.²⁴
- As reported, candidates of various opposition parties were forced to withdraw their candidacies as a result of pressure or gaining over. Furthermore, in number of cases, the pressure on voters to support the ruling party was observed as well.²⁵
- Should be noted that despite the fact that the investigation was launched on some cases of alleged pressure, number of cases were still left without legal response.²⁶
- Numerous facts of interfering in dissemination of agitation materials was observed during the reporting period, including tearing off the agitation posters, sticking posters on others posters, damaging. The cases of interfering pre-election meetings were also observed. It is noteworthy that ruling party also mentioned the facts counter-actions and damaging elections materials.
- The cases of dismissal from work during these elections was not so frequent as in past years. One case of dismissal from work on alleged political grounds was revealed through local self-government elections.

Poling day

First round

- The polling process was mainly conducted in peaceful environment throughout the country. Although there were no cases of violence, certain violations were observed that are beyond the procedural problems. Tabulation of results was conducted with violations of law at various precincts.
- Number of cases were revealed when the precinct commission did not provide the monitors with the summary protocols received from the precincts.
- Ruling party arranged a wide-scale and well-organized voter data collection and mobilizing voters to the polling stations to vote, especially in Tbilisi that is assessed by GYLA as control over voters' will.

¹⁸ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.yDLHAW4x.dpbs>

¹⁹ Some cases were revealed when the lessons were conducted using the party symbolic. Including the cases of agitation in favor of ruling party candidates by the heads, directors and teachers of resource-centers. Moreover, the organized involvement of employees of the kindergartens in pre-election processes (in terms of attending the pre-election meetings of ruling party and mobilizing "supporters" in their favor).

²⁰ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba>

²¹ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.mjTBRJRa.dpbs>

²² <http://qartia.ge/media/1000907/2017/12/13/badd1825c38e25633a5887472c328828.pdf> Final report of the election media-monitoring carried out with support of EU and UNDP

²³ <http://droa.ge/?p=11526>

²⁴ <https://gyla.ge/ge/post/tsinasaarchevno-garemos-shefaseba#sthash.YswD4OIE.dpbs>

²⁵ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-tetrtsyaros-saarchevno-olqshi-ganvitarebul-movlenebs-ekhmaurebian#sthash.oevHMorX.dpbs>

²⁶ For instance the law enforcement bodies failed to show any interest towards the reported information via mass media on the case of collecting lists of supporters or Georgian Dream for the directors in the kindergartens of Tbilisi.

- Political subjects were interested to identify not the quantity of voters that arrived at the polling station but their identity and also identify the absent voters.
- According to GYLA, placement of DEC and spatial arrangement fails to create proper conditions to conduct thorough monitoring that prevents the transparency of the election processes. Precincts in villages also have infrastructural and spatial arrangement problems.
- Part of the precincts were not adapted to the persons with disabilities. Including the precincts that on the CEC web-site were indicated as adapted.²⁷

Second round of elections

- Second round of mayoral elections was conducted in tense environment in Ozurgeti where the where the candidate of the ruling party and independent candidate nominated by the initiative group opposed each other.
- The United National Movement refused to participate in the second round of elections. Despite this fact, mayoral candidates of the party were indicated on the ballot paper in both, Kutaisi and Martvili districts. Considering the mentioned circumstances there was no actual contest between the participant candidates at Kutaisi and Martvili districts.
- The polling process was held mainly in peaceful environment. The only exception was Khashuri, with the incident happened by the end of the day between supporters of Georgian Dream and independent candidate.²⁸ The situation was soon eased by the police.
- Problem of considering those bulletins valid where the voter has clearly indicated his/her will was identified at various precincts in Ozurgeti. Nasakirali precinct (Ozurgeti #59 precinct) should be particularly emphasized in this context, where disturbance was created during the vote counting process. The developments have left the impression that after the results in favor of the independent candidate were revealed, there was an attempt to deliberately mess up the situation and annul the results groundlessly.
- Vicious practice still continued at number of precincts on the E-day, as unidentified persons with lists (most likely party coordinators and activists) were still present outside the election precincts, who kept recording the voters arriving at the polling station. Furthermore, the voters were transferred to the election precincts during the whole day via minibuses and vehicles.

Post-election period

- Post-election period complaints mostly were regarding the discrepancies in summary protocols of PEC. In particular, problem filling out the summary protocols unevenly, lack of signatures and commission stamps, misbalance (lack or surplus), drawing up protocol of corrections in violation of legislation, when the administrative proceedings were not fully conducted and the circumstances related to the case were not studied thoroughly.
- Major part of summary protocols were corrected and on the next day after the voting, the correction protocols were drawn up without the participation of the proper member of the PEC.²⁹
- The tabulation of results was carried out in major violation of law at Tianeti DEC. The court established that Tianeti district have violated the requirements set by the General Administrative Code as well by the Election Code of Georgia – regarding the thorough examination of all circumstances important to the case when issuing the act. As a result of litigation the results of mayoral elections in Tianeti district were changed. Mayoral candidate of the opposition party Tamaz Mechaiuri for United Georgia³⁰ won the elections and

²⁷ <https://docs.google.com/viewerng/viewer?url=https://gyla.ge/files/gallery/logoebi/%E1%83%9C%E1%83%98%E1%83%A3%E1%83%A1%E1%83%9A%E1%83%94%E1%83%97%E1%83%94%E1%83%A0%E1%83%98+-+final.pdf>

²⁸ November 12, at the end of the day there was the confrontation between the supporters of independent mayoral candidate in Khashuri, Ramaz Nozadze and mayoral candidate of Georgian Dream. According to our information, the supporters of Georgian Dream, who drove the vehicles around the city, threw torches at Ramaz Nozadze office. Following the incident Ramaz Nozadze supporters left the office and supporters of independent mayoral candidate, in total 3 persons, including one young woman were injured during the physical confrontation. Based on independent candidate's headquarters information, several public servants employed in Khashuri self-government were participating in the incident. The police arrived on site on time and managed to ease the situation. Police checked supporters of the independent candidate on alcoholic intoxication and filled in administrative offence report against one of them for driving in a state of alcoholic intoxication. However, according to the supporters of the independent mayoral candidate, the police have not checked on alcoholic intoxication the supporters of the Georgian Dream that participated in the incident.

²⁹ Implementation of the mentioned was facilitated by the addition of d¹ subparagraph of paragraph 2 of the Article 26 of the Election Code of Georgia, according to which the PEC is authorized to compile the correction protocol of the voting results summary protocol, when there are explanatory statements of corresponding PEC members or other legal or actual grounds.

³⁰ As a result of application of mayoral candidate Tamaze Mechaiuri for United Georgia, GYLA involved in the mentioned case and represented the interests of the candidate in court.

became a Mayor of Tianeti.³¹

- Despite the fact that the violations were confirmed, the election administrations and courts rejected the complaints on annulment of summary protocols and re-counting the precincts votes, on the grounds that the violations have not actually affected the results. The election administrations were only limited with imposing the disciplinary liability.

IV. POLITICAL CONTEXT

Political environment was polarized in pre-election period. Deepening the process of polarization was more facilitated by confrontations on election system between the ruling party and the opposition parties. With the decision of Georgian Dream, the enactment of proportional election system was postponed to 2024 that caused discontent of political and public groups.

Furthermore, legislative amendments of local self-government and election legislation became the subject of criticism, in particular deprivation of status of self-governance from 7 cities that was conducted without involvement of society and represents a step backwards for the decentralization reform that started in 2014. As well, the amendments to the rule of completing election commissions that increased risks of politicizing election administration and strengthened dominant position of the ruling party on every level of the election commission.³²

On June 27, 2017 the President of Georgia announced election date,³³ end of the third week of October. President justified the mentioned announcement with effort to avoid misunderstanding of 2016 and predictability of election environment, for the political parties to have information regarding the voting day 4 months prior. The pre-election period officially started on August 22.³⁴

It is noteworthy that political parties started preparations for elections much earlier, from May, through active meetings with voters and nominations of candidates.

With the decision of the Constitutional Court of Georgia, based on the amendments to the legislation of Georgia, two significant amendments were enacted for the local self-government elections of 2017. Unlike 2014 elections, initiative groups were able to participate in 2017 elections.³⁵ The obligation of the candidates to have permanently resided in Georgia for the last two years before calling elections was annulled for these elections.³⁶

The pre-election campaign was carried out for two months. Pre-election period was mainly held in peaceful environment and activity of political parties was noticeable. Election subjects managed to introduce their programs and promises to the voters through meetings with electorate and pre-election large-scale activities and events. The most active pre-election campaign was carried out by Tbilisi mayoral candidates³⁷ and the election subjects made the focus on visions of Tbilisi mayoral candidates when drafting the election programs.³⁸

While drawing up the programs for the local self-government elections the main focus was made on views of Tbilisi mayoral candidates and did not cover Georgia in full.

Discussions based on discriminatory, xenophobic and hate speech have increased in the reporting period. Certain political and public groups rallied against foreigners in Georgia and held demonstration named March of Georgians and requested the Government to tighten the right to residence in Georgia and the procedures of granting citizenship. Later that day, two demonstrations were held against the mentioned demonstration.³⁹

³¹ <https://gyla.ge/ge/post/sadamkvirveblo-organizaciebi-moutsodeben-samartaldamcav-organoebis-tianetis-saolqo-da-20-saubno-saarchevno-komisiis-qmedebabit-dainteresdnen#sthash.IIirnvse.dpbs>

³² <https://gyla.ge/ge/post/arasamtavrobo-organizaciebis-mosazrebebi-saqartvelos-organul-kanonshi-saqartvelos-saarchevno-kodeqsi-shesatan-cvlilebebeze#sthash.FJYA0Do7.dpbs>

³³ <http://georgianpress.ge/com/news/view/26213?lang=1>

³⁴ <http://cesko.ge/geo/list/show/111050-saqartvelos-prezidentis-gankarguleba-adgilobrivi-tvitmmartvelobis-archevnebis-danishvnis-shesakheb>

³⁵ In 2014, together with Fair Elections and Democracy International Society, GYLA appealed to the Constitutional Court of Georgia the restriction of right of voters' initiative groups to participate in mayoral and Gamgebeli elections. In 2016 the appeal was granted and as a result the related amendments were made to the election legislation.

³⁶ The Article 167 of the Election Code that obliged the mayoral candidates to have permanently resided in Georgia for the last two years before calling elections, was appealed to the Constitutional Court in 2014 with support of GYLA. With the ruling of the Constitutional Court of Georgia this provision was declared as unconstitutional and as a result the related amendments were made to the election legislation.

³⁷ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.yDLHAW4x.dpbs>

³⁸ <http://partiebi.ge/2017/>

³⁹ The first was held by the organization working on women's rights and the second – political party European Georgia.

22 political parties, 5 electoral blocs, as well initiative groups 11 mayoral candidates and 190 majoritarian candidates of Sakrebulo participated in the elections.⁴⁰

62 Mayors out of elected 64 are the representatives of Georgian Dream and only one Mayor out of elected 64 is a woman.⁴¹

Opposition political parties expressed distrust towards the results of local-selfgovernment elections.⁴² They appealed the election results to the election administration and courts, as, according to them, the ruling party has falsified the results. Political parties also intend to appeal to the European Court of Human Rights and demand the recognition of the violation of the voting rights by the State.

V. MEDIA ENVIRONMENT

By the end of 2016 it became clear that three large broadcasters were planned to merge. Imedi merged with GDS and also with Maestro TV. Accordingly, these three broadcasters are owned by one owner.⁴³ The changes had negative response from public and different organizations, as these broadcasters are considered as promoting interests of ruling party and the mentioned merging even more deepens the doubts existing in this regard.⁴⁴ The changes are already reflected on editorial policy of the channels.⁴⁵ After elections of October 8, 2016, political talk-shows were closed on Maestro and the number of news programs decreased.⁴⁶

In the beginning of 2017, Vasil Maglaperidze was elected as a General Director of Public Broadcaster that before electing on this position held high position in GDS, the television owned by Bidzina Ivanishvili family.⁴⁷

Since the elections of General Director of the Broadcaster, personnel policy became even more opaque. Majority of new employees were transferred from GDS, the television owned by the family of Bidzina Ivanishvili. According to our information, the decisions on personnel were not made based on competition and clear criteria.⁴⁸

Furthermore, soon after electing new General Director, amendments initiated in the Law of Georgia on Broadcasting became known that were negatively assessed by number of organizations working on media issues, including GYLA and experts as well.⁴⁹

Joint projects of Public Broadcaster and Radio Tavisupleba, “Red Zone” and “InterVIEW” were shut down in July. As reported, the reason of shutting down Gogi Gvakharia and Salome Asatiani shows was channel reorganization. However, considering the fact that both programs were in-depth covering politically and socially actual issues, reasonable doubts raised in the society that the shutdown of the mentioned programs was directly related to local self-government pre-election process. The mentioned reason was unjustified and indicated the interest of the management to obtain maximum and direct control on political shows.⁵⁰

European Court of Human Rights delivered judgment on March 3, 2017, suspending the ruling of Georgian Supreme Court on **Rustavi 2** case dated on March 2 and with second judgment delivered on March 7 has suspended for indefinite period, until the final verdict. The mentioned decision allowed the broadcasting company to continue broadcasting in usual way.⁵¹

⁴⁰ Should be noted that the political party, United National Movement refused to participate in the second round of elections to be held in Kutaisi self-governing city after the results of the first round were announced.

⁴¹ <https://gyla.ge/ge/post/qalta-chartuloba-politikur-procesebshi#sthash.iSdHOJEU.dpbs>

⁴² Election bloc – Dimitri Lortkipanidze, Kakha Kukava – Democratic Movement, Free Georgia, Political party – Shalva Natelashvili – Georgian Labour Party; Election bloc – Giorgi Vashadze – Unity New Georgia; Election bloc – Bakradze, Ugulava – European Georgia; political party – National Forum; Movement for Building; political party New Christian Democrats, political party – Alliance of Patriots of Georgia.

⁴³ <https://jam-news.net/?p=11554&lang=ka>

⁴⁴ <https://jam-news.net/?p=11554&lang=ka>

⁴⁵ <https://jam-news.net/?p=11554&lang=ka>

⁴⁶ <https://jam-news.net/?p=11554&lang=ka>

⁴⁷ <https://jam-news.net/?p=11554&lang=ka>

⁴⁸ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-sazogadoebriv-mautsyebelshi-mimdinare-movlenebis-parlamentshi-gankhilvas-itkhoven#sthash.k20MipQv.QBwV98QU.dpbs>

⁴⁹ <https://gyla.ge/ge/post/saia-mautsyeblobis-shesakheb-kanonshi-mosalodneli-cvilebebs-uaryofitad-afasebs#sthash.uSrf2OjI.dpbs>

The law combined number of initiatives that were not compatible with status and functions safeguarded by the law on Public Broadcaster, the current standard of accountability and transparency of the Public Broadcaster was decreased significantly, the risk of corruption deals was increased; furthermore the authorities of the Board of Trustees was reduced unreasonably

⁵⁰ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-sazogadoebriv-mautsyebelze-tsiteli-zonasa-da-interview-s-dakhurvis-faqtebs-ekhmianebian#sthash.dwQXNMNM.dpbs>

GYLA and 4 other organizations issued a statement and requested the management of the Public Broadcaster to maintain the shows to ensure compliance with the principles and priorities of political neutrality, independence, transparency and pluralism

⁵¹ <http://www.civil.ge/geo/article.php?id=31082>

Georgian National Communications Commission (GNCC) banned the political advertisements of the political parties to be broadcasted on TV in the pre-election period of local self-government elections, that in our opinion, was an effort against the freedom of expression and to restrict the media space for the political parties during the non-pre-election period.⁵² And this is when the ruling party is able to place the advertisement with the status of social advertisement, at the expense of the budgetary funds aimed at popularization of their own ideas and winning the hearts of public. This, in its turn, does not facilitate the equal access to media space and does not create equal possibilities for political parties. Thus, the Commission was not consistent in its actions and explanations, as through years the mentioned issue was interpreted differently by the commission.⁵³

As regards the pre-election period, the media was diverse and no cases of assault or pressure on journalists have not been revealed. The issue of politicizing of broadcasters still remained problem.⁵⁴ However, the majority of televisions actively covered local self-government elections, debates were carried out on every national channel. The population was able to get informed regarding the election issues via various televisions, however the televisions failed to ensure unbiased coverage of all candidates in the programs.⁵⁵ Lack of in-depth assessment and analysis of election programs remained problematic.⁵⁶

Opposition political parties talked of restriction of media space for them.⁵⁷

VI. LEGISLATIVE REFORM

Constitutional reform

After 2016 parliamentary elections the government stated regarding the complex constitutional reform to create imported document based on broad political consensus. Furthermore, Georgian Dream promised the public that the election system would be changed by 2020 and would become fairer.⁵⁸

GYLA actively participated in discussions regarding election system reform with status of member of the Constitutional Commission. Election system was the most significant issue as for the public as well as for all political parties.⁵⁹ It is noteworthy that consensus regarding cancellation of majoritarian rule and transition to proportional election system was already reached between NGOs and oppositional parties before the start of Constitutional Reform, that was supported by the International organizations for over the years.

As a result of 4-month work of the Commission the *ruling party presented a new rule of the election system*. The project proposed cancellation of mixed election system and instead, election of parliament based on proportional election system. *However, rule of distribution of mandates became disputable*: Draft Constitution provided for implementing unlimited amount of mandates as a bonus for the winning party, according to which all undistributed mandates would be awarded to one party. This aspect of the election system was unfair and significantly diminished positive outcome of cancellation of majoritarian system. Additionally, the election blocs were abolished that, under conditions of maintaining 5% threshold, raised risks that as a result of the elections the number of undistributed mandates would be high. Awarding undistributed mandates to one party would endanger political pluralism and facilitate long-term concentration of the power in the hands of one party. *Additionally, according to the proposed amendments rule of electing president through direct vote was cancelled and s/he should be elected though indirect vote, through parliament*. Considering quality of democracy in Georgia and the interests of voters, president should be elected through direct vote, especially considering the fact that cancellation of the mentioned rule was not necessary depending on the parliamentary model.

GYLA spared no effort to support constructive, thorough and consensus-based process of adoption of the Constitution. As a member of the Commission GYLA was actively involved in discussion, as within the commission as well as

⁵² <http://www.gncc.ge/ge/legal-acts/commission/solutions/2017-392-18.page> In March and April 2017, broadcasting company Rustavi 2 aired 2 videos of the political party European Georgia. According to GNCC, these videos contained signs of political agitation and was aired during the non-preelection period that was prohibited.

⁵³ As we have learned, the GNCC: a) was aware of certain cases of airing political advertisement during the non-preelection period; b) the Commission did not consider it as violation to air political advertisement during the non-preelection period; c) on the contrary the Commission considered that it could not respond to the certain facts as the mentioned issue needed to be regulated, that required amendments to the legislative acts;

⁵⁴ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba>

⁵⁵ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.mjTBRJRa.dpbs>

⁵⁶ <http://qartia.ge/media/1000907/2017/12/13/badd1825c38e25633a5887472c328828.pdf> Final report of the election media-monitoring carried out with support of EU and UNDP

⁵⁷ <http://droa.ge/?p=11526>

⁵⁸ http://www.osgf.ge/index.php?lang_id=GEO&sec_id=23&info_id=4935

⁵⁹ However besides the necessity of reform of the election system, GYLA provided recommendations and delivered advocacy on number of other issues (e.g. human rights, gender equality, judicial authority etc.) in the format of constitutional commission.

in public discussion and debates. The organization presented its own recommendations within the frameworks of the constitutional commission, including on election system and rule of electing president GYLA representatives participated in universal public discussion of the constitution revision project that took place across the country.

Furthermore, on the last session of the Commission, when the final decision was made regarding proposed amendments, GYLA presented alternative proposals together with representatives of NGOs and experts, members of the Commission. The mentioned proposals considered fairer rule of distribution of mandates, including by ensuring the preservation of government stability – the main argument of the ruling party in this regard. The Constitution Commission did not accept alternative proposals.

GYLA applied to the Venice Commission together with other organizations⁶⁰ and presented its own opinions prior to publication of report on constitutional amendments.⁶¹ At the same time, GYLA applied to the Venice Commission together with up to 90 organizations of Georgian National Platform.⁶²

It is noteworthy that the Venice Commission assessed introduction of proportional system positively and accepted the civil society opinions regarding distribution of undistributed mandates.

However, on the grounds of disagreement within the team, on the contrary of all existing expectations and initial project, the ruling party postponed implementation of changes in election system to 2024 and maintained majoritarian system and rule of electing president via indirect election was postponed to 2023.⁶³

According to the majority representative, the threshold would be decreased for one time down to 3% for elections 2020.

Decision made by the ruling party on election system was critically assessed by GYLA.⁶⁴ The organization together with other NGOs urged the Parliament of Georgia to devote more time to achieving consensus on constitutional amendments and to postpone discussion on changes and decision making for autumn.⁶⁵

Despite the mentioned, on June 22 and 23, in light of protests of political parties, civil organizations and president of Georgia, the Parliament of Georgia started reviewing the draft within the committees before the Venice Commission Summary was published. The legislative body reviewed the draft law on two hearings at extraordinary sessions and adopted in two days.⁶⁶ In the end, the draft was adopted unanimously, through fully ignoring different opinions.

GYLA assessed this circumstance as direct and intended effort to consolidate power and as a step that represented serious threat to democracy in Georgia. It seems that with the effort to maintain mixed system the ruling party tried to create guarantees that would facilitate to gain advantages on 2020 elections.⁶⁷

Unfortunately broad public and political consensus was not reached on new Constitution and the whole process was accompanied with tense confrontations and increased political polarization. After the adoption of the Constitution by the Parliament by third hearing the President used the right to veto and submitted justified comments, however the Parliament have overridden President's Veto.

Shortly after receiving the new Constitution the Government presented several new amendments to the Constitution that once more proved the problematic and hasty nature of working on constitution.

Amendments to election legislation

Draft law was registered on June 5 in the Parliament that together with other issues envisaged the amendments to the election commission staffing rule.⁶⁸ The aim of the law to be adopted was to improve the activities of the election administration – as stabile institution. However, the changes were more problematic in terms of maintaining loyalty towards the election commission, as well as providing equal election environment between the political parties, as this clearly directed to strengthening positions of the ruling party in the election administration.

⁶⁰ International Society for Fair Elections And Democracy (ISFED), Transparency International – Georgia and Open Society Georgia.

⁶¹ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-veneciis-komisias-mimartaven#sthash.mHg7sAyD.dpbs>

⁶² <https://gyla.ge/ge/post/saqartvelos-erovnuli-platformis-mimartva-veneciis-parlaments#sthash.858O1udU.dpbs>

⁶³ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-saqartvelos-demokratiuli-ganvitareba-safrtkhesia#sthash.ReuWJdxr.dpbs>

⁶⁴ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-saqartvelos-demokratiuli-ganvitareba-safrtkhesia#sthash.Ska0SNRF.dpbs>

⁶⁵ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-parlaments-moutsodeben-konstituciis-proeqtis-gankhilva-daitsyos-sashemodgomo-sesiaze#sthash.dDMgcNZ4.dpbs>

⁶⁶ The text was adopted by the first hearing on the plenary session on June 22; the relevant committees adopted it by the second hearing on June 23 and also on the plenary session the same day.

⁶⁷ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-saqartvelos-demokratiuli-ganvitareba-safrtkhesia#sthash.JG1PvNTW.dpbs>

⁶⁸ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-saarchevno-komisiebis-dakompleqtebis-akhal-tsesze#sthash.XkWJbiw9.dpbs>

For instance, according to the existing rule, Georgian Dream has only one member out of seven members appointed by the parties and in case if the draft is adopted the number would be increased up to three members.

Amendments were prepared by MPs of the ruling party and according to the draft, it should have entered into force after publishing results of 2017 local self-government elections.

As the draft increased risks of politicization of election administration, GYLA urged the Parliament of Georgia not to adopt the mentioned amendments.

Furthermore, GYLA submitted specific considerations regarding the draft to the Parliament, where the representatives of the organization participated in the review of the draft within the committee.⁶⁹ Parliament adopted the disputable draft, however the President did not sign it and returned it to the Parliament with justified comments. Georgian Parliament have overridden President's Veto.

We consider that the rule of staffing of election commissions requires fundamental changes. The higher levels of election administration should be staffed based on professional qualifications that will increase trust towards the election administration. And the normative base regulating commission members' selection competition should be significantly improved during the transition period.

Amendments to the legislation on local self-governments

Several days earlier before the local self-government elections, in June 2017, Government made decision on deprivation of status of self-governance from 7 cities,⁷⁰ that clearly represented digress from declared principles of decentralization reform. The Government named increased expenses as the reason of the mentioned decision.

Negative attitude towards the mentioned initiative was expressed not only by the civil sector, but also by the significant part of population of those municipalities that were planned to unite. This attitude was expressed one more time on demonstrations of citizens during the review of constitution in regions. As it was revealed, there was certain pressure on representatives of local municipalities, for the Sakrebulo to support unanimously amendments proposed by the Ministry. It is noteworthy that the Ministry of Infrastructure and Regional Development developed the mentioned draft without involvement of society and experts. Especially considering the fact that by the end of March, up to 130 non-governmental, community and media organizations applied to the Government of Georgia and Parliament and expressed readiness to get involved in discussion. Unfortunately, the Government failed to express desire of dialogue or consultations.

According to GYLA, decrease of number of self-governing cities is clearly the step backwards as for the self-government reform as well as for the country development that separates population and the government and decreases standard of local democracy.⁷¹ At the same time, deprivation of status of self-governance and their reunion with community municipalities will impede city as well as rural development. Besides, the city that fails to have local authorities elected by the population that are accountable to them, does not have its own revenues, property and budget, loses future perspectives of development.⁷²

Legislative initiative on gender quotation

In September and October 2017, the Parliament adopted law on gender quotation after three committee hearings that was submitted by GYLA together with the other members of the group for Women's Political Participation to the Parliament of Georgia. The mentioned initiative was submitted to the parliament with more than 37 000 signatures of the citizens of Georgia. The legislative initiative implies the obligation of the political parties to complete the election lists in accordance with principles of gender equality for the parliament and self-government elections and have every second candidate of the list of different gender. Furthermore, in this case, if the powers of the elected member are terminated for any reason the mandate of the MP should be received by the next candidate of the same gender. The mentioned initiative is important as it ensures increase of women representation on leadership and responsible positions.

⁶⁹ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebis-mosazrebebi-saqartvelos-organul-kanonshi-saqartvelos-saarchevno-kodeqsi-shesatan-cvlilebebeze#sthash.nLfMdoBY.dpbs>

⁷⁰ Telavi, Gori, Ozurgeti, Ambrolauri, Akhaltsikhe, Zugdidi and Mtskheta municipalities. The mentioned decision was appealed by GYLA to the court.

⁷¹ <https://gyla.ge/ge/post/121-organizaciis-mimartva-savaraudod-7-tvitmartveli-qalaqis-statusis-gauqmebis-shesakheb>

⁷² <https://gyla.ge/ge/post/arasamtavrobo-organizaciata-mimartva>

VII. ACTIVITIES OF THE STATE BODIES

Interagency commission

Pursuant to the Order of the Minister of Justice of Georgia N1238 dated on June 30, 2017, Interagency Commission for Free and Fair Elections was established for 2017 self-government elections (hereinafter Commission) and Commission Statute was adopted⁷³

The Commission issued interim and summary reports for local self-government elections,⁷⁴ they show that in total 88 applications were submitted to the commission from June 30 to November 19, 2017. During the work of the commission as a result of media-monitoring and based on the applications submitted from other sources to the Secretariat, the investigation was launched by the law enforcement organs with the supervision of the Prosecutors Office on 48 criminal cases. On 9 cases out of the abovementioned 48 the investigation was terminated due to absence of the signs of crime and the investigation was still in process on 39 cases. Criminal prosecution was carried out against 9 persons on 4 cases.

GYLA applied to the Interagency Commission with 13 applications during the reporting period based on which the commission urged the relevant authorities to react.

During the reporting period the Interagency Commission held 7 sessions and issued 6 recommendations. The commission: urged the political parties and election subjects participating in the elections to act according to the rules set with resolution N16-38 of Tbilisi Municipality Sakrebulo of 2014 throughout Tbilisi,⁷⁵ so that all the candidates would have opportunity to place printed agitation materials on equal terms. Furthermore, Commission urged local self-government organs to provide proper legal regulations and control over implementation, so that political parties would place agitation materials on equal terms.⁷⁶ The Interagency Commission called for political parties involved in election process and publicly declared candidates willing to participate in the elections to avoid any activities that could develop a perception of using administrative resources for election purposes and would cause putting other political parties or candidates in unequal condition, although the legal act on setting the date of elections was not issued yet.⁷⁷ The commission urged the Heads of Educational resource centers, employees of public schools and kindergartens to avoid politicizing education process.⁷⁸ Furthermore, the Commission urged political parties/blocs to issue clear indication and do not allow verbal and/or physical aggression, pressure or other unethical action from their candidates and ordinary members towards each other or state institutions or their representatives in order to avoid verbal confrontation on political ground.⁷⁹ The Commission urged public servants of central and local government and local self-governments to avoid using personal pages in social networks for political statements and agitation/counter-agitation during the working hours and merge their professional activities from political processes of elections.⁸⁰

It is noteworthy that the violations were still identified even after the recommendations of the Interagency Commission were issued, what is problematic and is due to the fact that the commission lacks the mechanism for monitoring the implementation of recommendations. It should also be noted that the Interagency Commission in fact is a legal platform in terms of exchange of information and opinions on electoral violations and incidents, however it is important that the mentioned agency goes beyond the mentioned mandate and become more active and effective platform.

Election administration

During the election period CEC carried out number of activities to accomplish its goals and obligations under law. Throughout the monitoring period the election administration carried out various positive initiatives and demonstrated innovative approaches that should be assessed positively. E.g. online registration of the parties participating in the elections, novelties for the voters with special needs, defining sequence numbers of election subjects in the earliest terms envisaged by law or signing the memorandum with the Ministry of Internal Affairs. However, at the

⁷³ <https://www.matsne.gov.ge/ka/document/view/3719758>

⁷⁴ <http://www.justice.gov.ge>

⁷⁵ Each election subject has right to post on election poster Each stands for the agitation materials, sized not more than 60 cm length, 42 cm width (A2 format).

⁷⁶ Session of July 17, 2017

⁷⁷ Session of July 31, 2017.

⁷⁸ <http://justice.gov.ge>

⁷⁹ <http://justice.gov.ge>

⁸⁰ <http://justice.gov.ge>

same time, the issues that should be assessed negatively and will not have positive influence on elections environment were revealed during the monitoring. For instance, the issues related to the review of the complaints by the administration, the rule and practice of staffing the election administrations, as well the competence of members of the PECs regarding the procedures of the polling day.

The Central Election Commission worked intensively and held meeting with different involved parties, including the representatives of the district election commissions,⁸¹ media, political parties, local non-governmental and international organizations.⁸²

Development of the services for voters with different needs by CEC for elections of October 21, 2017 should be assessed positively. In particular, providing information in sign language to the voters with hearing impairment in CEC, information/telephone center. Furthermore, first time this year the process of implementation of election registration in electronic format in the Election administration was launched. Political parties used the mentioned system this year. We think that similar services facilitate more the development of equal election environment and furthermore, ensures more involvement of voters with special needs in electoral processes.

- In regards to the elections of the current year, the fact of signing the Memorandum of Cooperation between GYLA, seven NGOs, CEC and Interagency Commission for Free and Fair Elections was significant⁸³ the purpose of which was the consistent definition of norms of administrative resources;
- Besides the non-governmental organizations, CEC signed Memorandum of Cooperation with the Ministry of Internal Affairs of Georgia as well, aimed at conducting the October 2017 local self-government representative and executive bodies' elections in safe and peaceful environment.⁸⁴
- On September 27, 2017 the CEC and 31 local monitoring organizations signed joint Code of Conduct.⁸⁵ Signing the Code of Ethics applied agreement on certain principles of the conduct for the Election Day by the election administration and monitoring organizations.
- The members of central, district and precinct election commissions also signed the Code of Ethics.⁸⁶

Defining the sequence numbers of electoral subjects for the 2017 self-government elections in the earliest terms defined by the law should be assessed positively.⁸⁷ It is noteworthy that in accordance with Election Code of Georgia the sequence numbers of electoral subjects shall be defined not later than 30 days before the Election Day. However, in order to promote the equal election environment for the subjects and considering the recommendation of the non-governmental organization Multinational Georgia,⁸⁸ CEC carried out the procedure of casting lots and defined the sequence of numbers of electoral subjects in the shortest possible terms defined by law, upon expiration of terms for the authorized party/electoral bloc to request sequence of numbers.⁸⁹

The information on possible inappropriate intervention in staffing of the PEC and staffing of the election commissions with persons based on professional qualifications and related to the ruling party was spread during the pre-election period.⁹⁰ The mentioned tendency was observed during number of past elections, including 2016 parliamentary elections.⁹¹ The mentioned practice directly contradicts objectives and spirits of the legislation.

The cases when those persons were elected in PECs based on professionalism, who recently represented different parties in Election administration were also observed.⁹² Despite the fact that such cases do not represent the direct

⁸¹ <http://cesko.ge/geo/list/show/111015-samushao-shekhvedra-saolqo-saarchevno-komisiebis-khelmdzghvanel-pirebtan>

⁸² <http://cesko.ge/geo/list/show/111296-shekhvedra-NDI-is-grdzelvadian-sadamkvirveblo-misiastan>
<http://cesko.ge/geo/list/show/111510-shekhvedra-eutos-demokratiuli-institutebis-da-adamianis-uflebata-ofisis-sadamkvirveblo-misiastan>
<http://cesko.ge/geo/list/show/111754-shekhvedra-amerikis-sakhelmtsifo-departmentis-da-ashsh-s-saelchos-tsarmomadgenlebtan>

⁸³ <https://gyla.ge/ge/post/urtierttanamshromlobis-memorandum#sthash.qb4r5KB8.dpbs>

⁸⁴ <http://cesko.ge/geo/list/show/111631-tseskosa-da-shss-s-shoris-urtierttanamshromlobis-memorandum-gaformda>

⁸⁵ <https://docs.google.com/viewerng/viewer?url=https://gyla.ge/files/gallery/logoebi/untitled+folder/Newsletter+4+GE.pdf> page 5

⁸⁶ <http://cesko.ge/geo/list/show/112352-etikis-kodeqsi>

⁸⁷ <http://cesko.ge/geo/list/show/111488-tsentrallurma-saarchevno-komisiyam-saarchevno-subieqtetbis-rigiti-nomrebi-gansazghvra>

⁸⁸ <http://cesko.ge/geo/list/show/111237-tamar-jvania-mravalerovani-saqartvelos-tsarmomadgenlebs-shekhvda>

⁸⁹ The mentioned fact is assessed positively in the interim monitoring report of the NDI- <https://www.ndi.org/sites/default/files/NDI-GE%20EOM%202017-IR-GEO.pdf> page 13

⁹⁰ <http://rustavi2.ge/ka/news/83523>

⁹¹ <https://gyla.ge/files/news/2008/%E1%83%90%E1%83%A0%E1%83%A9%E1%83%94%E1%83%95%E1%83%9C%E1%83%94%E1%83%91%E1%83%98-2016-GEO.pdf> page.22

⁹² E.g. 272 members out of 612 selected by Batumi District Commission were nominated to the commission with party list on various elections. 177 members out of 390 selected by Kobuleti District Election Commission were nominated to the commission with party list on various elections.

violation of law, we consider that they cast doubt on issue of selecting the independent staff with reliable reputation and high qualification and as well on the issue of the trust of the society towards the election administration.⁹³

The existence of “predefined lists” was also observed. According to GYLA monitors, on the sessions for selection of members of PECs, the members of the DEC had marked in advance those candidates on the draft lists that they were planning to support. However, according to the members of the commission, the mentioned was conducted just to hold the meetings effectively. Similar to previous year, through monitoring the sessions of selection of members of the PECs it was observed that in some cases the DEC elected those persons as the members of the PECs that were imposed disciplinary liability during the past year elections. This fact should be assessed negatively.⁹⁴

The process of reviewing the complaints should also be assessed negatively. In most cases when reviewing the complaints submitted during the elections, the election administrations of different levels have not studied in detail the materials provided in the case, and made decisions only based on explanatory statements of the alleged offender.⁹⁵ The election administration narrowly interpreted the law that created the impression that it deliberately avoided to exercise the authority in regards to number of issues.⁹⁶

GYLA submitted 9 applications on the cases of violation of rules of pre-election campaign. The election administration rejected 5 complaints/applications of GYLA and refused to draw up protocol on administrative violation, in 1 case the complaint was partially satisfied by the CEC and protocol on administrative violation was drawn up on one case and was filed to court.

The facts of menace against the DEC, ruining the buildings of election administration and interfering in its activities was observed during pre-election period.⁹⁷ We consider that such facts clearly harm the interests of the country and jeopardizes the peaceful and stabile elections environment, affects conducting the elections in healthy environment that ultimately affects the quality of democracy and governance in the country.

The monitoring revealed number of cases when the elections administration draw up protocol of offence against certain persons for violating the Article 91¹ of the Election Code of Georgia (Interference with functions and activities of election commission). The court imposed them with fine 500 GEL based on the mentioned protocols.⁹⁸ Given the precedence nature of the issue and the importance of the legal norm GYLA represented one of the persons in the court.

91¹ was added to the Election Code based on the amendments of July 26, 2017. The amendments are problematic and GYLA discussed it together with partner organizations at publishing the draft law. The Article is problematic as far as there is a risk of using it unjustified.

Based on the amendment of the Election Code before the elections,⁹⁹ CEC defined the rule of accreditation of the press and mass media for attending and video recording the sessions of the election commission during non-election period.¹⁰⁰ According to the General Administrative Code of Georgia the session of the collegial public institution is public. The session can be closed only on the grounds of reviewing the information containing personal data, state or commercial secrecy. Considering the abovementioned, there was no need or necessity to establish the additional regulations in terms of attending commission sessions of the collegial public institution, especially when it comes to press and mass media.

⁹³ The similar position is stated in NDI interim report. There is also reference to the incompetence of the commission members. Namely, the report indicates that in number of districts the commission members were not trained and were not aware of the training dates. At some precinct election commission several members were confused regarding their statues and were not sure whether was selected by professional qualifications or by party. <https://www.ndi.org/sites/default/files/NDI-GE%20EOM%202017-IR-GEO.pdf> -page-9-10

⁹⁴ Akhalkalaki -10, Akhaltsikhe - 9, Kaspi - 7, Gori - 7, Kareli - 25, Khashuri - 2, Adigeni - 2, Aspindza - 1, Chiatura - 2, Tskaltubo -19, Vani -6, Zestaponi -14, Tkibuli 7, Bagdati - 9, Khoni - 5, Kharagauli - 10, Kutaisi - 82, Marneuli -13, Gardabani - 6, Bolnisi - 3, Tetrtskaro -2

⁹⁵ E.g. while considering the complaint regarding the fact of the arrival of the head of one of the divisions of Chokhatauri Municipality Gamgeoba on presentation of mayoral candidates with service car of Gamgeoba, applicant was not involved in the proceedings of the case by Chokhatauri DEC, neither have the commission provided the applicant any information regarding the case proceedings and the Chair of Chokhatauri District Election Commission have not expressed any interest regarding considering the opinion of the applicant.

⁹⁶ <https://www.gyla.ge/files/news/2006/მეორე%20მუალედური%20ანგარიში-19.10.pdf> - page 14-15

⁹⁷ <https://www.gyla.ge/files/news/2006/მეორე%20მუალედური%20ანგარიში-19.10.pdf> - page 13-14

⁹⁸ The election administration draw up a protocol of offence against the Labor Party Telavi mayoral candidate on under the Article 91¹ of the Election Code of Georgia, the protocol was filed to court. GYLA represented the mayoral candidate in the Court. Samtredia District Court recognized the representative of the Christian-Conservative Party as an offender and imposed fine of 500 GEL. The protocol of offence against him was drawn up Samtredia election commission.

⁹⁹ <https://gyla.ge/index.php/ge/post/print/arasamtavrobo-organizaciebis-mosazrebebi-saqartvelos-organul-kanonshi-saqartvelos-saarchevno-kodeqsi-shesatan-cvlilebebz>

¹⁰⁰ Resolution of the CEC 08.08. 2017, #27/2017

Registration of election subjects

Before official launch of pre-election campaign the election administration refused the registration of initiative groups in Gori and Telavi, also, NGO in Ozurgeti, as the date of the elections was not announced yet and there was no proper legal act regarding setting the date of Election Day. We consider that the mentioned disputes revealed number of legislative gaps that on one hand are related to the election registration of political parties and initiative groups and on the other hand – to involvement of public organizations in election administration.¹⁰¹

More than 300 candidates for electoral subjects were registered for 2017 elections, out of which, after withdrawal of candidacies, 22 political parties, 5 election blocs and from the initiative groups – 11 mayoral candidates and 190 majoritarian candidates remained. Two political parties, two electoral blocs and two independent candidates participated in the second round of elections held in 6 districts on November 12, 2017.¹⁰²

Four political parties were refused to register by the election administration. In one case the refusal was based on the paragraph 10 of the Article 142 of the Election Code of Georgia, as the subjects have not submitted the list of supporters in order to correct mistakes, and as regards the other three cases the registration was cancelled based on the personal statement.¹⁰³

During the local self-government elections it was revealed that the term defined by the election legislation for the independent candidates to collect the lists of supporters and submit to the election administration is unreasonable and cannot provide the principle of equality of the electoral subjects before the law.

The deadline of collecting the signatures and submitting to the election commission is set by the Election Code, according to which the deadline for submitting the signatures is not later than 50th day before the elections, e.g. if the elections were to be held on October 21, the deadline was September 1. According to the law, the CEC also defined the quantity of the signatures of supporters– 1%.

Considering the fact that the number of voters in Tbilisi is significantly high - 958 729 voters, accordingly the number of supporters' signatures is higher compared to the other cities – minimum quantity of the signatures - 9 587. Accordingly, the tightened one week term created problems for Tbilisi mayoral candidate unlike the mayoral candidates of other parties, whom the term does not apply.

We consider that in this case the term defined for the independent candidate to submit the signatures is unreasonable. Thus the legislation should be revised, to increase the term defined for the independent candidate.¹⁰⁴

Pre-Election Campaign Finance and the State Audit Service

During the reporting period the State Audit Service published the report of the monitoring of local self-government elections.¹⁰⁵

In total the political parties have received **27,942,872** GEL income. Budgetary funding was received by 14 electoral subjects in total and the funds for reimbursement of targeted TV advertisements – by 13 political parties.¹⁰⁶

From June 1 to November 19, 2017, more than 90% of total **16,418,892** GEL donations – **14,815,653** GEL was received by Georgian Dream, **951,834** GEL by the European Georgia – Movement for Freedom, **134,700** GEL by the United National Movement, **66,392** GEL by the Alliance of Patriots of Georgia.¹⁰⁷

¹⁰¹ GYLA is currently working on and in the nearest future will publish the legal analysis of the relevant disputes

¹⁰² Should be noted that the political party, United National Movement refused to participate in the second round of elections to be held in Kutaisi self-governing city after the results of the first round were announced.

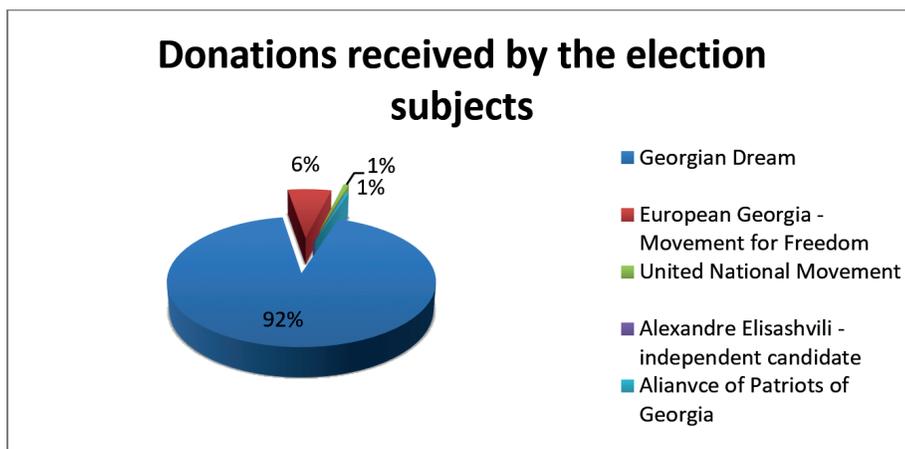
¹⁰³ <http://cesko.ge/res/docs/20170926193029Partiebiuari19.09.2017GEO.pdf>

¹⁰⁴ <https://gyla.ge/ge/post/sainformacio-biuleteni-1#sthash.N3NJxczw.1764t29A.dpbs>

¹⁰⁵ <https://monitoring.sao.ge>

¹⁰⁶ <https://monitoring.sao.ge>

¹⁰⁷ <https://monitoring.sao.ge>



It is noteworthy that the major part of the donations is made by natural persons. As regards the donations made by legal entities, during the election period in total 70 donor legal entities are identified, 60 out of which are the donors of ``the Georgian Dream – Democratic Georgia`` and the rest 10 legal entities in total with 5,711 GEL are the donors of 4 political parties and three independent candidates.

During election period **4,422,334.00** GEL donations were made by the legal entities.¹⁰⁸ Should also be noted that the major part of the donations of legal entities (99.87%) was received by the Georgian Dream, in total **4,414,563 GEL**. Furthermore, the donations towards the ruling party was mainly conducted in monetary form. Other election subjects received mainly non-monetary donations.

In total **118,346** GEL non- monetary donations were made by natural persons and legal entities. The United National Movement have received the biggest non-monetary donation from natural persons 26,527 GEL and Georgian Dream from legal entities – 40,213 GEL. Should also be noted that major part of the independent candidates have donated themselves for their own campaigns.¹⁰⁹

According to the State Audit Service, 6 election subjects, participating in the second round of election of 2017 local self-government elections received in total **1,788,650.00** GEL donations from October 23 to November 30. The major part of which is received by the Georgian Dream - 1,788,100.00 GEL, then comes the independent candidate Konstantine Sharashenidze, that received donation of 500 GEL and on the third place is United National Movement – 50 GEL donation. The rest three subjects have not received any donations in this period.¹¹⁰

As regards the expenses (costs) of the political parties, the expenses of political parties during the pre-election campaign totaled **27,270,568** GEL, out of which up to 65% of the total sum is spend by Georgian Dream. Georgian Dream – **17,600, 948** GEL, the United National Movement - **2, 078, 378** GEL, the Alliance of Patriots of Georgia- **1, 523, 360** GEL and the European Georgia – Movement for Freedom- **1, 484, 891** GEL.

65 independent candidates were identified with expenses and donations. Incomes received by the candidates were identical to received donations and the expenses were a little less as the part of the candidates received non-monetary donation.

Tbilisi mayoral candidate Alexandre Elisashvili has received the largest part of donations among the independent candidates, who had expenses of **123,105** GEL and received in total **148,912** GEL monetary and non-monetary donations.¹¹¹

As regards the donations to the political parties, participation of donors of the ruling party in simplified procurements announced by the state bodies was interesting during the 2017 elections.¹¹² In particular, according to the media information¹¹³ and the research of the non-governmental organization International Transparency Georgia¹¹⁴ it was

¹⁰⁸ <https://monitoring.sao.ge>

¹⁰⁹ <https://monitoring.sao.ge>

¹¹⁰ <https://monitoring.sao.ge/donations>

¹¹¹ <https://monitoring.sao.ge>

¹¹² <https://www.gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.5to3tEZs.bKZc1Aye.dpbs>

¹¹³ <http://rustavi2.ge/ka/news/87686>

¹¹⁴ <http://www.transparency.ge/ge/post/politikuri-partiebis-dapinanseba-2017-clis-adgilobrivi-tvitmmartvelobis-archevnebis>

revealed that legal entities, donors of the Georgian Dream have participated in tenders announced recently by the State and local self-governments and have won.¹¹⁵ Should be noted that such cases, when the opposition parties have difficulties to get the funding, gives huge advantage to the ruling party and thus weakens the competition between the political parties. Such an unequal distribution of funds and resources has a negative impact on election environment.

- **Assessing the Activities of the State Audit Service**

The creation of consultation commission during the reporting period with the initiative of State Audit Service for the 2017 local self-government elections should be assessed positively, that is aimed to promote transparency of the State Audit Office in regards to monitoring of funding of political parties. It is noteworthy that GYLA participated in the work of commission together with 15 other non-governmental organizations.

In order to study donations for 2017 elections the State Audit Service has sent requests regarding revenues of natural persons and as regard the legal entities, they are examined in order to study their final beneficiaries, participation in procurement and received revenues. Due to additional questions that have arisen during the analysis of donations, donors of different parties were summoned on questioning. The request was sent regarding 640 natural persons.¹¹⁶

During the elections 5 protocols of offence were drawn up by the Service against the political parties and 128 protocols against the independent candidates that were lodged with the Tbilisi City Court. The grounds for the protocols in the mentioned cases were failure to provide the requested information and unsubmission of the declarations.¹¹⁷

Besides the abovementioned, based on the submitted complaints and information received via monitoring the State Audit Service started the administrative proceedings regarding number of cases. Out of (19) submitted complaints and (3) informations obtained via media-monitoring, the inquiry was started on 16 cases, out of which 4 complaints were only on cases of alleged interference that do not fall under the competence of the Service. 15 cases out of launched 16 are finished, on 2 cases out of which remark is sent, 1 case is sent to the respective competent agency, 1 case is still investigated to obtain additional information and 12 cases are terminated due to decision of non-confirmation of the violation.¹¹⁸

During the pre-election period of 2017 local self-government elections GYLA submitted in total 3 applications to the State Audit Service regarding alleged violations and urged for proper respond, however in all three cases the State Audit Service did not establish the violation.¹¹⁹

For instance, after considering GYLA applications regarding charity match held at Dinamo Arena, the State Audit Service established that there was no violation in the mentioned case and as regards the organized attendance of employees of Tbilisi kindergartens on pre-election meeting of Tbilisi mayoral candidate, where the means of transportation were utilized to transport the employees, the State Audit Service stated on GYLA application that the mentioned alleged violation could not be considered as violation under the mandate of the State Audit Service and in this case the Chair of CEC, as well the authorized persons of CEC and respective district election commission were authorized to compile the protocols of administrative offence, that as we consider is unjustified.

Besides responding to failure to provide the information and un-submission of declarations, the State Audit Service was less effective in terms of reacting on different alleged violations.

One of the actual problems for 2017 local self-government elections was the case when the new General Auditor dismissed all the deputies of the previous Auditor except one, before the voting day,¹²⁰ who used to serve as the Minister of Regional Development and Infrastructure, and as the General Director of Bidzina Ivanishvili's own bank Cartu. It is noteworthy that the new General Auditor is absolutely authorized to appoint the deputies desired by

¹¹⁵ Donors of Georgian Dream, 31 legal entities and 49 companies, that were related to donor natural persons, donated in total 3 705 523 GEL in favor of ruling party; in 2017 15 companies out of 31 donor companies of Georgian Dream gained the contracts based on the simplified tenders with total amount of 2 145 022 GEL; the same companies donated 1 021 793 GEL in favor of the ruling party during the reporting period.

¹¹⁶ <https://monitoring.sao.ge/files/finansuri%20monitoringi/Cases-2017.pdf>

¹¹⁷ <https://monitoring.sao.ge/files/finansuri%20monitoringi/Cases-2017.pdf>

¹¹⁸ <https://monitoring.sao.ge>

¹¹⁹ 1) The first application was regarding the Charity match "World Stars for Georgia" held on Dinamo Arena where Tbilisi mayoral candidate of the ruling party also participated. We consider that the expenses taken by the Football Federation to organize the mentioned event was the donation towards the election subject and Football Federation, as Non-entrepreneurial (Non-commercial) Legal Entity was not authorized to provide. 2) the second application was regarding the participation of foreign citizen in the pre-election agitation in favor of Tbilisi mayoral candidate Kakha Kaladze during the same charity match; 3) the third application was regarding organized attendance of employees of Tbilisi kindergartens on pre-election meeting of Tbilisi mayoral candidate of the ruling party.

¹²⁰ <http://sao.ge/news/928>

him/her, but the fact that politically neutral deputies were dismissed and post was kept by the ruling party-affiliated deputy, creates doubts on political motivation if the decision.¹²¹

VIII. PRE-ELECTION PERIOD

Facts of misuse of administrative resources for election purposes

12 cases of misusing administrative resources, 5 cases of illegal participation in pre-election agitation were identified by GYLA monitors during the reporting period. GYLA lawyers have applied to the election administration and election commissions with proper applications.

It is noteworthy that before the official launch of the campaign, certain activities were carried out and the tendencies were that created an impression that mentioned activities carried out through using administrative resources were aimed at winning the hearts of voters. In particular:

- Changes of budgets and directing the funds to social and infrastructure projects, also preschool institutions were observed in some municipalities;
- Certain projects were carried out, that were short term, coincided with election period and were charity projects. This kind of projects offered the population free of charge medical examinations and services;
- High officials of local government studied infrastructural projects, conducted meetings with population, expressed interest for their problems and provided the updated information for current and future problems. For instance, State governors, their deputies, mayors and Gangebelis of the municipalities, also other high officials of local self-government bodies often attended free healthcare events.

After the start of the pre-election campaign, it was observed:

- The active mayors and Gangebelis, that at the same time were registered as candidates, were carrying out the pre-election campaign from their official positions and presumably used administrative resources for this purpose.
- The cases of using resources of persons employed in budgetary organizations in favor of ruling party was also revealed in pre-election period. In particular, the employees of public schools, kindergartens, non-commercial legal entities were attending ruling party pre-election meetings in groups that created the impression that these types of attendances were well-organized and obligatory that was confirmed in separate cases.
- Some cases were revealed when there were the risks of politicizing the education processes. Including the cases of agitation in favor of ruling party candidates by the heads, directors and teachers of resource-centers,¹²² as well the cases when the lessons were conducted using the party symbolic.¹²³
- As in Tbilisi as well in regions the cases of attending the events in favor of ruling party and mobilization of “supporters”, including using the resources of employees of the kindergartens.
- The cases of using personal pages in social networks by the public employees for political statements were also observed.¹²⁴
- The cases of counter agitation via social networks were also important, that had a permanent nature and was carried out against different subjects through anonymous, sponsored pages that was reflected negatively on election environment.¹²⁵

Such facts represent presumably misuse of administrative resources in favor of the ruling party and contradicts Article 5.4 of OSCE Copenhagen Document that requires clear separation between the State and political parties. According to the mentioned Article political parties shall not be merged with the State.¹²⁶

¹²¹ <https://gyla.ge/ge/post/generaluri-auditoris-gadatsyvetileba-politikuri-motivaciis-etchvebs-achens#sthash.no4Ef2T4.v076RdW1.dpbs>

¹²² Kvareli and Zugdidi

¹²³ Borjomi and Shuakhevi.

¹²⁴ <http://www.justice.gov.ge>

¹²⁵ Should be noted that the respective bodies failed to study the information on donors of anonymous pages created in social networks and aimed at counter-agitation and failed to respond to these facts.

¹²⁶ <http://www.osce.org/odihr/elections/14304?download=true>

Cases of menace, pressure and physical violence

During the reporting period **more than 10 cases of alleged menace/pressure** and **7 cases of physical confrontation** were revealed by GYLA monitors.

No large scale cases of violence were observed in pre-election period. However, as the voting day approached the cases of pressure and menace on the alleged political grounds have increased.¹²⁷ As reported during the reporting period, the candidates of different oppositional parties have withdrawn own candidacies due to pressure or gaining over. In number of districts the persons registered as election subjects have withdrawn the candidacies presumably due to pressure.¹²⁸ Significant information regarding presumably pressure and menace was reported in those municipalities, where the active Gamebelis were no more supported by the ruling party and were the competitors of candidates nominated by the Georgian Dream. In certain cases the public employees and teachers presumably were asked to work in favor of the ruling party. Supporters of the opposition parties and independent candidates spoke about threats of dismissal from work against them or their family members.¹²⁹

Regarding the abovementioned cases, based on the obtained information that was verified with the first source, GYLA urged the Interagency commission for proper reaction.¹³⁰

According to the final report of the Interagency Commission, as a result of media-monitoring and based on the applications submitted from other sources to the Secretariat, the investigation was launched by the law enforcement organs with the supervision of the Prosecutors Office on 48 criminal cases;¹³¹ According to the report of the commission, on 9 cases out of the abovementioned 48 the investigation was terminated due to absence of the signs of crime and the investigation was still in process on 39 cases. Criminal prosecution was carried out against 9 persons on 4 cases.¹³² Non-custodial measure, bail was used against 6 persons out of 9, no preventive measures were used against 2 persons and no measures of restriction was requested and diversion was applied against one person.¹³³

It is noteworthy that although the investigation was launched on alleged cases of pressure, certain cases were left without legal respond. For instance the law enforcement bodies failed to show any interest towards the reported information via mass media on the case of collecting lists of supporters or Georgian Dream for the directors in the kindergartens of Tbilisi.

Cases of interference in pre-election campaign

Numerous facts of interfering in dissemination of agitation materials was observed during the reporting period, including tearing off the agitation posters, postering on others posters, damaging. The cases of interfering pre-election meetings were also observed. It is noteworthy that ruling party also mentioned the facts of interference (counter-actions and damaging elections materials).

Applications on 18 cases of covering/tearing off/damaging the agitation material by the different subjects were submitted to the Interagency Commission.¹³⁴

Cases of physical abuse were also identified in the reporting period in addition to the facts of detaining the representatives of opposition parties.

On September 25, 2017 the Interagency Commission urged the electoral subjects to issue clear indication and do not allow verbal and/or physical aggression, pressure or other unethical action from their candidates and ordinary

¹²⁷ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba#sthash.IAOh2nEu.dpbs>

¹²⁸ According to official data, 196 candidates of Sakrebulo and 21 mayoral candidates were withdrawn from registration in various districts within the terms envisaged by law for withdrawing the candidacy. <http://cesko.ge/res/docs/Majoritarebimoxsnili10.10.2017GEO.pdf>; <http://cesko.ge/res/docs/Merebimoxsnili10.10.2017GEO.pdf>

¹²⁹ <https://gyla.ge/ge/post/2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebi-tsinasaarchevno-garemos-shefaseba>

¹³⁰ <http://justice.gov.ge/Ministry/Index/1502> Find detailed information regarding pressure, manacle and physical violence in the annex.

¹³¹ Including: Under Article 124 of the Criminal Code of Georgia (Grave or less grave bodily injury through negligence – 1 case); Article 126 (Violence – total 12 cases); Articles 126 and 151 (Violence and Threat – 1 case); Articles 126, 118 and 120 (Violence, Intentional less grave bodily injury and Intentional less grave bodily injury – 1 case); Article 177 (Theft – 2 cases) Article 187 (Damage or destruction of property – 13 cases); Article 333 (Exceeding official powers – 12 cases); Article 151 (Threat – 2 cases); Article 150 (Coercion – 2 cases); Article 162¹ (Violence Conducted during the election campaign – 1 case) and Article 164¹ (Vote buying – 1 case)..

¹³² Including: Under Article 151 of the Criminal Code of Georgia (Threat – against 1 person); Article 126 (Violence – against 6 persons); Articles 118 and 120 (Intentional less grave bodily injury and Intentional less grave bodily injury – against 1 person) and Articles 126 and 151 (Violence and Threat – against 1 person).

¹³³ <http://www.justice.gov.ge>

¹³⁴ 8 cases out of which were regarding covering/tearing off/damaging the agitation material of European Georgia, 2 cases of Movement for Building, 2 cases of New Georgia – Political Platform and 6 cases of ruling party – Georgian Dream – Democratic Georgia.

members towards each other or state institutions or their representatives in order to avoid even verbal confrontation on political grounds.¹³⁵

Cases of dismissal from work

The cases of dismissal from work during these elections was not as frequent as in past years. One case of dismissal from work on alleged political grounds was revealed through local self-government elections.¹³⁶

IX. ELECTION DAY

First Round

GYLA monitored the October 21, 2017 local self-government elections through **510** monitors in Tbilisi and **9** regions of Georgia.

The polling process was mainly conducted in peaceful environment throughout the country. Although there were no cases of violence, certain violations were observed that are beyond the procedural problems (e.g. pressure on monitors and creation of unfavorable working environment). Tabulation of results was conducted with violations of law at various precincts. Number of cases were revealed when the precinct commission did not provide the summary protocols received from the precincts to the monitors. In some cases receiving and sorting the election documentation was conducted in chaotic manner. On the voting day, as a result of CEC intervention, the mentioned violations were eliminated.

Collecting voters' data and mobilizing the voters by the ruling party was well organized and large-scaled, especially in Tbilisi. Throughout the entire day, at the polling stations, the representatives of political parties "Georgian Dream", "Leftist Alliance" and observer organization "New Word" were standing near the registration table or queue supervisors and were copying the identity data about voters.

Throughout the day it became clear that these subjects were interested in number of visiting voters, but their identity, to identify the absent voters. Number of our observers has confirmed that after the party representatives have copied the identities of voters the party coordinators outside the polling station discussed the identities of absent voters and mobilized them to vote.

The mentioned process was assessed by GYLA as the control over voters' will. Despite the number of urges the CEC not only have not responded to such cases but have even justified and encouraged these facts by its public statement.¹³⁷

When assessing the 2017 elections GYLA focused on spatial problems in DECs that have existed for many years and despite the recommendation issued by CEC in August, have not been eliminated yet.

According to GYLA, placement of DECs and spatial arrangement fails to create proper conditions to conduct thorough monitoring and that prevents the transparency of the election processes. There were cases revealed when some members of the commission would gather separately during the day to discuss certain issues, however these discussions, together with the general processes at the district, were held behind the closed doors and the content was not open and available for the monitors. Such cases hindered the transparency of the processes at the DECs.

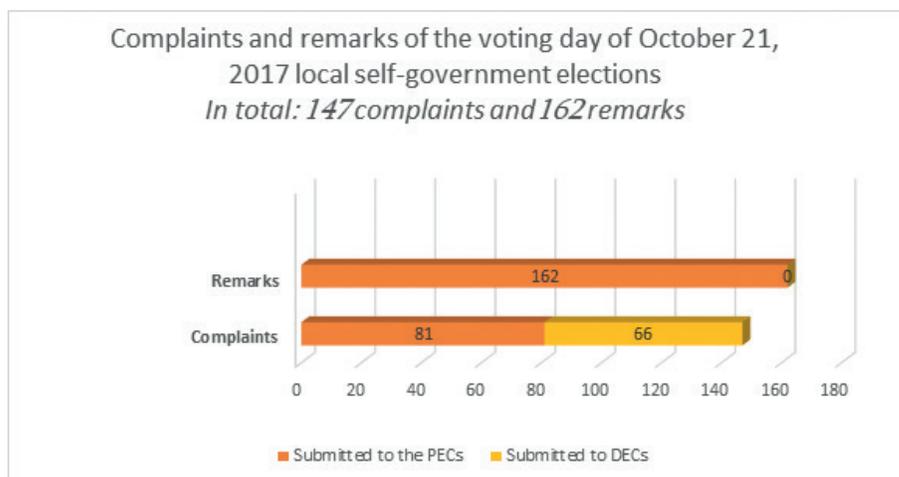
According to the monitoring, the part of the precincts were not adapted for the persons with disabilities.

¹³⁵ <http://www.justice.gov.ge>

¹³⁶ Find the Annex #5

¹³⁷ <https://gyla.ge/ge/post/saias-shefaseba-2017-tslis-adgilobrivi-tvitmmartvelobis-archevnebis-dghestan-dakavshirebit#sthash.vtwPtkvs.dpbs>

GYLA monitors have filled in 147 complaints (66 out of which on the level of the DEC) and 162 remarks during the voting day.



X. SECOND ROUND

Pre-election period

Second round of mayoral elections was conducted in tense environment in Ozurgeti where the candidate of the ruling party and independent candidate nominated by the initiative group opposed each other.

The members of the election headquarters of the independent candidate talked about the alleged pressure and menace.¹³⁸

The United National Movement refused to participate in the second round of elections. Accordingly the mayoral candidates of the party have not participated in the pre-election campaign in Kutaisi and Martvili. As the current legislation did not envisage the withdrawal of the candidacies from the second round of local self-government elections, despite the unwillingness to participate in the elections, both mayoral candidates were indicated on bulletins in both districts. Considering the abovementioned there actually was no contest between the participating candidates in Kutaisi and Martvili districts.

Election day

GYLA observed second round of October 21, 2017 Mayoral elections of self-governing city/self-governing community held on November 12, 2017 in Kutaisi, Martvili, Ozurgeti, Khashuri, Borjomi and Kazbegi.

Static observers were placed in every election precinct of Khashuri, Borjomi, Ozurgeti and Kazbegi. We managed to observe problematic precincts and adjacent territories through mobile team in Martvili and Kutaisi districts.

The voting process was conducted mainly in peaceful environment. The only exception was Khashuri, where the incident took place between the supporters of the ruling party Georgian Dream and independent candidate.¹³⁹ The situation was quickly eased by police intervention. GYLA has released the statement and urged the law enforcement organs to investigate the mentioned fact in timely manner and objectively.¹⁴⁰

The issue of **considering those bulletins valid where the voter has clearly indicated his/her will** was observed at number of precincts of Ozurgeti:

¹³⁸ Find the detailed information in Annex

¹³⁹ November 12, at the end of the day there was the confrontation between the supporters of independent mayoral candidate in Khashuri, Ramaz Nozadze and mayoral candidate of Georgian Dream. According to our information, the supporters of Georgian Dream, who drove the vehicles around the city, threw torches at Ramaz Nozadze office. Following the incident Ramaz Nozadze supporters left the office and supporters of independent mayoral candidate, in total 3 persons, including one young woman were injured during the physical confrontation. Based on independent candidate's headquarters information, several public servants employed in Khashuri self-government were participating in the incident. The police arrived on site on time and managed to ease the situation. Police checked supporters of the independent candidate on alcoholic intoxication and filled in administrative offence report against one of them for driving in a state of alcoholic intoxication. However, according to the supporters of the independent mayoral candidate, the police have not checked on alcoholic intoxication the supporters of the Georgian Dream that participated in the incident.

¹⁴⁰ <https://gyla.ge/post/saia-khashurshi-momkhdar-incidentis-srulyofil-gamodziebas-itkhovs#sthash.T0E8aMYJ.dpbs>

Nasakirali precinct (Ozurgeti #59 precinct) should be particularly emphasized in this context, where disturbance was created during the vote counting process. The developments have left the impression that after the results in favor of the independent candidate were revealed, there was an attempt to deliberately mess up the situation and annul the results groundlessly.

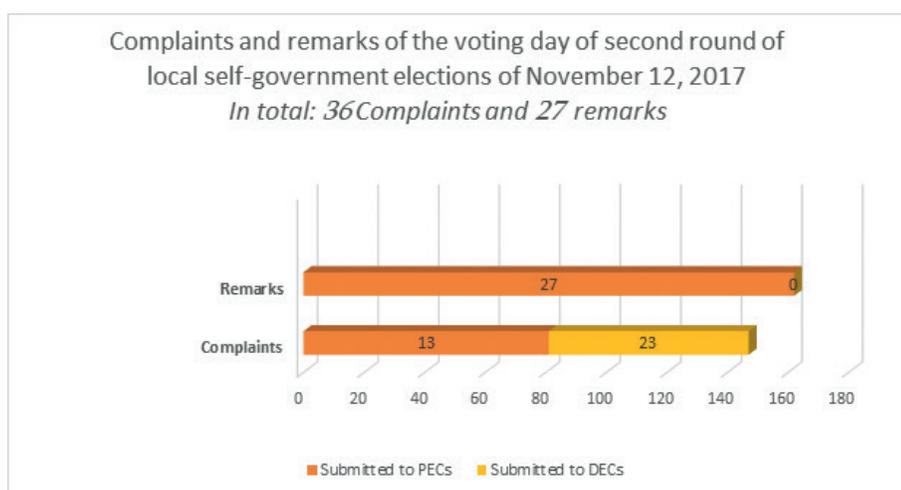
According to the information of our observers, the PEC considered the bulletins invalid at Ozurgeti #12 and #59 precincts unjustifiably, on which one candidate was marked in circle and the other was crossed by X.

Vicious practice still continued on the voting day when unidentified persons (presumably coordinators and activists) with lists were mobilized on adjacent territory and registered voters arrived at the polling station. Moreover, the voters were transported to the precincts with mini-buses and taxi thought the voting day.

Several cases were revealed at Borjomi district where the number of issued bulletins exceeded by 2 the number of signatures of the voters at the same precincts (4 cases in total), the problems with mobile ballot boxes were also revealed at several precincts.

Summary protocols taken by GYLA observer from the Kazbegi #3 precinct and the protocols of the same precinct uploaded on the CEC web-page were different. In the summary protocol taken by the GYLA observer from the precinct the date and time of drawing up the protocol was not indicated in the protocol.

GYLA monitors have filled in 36 complaints (23 out of which on the level of DEC) and 27 remarks during the voting day.



The complaints were lodged regarding the following violations:

- Improper fulfilment of duty by the members of the election commission – 12 cases.
- Number of bulletins issued exceeded the number of signatures of the voters in the list of voters – 4 cases
- Violations related to the mobile ballot boxes – 3
- Control over voters’ will – 10 cases
- Violation of secrecy of voting – 1 case

XI. POST-ELECTION PERIOD

The Georgian Young Lawyers’ Association observed the post-election period during the first round of elections at **46 DECs** and during the second round of elections – at **6 DECs**. In case if violations were observed GYLA lodged respective complaints to the precinct and district election commissions and court.

It should be noted that the post-election day complaints mainly dealt with inaccuracies in the summary protocols of the PECs that still remained problem on these elections:

- Unmatched filling of summary protocols;
- Lack of signatures and commission stamps;
- Misbalance (Lack or surplus);
- Drawing up protocol of corrections in violation of legislation, when the administrative proceedings were not fully conducted and the circumstances related to the case were not studied thoroughly.

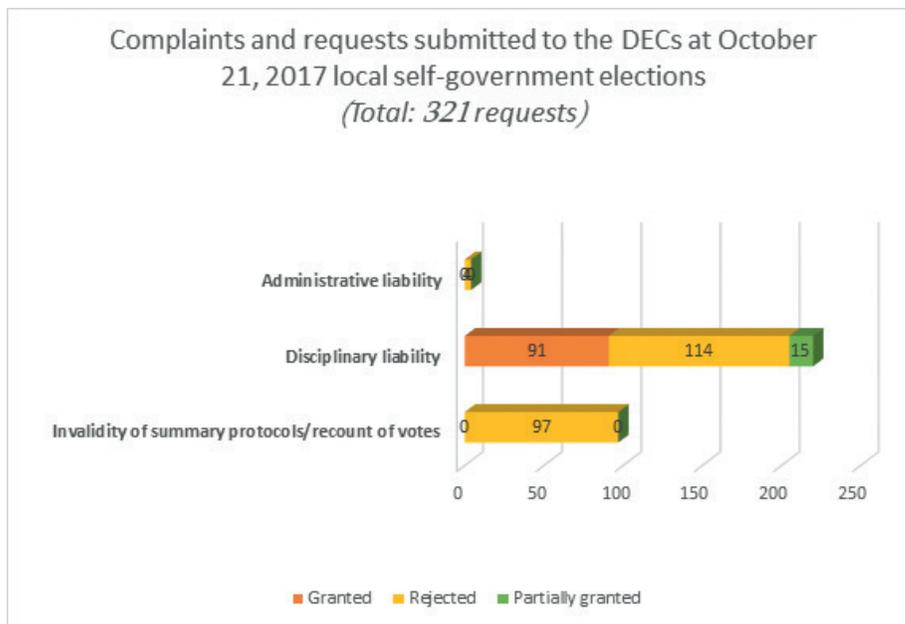
The complaints submitted by GYLA monitors on the voting day and post period mostly were regarding:

- Processing personal information of the voters by the representatives of the electoral subjects;
- Improper implementation of authority by the members of the commission and violation of procedure of casting lots;
- Violations related to the procedures of casting lots;
- Restricting the rights of the monitors;
- Violations related to the tabulation of results.

GYLA represented the electoral subject in court on two cases.¹⁴¹

GYLA studied the activities of Tianeti district commission and urged the law enforcement organs to study the issue.¹⁴² The court has established that Tianeti district commission opened annulled bulletins received from Tianeti #20 precinct and changed the data of the summary protocol in favor of the ruling party candidate. It is noteworthy that the DEC did not invite the representatives of the electoral subjects to the process of tabulation. Moreover, even the member of the DEC was not allowed to attend the session as the police was mobilized around the district and nobody was allowed to enter the commission.

Besides the strategic litigations, GYLA monitors studied the litigation proceeding of other subjects (local monitoring organizations and electoral subject) at the district elections commissions and courts. During the monitoring process GYLA observers studied 67 election disputes (Kvemo Kartli, Kaheti and Ajara) of electoral subjects (3 complaints) and monitoring organizations (64) at DEC's. The complaints in the mentioned cases mainly were regarding the violations of voting procedure, improper compiling of summary protocols and violation of voters' rights.



In **2 complaints** submitted to the DEC (out of total 270 complaints) annulment of voting results was requested,¹⁴³ in **39 cases** – annulment of PEC summary protocols, in **58 cases** – recount of voting results, in **220 cases** – disciplinary liability of the PECs, in **4 cases** – administrative liability of the PEC members.¹⁴⁴

Negative decisions of the DEC's were appealed to the court by GYLA.

¹⁴¹ 1) Representation of Tamaz Mechiauri, #19 mayoral candidate of Tianeti, when the request was granted and resolutions #16 and #17 of Tianeti district #19 were annulled. 2) On case of election bloc Bakradze Ugulava – European Georgia at Khelvachauri #83 district, when the Court ruled that despite the forged signatures of the commission members on the correction protocol, the quorum was reached and did not grant the request (Case #820310017002147679 (3-166))

¹⁴² <https://gyla.ge/ge/post/sadamkvirveblo-organizaciebi-moutsodeben-samartaldamcav-organoebstianetis-saolqo-da-20-saubno-saarchevno-komisiis-qmedebibit-dainterrednen#sthash.LDHHa9w1.dpbs>

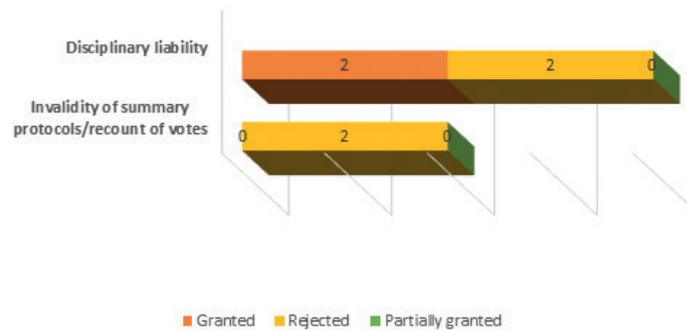
¹⁴³ Regarding the surplus of bulletins in summary protocols of #102 and #22 precincts of Batumi #79 district;

¹⁴⁴ GYLA monitors included several requests in one complaint, thus the number of requests exceed the number of complaints

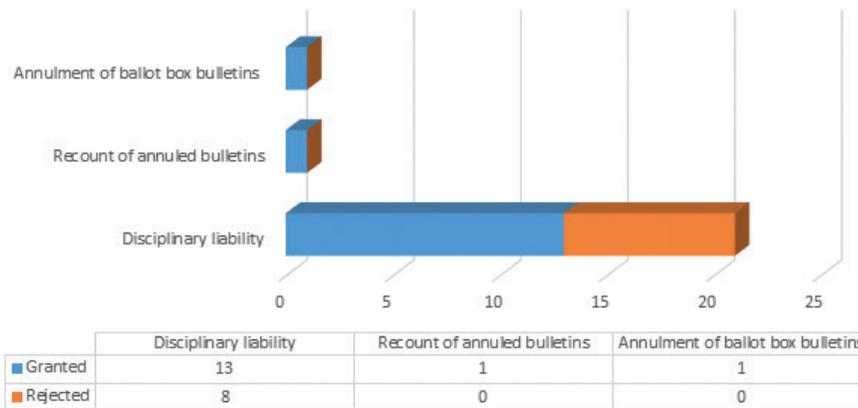
Complaints lodged to the District/City courts on October 21, 2017
local self-government elections
Total: 10



Complaints lodged to Tbilisi and Kutaisi Courts of Appeal on
October 21, 2017 local self-government elections
Total: 4



Complaints and requests submitted to the district election
commission on the second round of November 12, 2017 local
self-government elections



	Disciplinary liability	Recount of annulled bulletins	Annulment of ballot box bulletins
Granted	13	1	1
Rejected	8	0	0

During the second round of elections, recount/verification of annulled bulletins was requested in **1 complaint** submitted to the DEC,¹⁴⁵ **in 1 case** – annulment of bulletins of ballot box,¹⁴⁶ **in 1 case** – identification of registrars based on the stamp numbers on 16 annulled bulletins and imposing disciplinary liability.¹⁴⁷ **In 2 cases** – disciplinary liability of PEC members.

Observed tendencies

Besides certain violations and election disputes we would like to emphasize **number of tendencies** that were observed during the election disputes as at **election administrations as well in regional/city courts and courts of appeal.**

1) Rejection of complaints:

- Basically during the election disputes it was observed that despite the fact that the violations were confirmed, the election administrations and courts rejected the complaints **on annulment of summary protocols and re-counting the precincts votes**, on the grounds that **the violations have not actually affected the results and only limited to imposing disciplinary liability;**
- Despite the gravity of the violations the election administration have not granted the complaints in number of cases and imposed only disciplinary liability against the commission members.

The only exception from the abovementioned tendency was Samgori DEC. Decision of the **mentioned** commission was the only one at 2017 local self-government elections according to which the votes were recounted in accordance with GYLA's request. As regards Gurjaani #12 DEC, GYLA petition regarding joint review of complaints on the same matter was reviewed and granted. The submitted complaints were granted as well.

2) Gaps regarding the administrative proceedings:

- Adopted orders were not well-grounded and the main principle of administrative proceedings – the administrative body is obliged to investigate all significant circumstances of the case during the course of the administrative proceedings and to make a decision on the basis of evaluating and comparing the circumstances – was violated;
- Major part of summary protocols were corrected and on the next day after the voting, the correction protocols were drawn up without the participation of the respective member of the PEC;¹⁴⁸
- The correction protocols were drawn up only based on memory of PEC members and not based on study of the election documentation (log book, bulletins);
- DEC considered the explanatory statements of the PECs as the indisputable and sometimes as the only evidence. Including in the cases when the explanatory statements that provided excluding allegation regarding the misbalance in the summary protocols;
- Despite the fact that in certain cases violations were well-grounded with proper evidences, the DEC rejected the requirements set out in complaints and failed to properly examine the evidences, especially in regards to the annulment of the PEC summary protocols and recounting the results;
- DEC failed to conduct administrative proceedings in accordance to procedures prescribed by the election legislation;¹⁴⁹
- The issues that was not substantially examined was put to the vote.

3) Lack of proactive consideration of the complaints:

- Without complaints of the stakeholders the DEC failed to express initiative to proactively study alleged violations and respond properly.

The situation was similar when considering the complaints submitted by the other subjects.

¹⁴⁵ Ozurgeti #60 district #59 precinct

¹⁴⁶ Ozurgeti #60 district #13 precinct

¹⁴⁷ Ozurgeti #60 district #16 precinct

¹⁴⁸ Implementation of the mentioned was facilitated by the addition of d¹ subparagraph of paragraph 2 of the Article 26 of the Election Code of Georgia, according to which the PEC is authorized to compile the correction protocol of the voting results summary protocol, **when there are explanatory statements of corresponding PEC members or other legal or actual grounds.**

¹⁴⁹ Tianeti, Krtsanisi, Marneuli and Dmanisi Districts

Proceedings in courts

In majority of cases the courts did not grant the complaints regarding annulment of the summary protocols and re-count of results of precincts, including when there were grave violations. They accepted the arguments of the election commission according to which: “the violation did not represent the gross violation of the election legislation”, “the violation did not affect the expression of free will of the voter and the results of the voting day and elections”.

The ruling of Tbilisi Court of Appeal regarding the case of recording personal, identifying data of the voters was significant.¹⁵⁰ The Court of Appeal partially granted GYLA complaint and stated that electoral subject representative/monitor was not authorized to record the personal, identifying data of the voters.

The ruling of the Mtskheta regional court was also significant.¹⁵¹ The court annulled ordinance #16 and #17 of Tianeti district as they failed to be in line with requirements set out by general administrative and election codes.¹⁵²

XII. RECOMMENDATIONS

Based on the outlined problems and observed violations we provide the recommendations that we consider will help the involved parties to strengthen achievements and eliminate those violations that characterized 2017 local self-government elections:

Legislative frame

- Women participation in politics should be increased and introduction of temporary mandatory quoting mechanism envisaging to have every second candidate of a different sex in the proportional list.
- The legislation should be revised to increase the terms set out for the independent mayoral candidates for submitting the signatures to the election administration.
- The legislation should consider withdrawal of the candidacies from the second round of the local self-government elections that in case of unwillingness to participate in the elections will allow them to withdraw from the second round legally.
- The concept of participation in pre-election campaign should be set out in the way that will allow prohibition of the agitation through social networks with administrative resources.
- The equality of rights of the individual parties and election blocs participating in the elections should be defined on legislative level. The election blocs should have the same benefits as the individual party participating in the elections.

Interagency commission

- Interagency commission should go beyond the platform of only listening to complaints and exchanging the information, as is today and becomes more active and effective platform.

Election administration

- We consider that fundamental reform of the election administration should be carried out and higher bodies of the election administration (CEC, district) should be staffed only with apolitical and independent members selected based on professional qualifications that will increase confidence towards the election administration. On transition stage, until the fundamental legislation amendments are made in terms of staffing the election commissions, we consider that the rule of staffing of the election administrations should be linked to the election results, however one party should have right to appoint only one member at the election administration unlike the unjustified current rule. Furthermore, the normative base regulating the competition for selection of members of election commission as well the rule and practice of selection of members of commission should be improved during the transition period.
- Accordingly, it is significant that independent, competent members were elected with professional quota and not the individuals associated with or loyal to any political party.
- We consider it important to simplify the voting procedures to increase PEC activities and improve electoral

¹⁵⁰ Tbilisi, October 28, 2017 (Case #38/7325-17. Case #330310017002143594)

¹⁵¹ Mtskheta, October 25, 2017 (Case N-3/266 -17)

¹⁵² <https://gyla.ge/ge/post/sadamkvirveblo-organizaciebi-moutsodeben-samartaldamcav-organoebs-tianetis-saolqo-da-20-saubno-saarchevno-komisiis-qmedebibit-dainteresdnen#sthash.QNDT9MKz.dpbs>

processes; as well implementation of modern technologies at the polling stations, including electronic vote counting.

- The obligation of certification of PEC members should be introduced. The members of the district election commissions should be selected based on the certification results.
- Qualification level of the PEC members should be increased; the skills of processing the documentation should be strengthened.
- Unified rule for filling the protocols should be implemented to improve the process of filing the summary protocols.
- The election commission members should conduct the administrative proceedings in line with legislation, should study the violations indicated in the complaints, thoroughly examine the evidences and justify the decisions made.
- When imposing liability measures the commissions should consider the gravity of the violations.

The court

- The courts should properly define and use the law when considering the election disputes.
- The judges should be permanently retrained to improve the qualification level in terms of election disputes;
- It is desirable to develop unified module of resolution of electoral disputes that will facilitate the judges to better understand the election legislation specifics.

The State Audit Service

- The State Audit Service should in timely manner examine and assess the cases of pre-election campaign violations.
- The methodology should be developed that will allow to examine the information on donors of anonymous pages in social networks aimed at counter-agitation and to respond on the mentioned cases.

The law enforcement bodies

- The law enforcement bodies should ensure timely, thorough and objective investigation of the incidents related to the elections;
- Furthermore they shall avoid perception of bias towards the ongoing investigation against politically active persons.
- The law enforcement bodies should study the alleged facts of pressure on different political parties in the regions of Georgia and respond properly and in adequate manner on these and other types of violations in pre-election period.

Electoral subjects

- The electoral subjects should refuse to illegal collection and processing of the personal data of the voters.

XIII. APPENDIX

Annex #1

Election Administration

Chairperson of Telavi District Election Commission (DEC) drew up a protocol of administrative offence against the Telavi mayoral candidate from the Labor Party during the pre-election campaign. The Chairperson of the DEC charged the Labor Party candidate in interruption of the Election Commission work. Nikoloz Vardoshvili, mayoral candidate of the Labor Party showed up at Telavi Precinct Election Commission (PEC) building on September 7, 2017 several times together with fellow party members and a journalist and requested clarification on specific election issues by the Chairperson of the Commission. Election Administration charged N. Vardoshvili under Article 91¹ of the Election Code of Georgia, which envisages imposition of a fine in the amount of 500 GEL for disruption of the activities of the election commission. Telavi DEC confused the terms interruption and disruption and as a result, disproportionate and unjustified measures were used against the mayoral candidate. The Court found the mayoral candidate of the Labor Party guilty and imposed a fine in the amount of 500 GEL. GYLA defended the interests of the mayoral candidate at the Court.

Annex #2

Abuse of State Resources for Election Purposes

- The Free Medicine Program was implemented from July 1, 2017 to the end of the same year envisaging provision of medicine to citizens with chronic diseases for symbolic price.¹⁵³
- Dental Clinic New Dent provided free dental services for IDPs. The period of the project coincided with the election period.¹⁵⁴
- The employees of self-governing bodies of Tbilisi Municipality and employees of Tbilisi kindergartens were gathered at the restaurant Barakoni, at the meeting with the Tbilisi mayoral candidate of Georgian Dream.
- An activity of drawing on asphalt was held with participation of the Borjomi Public School #1. The drawings were decorated with Georgian Dream – Democratic Georgia party flags.¹⁵⁵
- A photo shooting of school students took place in one of the classrooms of Skhepi Public School of Shuakhevi Municipality with the flags of the party Georgian Dream – Democratic Georgia. The photo was later published in social media by a school teacher.
- Principle of Sadakhlo Public School #2 made a speech at a meeting and called citizens on active engagement in election and voting for Georgian Dream.
- Several dozens of people, including public servants were transported from Poti to Zugdidi by buses and minibuses to attend a Georgian Dream pre-election meeting.¹⁵⁶
- Kakhaber Partvania, Head of Zugdidi Educational Resource Center called school teachers and principals on supporting the mayoral and Majoritarian candidates of Georgian Dream.¹⁵⁷
- Ketevan Chipashvili, Head of Kvareli Educational Resource Center posted¹⁵⁸ on Facebook during the working hours. The post states an open support by the Resource Center and Public Schools of Kvareli to the Majoritarian MP candidates of Georgian Dream-Democratic Georgia.
- According to media reports, employees of Tbilisi kindergartens were mobilized to attend pre-election meetings of Kakha Kaladze, Tbilisi mayoral candidate of the ruling party.¹⁵⁹
- According to the journalistic investigation of Studio Monitor¹⁶⁰, part of kindergarten principals were engaged in Georgian Dream election campaign and made list of the party supporters and sent the report to the Agency.¹⁶¹
- According to the newspaper Guria News,¹⁶² Beglar Sioridze, the acting Mayor and a mayoral candidate of Ozurgeti of Georgian Dream visited election headquarter in Natanebi village of Ozurgeti Municipality by a service car.
- According to the newspaper Guria News, Gia Giorgadze, Head of Infrastructure Unit of the Chokhatauri Municipality Gamgeoba visited¹⁶³ a meeting¹⁶⁴ organized by the party Georgian Dream in Ozurgeti, where the Prime Minister Giorgi Kvirikashvili presented mayoral candidates of Guria Municipalities, by a state owned car assigned to Gamgeoba.

¹⁵³ <http://www.moh.gov.ge/ka/news/3708/>

¹⁵⁴ Answer of the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia to GYLA. #04/07/18844, **25/07/2017**.

¹⁵⁵ <http://borjomi.tv/axali-ambebi/article/5446-skolisaqciarthuliocnebisdroshabisfonze>

¹⁵⁶ <http://www.radioatinati.ge/archevnebi-2016/article/62085-ocnebis-kandidatebis-tsardgenaze-samegrelos-yvela-municipalitetidan-chamovidnen-video.html>; <http://zugdidelebi.ge>; <https://odishi.ge>

¹⁵⁷ <http://www.livepress.ge/ka/akhali-ambebi/article/20819-lashagogiapedagogebiufasodimgzavrebenvideo.html>

¹⁵⁸ http://reginfo.ge/politics/item/2669-ybvarlis-saganmanatleblo-resurszentris-uprosis-xinaagmdeg-zesko-s-mimartes?fb_comment_id=1738677099539379_1738759796197776#f1e35f9e1dd282c

¹⁵⁹ <http://rustavi2.ge/ka/news/85805>

¹⁶⁰ <http://medianews.ge/ge/studia-monitoris-mier-chatarebuli-gamodzieba-romelits-baga-baghebis-direqtorebs-sheekheba-araseriozulia-temur-tordinava/33333>

¹⁶¹ <http://rustavi2.ge/ka/news/86636>

¹⁶² <http://www.gurianews.com/article/g-news-tv/administratsiuli-resursi-gamoqenebis-pakti-otsnebis-shekhvedraze-kortsilshi-viqavi-video>

¹⁶³ Statement of GYLA Ozurgeti Office of September 18, №04/09 (registered in District №529) – See annex №1

¹⁶⁴ <http://www.gurianews.com/article/g-news-tv/administratsiuli-resursi-gamoqenebis-pakti-otsnebis-shekhvedraze-kortsilshi-viqavi-video>

Annex #3

Participation in Pre-Election Agitation

- According to GYLA monitors, the teachers of the kindergartens and public schools were summoned to the party meetings in Telavi Municipality villages and Akhmeta Municipality villages and teachers were obliged to bring one additional person to the meeting. The teachers did not want to speak openly about it. The GYLA monitor witnessed a kindergarten teacher looking for a person to bring to the meeting with Zurab Liluashvili, Majoritarian MP Candidate of Georgian Dream in Kvemo Khodasheni. The teacher confirmed with the GYLA monitor, that it was a duty of every teacher at the kindergarten. The person refused to name herself/himself. Identical cases were observed in Akhmeta. GYLA addressed the Interagency Commission regarding the mentioned fact.
- Gela Kapanadze, Deputy Governor of Gori Municipality was at Georgian Dream – Democratic Georgia Gori Office on September 21, 2017 at 15:52, during working hours¹⁶⁵.
- Georgian Football Federation together with VTB Bank and Aisi Beer organized a charity match at Dinamo Arena on September 29 (21:00) named World Stars for Georgia¹⁶⁶. Kakha Kaladze, Tbilisi mayoral candidate of Georgian Dream played the match together with the World Stars.¹⁶⁷
- World Football Stars participated in the football match together with Kakha Kaladze, Tbilisi mayoral candidate. Andriy Shevchenko was among the star players. After the match, Andriy Shevchenko agitated in favor of Kakha Kaladze.
- Ramaz Lomidze, member of the Khashuri PEC #49 from the ruling party participated in agitation. In particular, Ramaz Lomidze attended a pre-election meeting of Ilia Kapanadze, an independent Khashuri mayoral candidate, were Kapanadze agitated in favor of the ruling party – Georgian Dream.¹⁶⁸
- Marina Zhgenti, member of the Batumi PEC #1 from the United National Movement participated in agitation. On September 29, 2017, a video was published in social media proving, that together with voting invitation cards, the member of the Batumi PEC #1 distributed the party agitation material, which was protested by citizens.

¹⁶⁵ The story uploaded on the web-page of TV broadcaster Trialeti, on September 21, 2017
<http://www.trialeti.ge/?menuid=2&lang=1&id=8557>

¹⁶⁶ <http://www.interpressnews.ge/ge/sazogadoeba/453012-fekhburthis-msoflio-varskvlavebis-monatsileobith-matchis-bilethebidan-shemosuli-thankha-borjomis-tyis-damtsvari-teritoriis-aghdenas-mokhmardeba.html>

¹⁶⁷ <http://www.interpressnews.ge/ge/sazogadoeba/453101-saqvelmoqmedo-safekhburtho-matchshi-msoflio-varskvlavebthan-erthad-kakha-kaladzec-ithamashebs.html>

¹⁶⁸ <http://trialeti.ge/?menuid=2&lang=1&id=8773>.

Annex #4

Threats, Pressure and Physical Retaliation

- On July 16, 2017, an act of violence occurred in Uraveli village, Akhaltsikhe. Beglar Sioridze, representative of the United National Movement and his family members were attacked and physically assaulted. Proceedings were launched under the Article 126 of the Criminal Code of Georgia envisaging punishment for violence.¹⁶⁹ The victims of the assault accuse the party Georgian Dream supporters; Zaza Geladze, former Deputy Mayor of Akhaltsikhe, Head of the Akhaltsikhe Majoritarian MP Election Bureau and Giorgi Londaridze, Head of Cleaning Municipal Department. According to Beglar Sioridze explanation, he himself, as well as his father and children (who came to help him) were physically assaulted. They explained that approximately 9-12 persons participated in the incident. It should be noted that the law enforcement authorities charged five persons. On August 3, 2017, the Court released five persons on bails. Four persons were sentenced to 3000 GEL and one person to 5000 GEL bail.¹⁷⁰
- On July 18, 2017 a violence incident against Davit Lagvilava, Majoritarian candidate of the United National Movement took place in Didi Dighomi, Tbilisi, in front of the election headquarter. Zviad Kuprava, head of headquarter was outside the office together with co-workers, Lasha Khurtsilava and Badri Khidasheli when two supposedly drunk strangers approached them. They verbally and physically abused the members of the UNM on the ground of party affiliation and threw a bottle at Badri Khidasheli. Khidasheli was examined on the second day of the incident. Later, Davit Lagvilava also witnessed the incident and called the patrol police on the spot. It should be noted that the attackers returned to the office of the party and now they entered the premises where they were detained, although they were released the same evening. According to Davit Lagvilava, the investigation started based on Article 126 of the Criminal Code of Georgia.
- On July 5, 2017, house of Gocha Kokaia, Majoritarian candidate of the United National Movement in Gldani was searched. The latter links the fact to his political activities and opinions. The United National Movement named Gocha Kokaia as a Majoritarian candidate in Gldani on June 27, 2017. GYLA representatives interviewed Gocha Kokaia and he explained that he was constantly watched after being nominated as a candidate. According to him, he has noticed many times that vehicles of brand Skoda were gathered at his place of residence and office that made him presume that the mentioned vehicles belonged to State Security Service of Georgia and he was being watched. Kokaia was informed that law enforcement officers detained Tamaz Inalishvili. Investigation accuses him of bribery, that he demanded USD 1000 from Luka Gvazava (youth of paramilitary age) for postponing military services.
- On September 20, 2017 Bezjan Gunava, Majoritarian candidate for Samgori was detained at a hunger strike held by Alliance of Patriots at the Parliament of Georgia.¹⁷¹ Members of Alliance of Patriots were trying to place symbols and banners of the party at the Parliament building. Police did not let them do so which was followed by a confrontation between the police and rally participants. Bezhan Gunava was arrested during the incident by the Patrol Police under Article 173 of the Administrative Offences Code of Georgia for non-compliance with an order of police and disorderly conduct. It is noteworthy that detention preceded by verbal and physical confrontation between the members of Alliance of Patriots and law enforcers.
- On October 5, 2017 a candidates of the political party Georgian Dream were nominated in Telavi. Citizen **Lali Kbilashvili** was informed about the meeting as we later found out. Lali Kbilashvili looks after stray dogs in Telavi. Since citizens of Telavi often confront Lali Kbilashvili because of dogs, kill dogs with poisoned food and oppresses them, Lali decided to meet the Prime Minister of Georgia and ask to help and solve the problem. With this purpose, Lali had the mottos translated into English, where she called on PM to help and put killing of the dogs under her care to an end. According to Lali Kbilashvili's explanation, when she was behind the scene, the criminal police officers approached her, put her in the car belonging to police against her wish, explained that according to the task assigned by the leaders, Kbilashvili was to be temporarily taken out of the city away from the meeting venue. They offered to have a car ride for a couple of hours and told her they would bring her back to Telavi once the meeting was over. As Lali Kbilashvili explains she was taken by the police car in the direction of Shuamta. When driving in the car she tried to jump out of it since she was afraid, they would kill her. During the resistance to police officers, she got her clothes (dress) torn and got injuries on her body. When Lali Kbilashvili returned to the city the meeting and nomination of the candidates of the political party Georgian Dream was already completed. Once Lali Kbilashvili escaped the police officers, she called 112 and patrol crew came to her. She informed them about the incident with the criminal police. As Lali Kbilashvili explains, the officers of the criminal police who restricted her freedom visited her the next day and asked not to file a complaint against them or they would lose their jobs.

¹⁶⁹ <http://sknews.ge/index.php?newsid=13859>, <http://rustavi2.ge/ka/news/80544>

¹⁷⁰ <http://sknews.ge/index.php?newsid=14133>

¹⁷¹ <http://1tv.ge/ge/news/view/179766.html>

After the request, she promised not to sue. GYLA submitted the information to the interagency commission. According to the statement made by a representative of the Prosecutor's Office on October 2 at the Interagency Commission meeting, Prosecutor's Office initiated a criminal proceeding on the fact.

- On September 3 of the this year, the furniture factory of **Paata Gabritchidze**, member of the Zestafoni District Organization and Majoritarian Candidate of Alliance of Patriots was burnt down.¹⁷² According to his statement, the damage resulted in 30 000 GEL loss. Both the furniture itself and materials for making new furniture is burnt. The fire broke out at midnight. Electricity was named for the alleged cause, but the victim Gabritchidze disagrees with this version because the electricity was turned off in the factory at the time of the fire. In his interview with GYLA Paata Gabritchidze does not exclude the fact that the incident was related to his political activities. Paata Gabritchidze was a supporter of Georgian Dream since 2012 but later left Georgian Dream. As he declares, after leaving the coalition Georgian Dream and continuing his political activities with Alliance of Patriots he received threatening calls several times. According to the MIA and Prosecutor's Office response published on the official website of the Commission the fire at the furniture factory could have been caused by electrical fault. The investigation is ongoing.¹⁷³
- The party list of election subject Bakradze, Ugulava – European Georgia was annulled in Tetrtskaro municipality, since every candidate submitted a statement to the DEC and refused to participate in the elections.¹⁷⁴ The mayoral candidate of the party also refused to participate in the election and was removed from the registry based on his statement. As we became aware, the candidates declared that they were planning to study or work abroad, which is why they refused to participate in the elections. It should be noted, that the sudden and group decision of European Georgia candidates on withdrawal of their own candidates creates doubts about sincerity of the candidates. It is noteworthy that the withdrawal of candidates has not been preceded by any explanation except that the candidates intended to continue their studies or work abroad. In addition, the party representative explains that they received the information on withdrawal of the candidates from the registry not from the candidates, but from the Election Administration. According to the European Georgia, candidates were persuaded in other municipalities as well and in some cases threatened to withdraw their candidacies from the registry.¹⁷⁵
- The mayoral candidate for Development Movement in Dmanisi talked with the representatives of GYLA about pressure on the population and alleged facts of bribery (The Quran, engagement in agitation) as well as several cases of pressure on him and his relatives. According to his statement:
 - On September 27 2017, Emzar Petriashvili, lawyer at Georgian Dream headquarter and Mamuka Okriashvili, relative of Kakha Okriashvili gathered 50 citizens of Irganchai village and made them swear to the Quran that they would vote for Georgian Dream and would be agitating for the party. According to Gogi Barbakadze, the facts of swearing to the Quran took place in 2012 as well, when Kakha Okriashvili was a member of the United National Movement¹⁷⁶. Despite number of attempts, GYLA was unable to contact the MP Kakha Okriashvili.

¹⁷² <http://zestafoni.ge/news/politika/patriotta-aliansis-majoritarobis-kandida.html>

¹⁷³ On August 30, 2017 Zestafoni District Division received a call that a building in front of the School #6 in Kvaliti village of Zestafoni Municipality was on fire. When arriving at the scene it became clear that a furniture factory of Tornike Zuzadze was on fire. The fire was extinguished timely by the Fire Rescue Service. No one was injured by the fire, and the whole factory and materials inside was burnt. After questioning the owner of the factory – Tornike Zuzadze, it became clear that the outbreak of fire is a result of his own negligence. In particular, he left the electricity switch, connected to the equipment and electricity network cables on. The same was confirmed by Nodar Zuzadze, Tornike Zuzadze's son. According to the witness, mother's brother - Pavle Gabritchidze is a member of Alliance of Patriots and is running for the local self-government elections of October 21. As Nodar Zuzadze is aware, Pavle Gabritchidze published the fact of fire through mass media to provide assistance for Tornike Zuzadze's family from the local self-government. According to Pavle Gabritchidze, he invested 15,000 USD in the furniture factory but he is not registered as a co-owner in any document. According to his testimony, the fire was deliberate, as 10 days before the fire he took the journalists of the television Obieqtivi to Megobroba Street in Zestafoni and showed the place with several trees were cut down (a square is planned to be arranged at the indicated spot). In the newscast, a story was broadcasted by which he declared that Zestafoni Municipality Gameoba did not announce tender for the construction of the square. Pavle Gabritchidze supposes that his fierce statements during his interview resulted in deliberate fire in order to scare him off the local self-government election process. He also indicates that on September 11, 2017 a man called him from a private number and told him: Your efforts are in vain, it will burn again, after which he turned off the phone. He was unable to submit phone for inspection since his son often changes phone numbers. The scene of the accident was examined by the expert on the criminal case, fragments of electric cables damaged by thermal impact were removed. The fire at the furniture factory could have been caused by electrical fault. The investigation is ongoing..

¹⁷⁴ <https://gyla.ge/ge/post/arasamtavrobo-organizaciebi-tetrtsyaros-saarchevno-olqshi-ganvitarebul-movlenebs-ekhmaurebian#sthash.oevHMorX.dpbs>

¹⁷⁵ Additional information will be provided later upon checking the information regarding the fact.

¹⁷⁶ <https://www.youtube.com/watch?v=dhIhio8VD4A>

- The villagers of Irganchai are promised to have their problematic issues resolved after the elections in exchange for the vote.¹⁷⁷
 - Georgian Dream members are asking the villagers to become agitators and are promising to pay 150GEL reward in cash.
 - The head of the Forestry Service in Kvemo Kartli urged the relatives of the mayoral candidate to write a resignation letter and voluntarily quit job. One of them has already submitted a resignation letter, though the second person, Seiran Khizanishvili did not write it and continues to work on his position.
 - Local police officers searched a house of the mayoral candidate supporter. Police officers were looking for unregistered firearms in the house.
- On October 7, 2017, facts of pressure were observed on the public workers of the Aspindza Municipality and representatives of the Gamgebeli in Aspindza¹⁷⁸. In particular, on October 7 public workers of the Aspindza Municipality, representatives of Gamgebeli and Non-entrepreneurial (Non-commercial) Legal Entities were called to Georgian Dream party headquarter. According to Georgian Dream, it was a regular meeting.¹⁷⁹ Information about the above mentioned was provided to the GYLA representatives by the persons who were addressees of the threat. The mentioned persons underlined in the conversation with GYLA monitors, that they were properly searched before entering the office of the ruling party. In particular, their phones were seized and later it was explained, that there were persons at the meeting who wanted the conversation to be recorded. After this, they were searched with special equipment. Dito Samkharadze, Head of the Regional Department of the party Georgian Dream and Rostom Migrakvelidze, mayoral candidate attended the meeting. Samkharadze requested from the attendees to vote for the party Georgian Dream only, to work for Georgian Dream only, otherwise they were threatened to lose their jobs and be arrested. There was a request that if they would not help Georgian Dream, they would bring 5000 people from the regions, although they did not explain how exactly these 5000 people would help the representatives of the municipality and Gamgebeli. It should be noted, that later that night a banner of Levan Tsabadze, an independent mayoral candidate was torn down in Aspindza.
 - According to European Georgia, Severian Gorduladze, mayoral candidate in Tskaltubo and his brother, Majoritarian Candidate in Tskaltubo were threatened. GYLA monitors checked the mentioned information. According to Kakha Gorduladze, on October 2, 2017, he returned to Tbilisi from Vladikavkaz when he received a call on his private number from a stranger with a phone number 700 700 700. In the conversation, an unknown person demanded from Kakha Gorduladze to withdraw his majoritarian candidate and return back to Vladikavkaz to live there, otherwise his spouse, who works as a teacher at one of the public schools in Bardnala village would be fired. It should be noted that the day the threatening phone call was made Kakha Gorduladze called from his number his brother, Severian Gorduladze only. Since no one else knew Kakha Gorduladze's phone number, Severian Gorduladze has a doubt that his phone is listened.
 - On September 29 of the current year, Tbilisi City Council discussed changing the functional zone status of the plot of land for construction of the underground parking lot near the Panorama Tbilisi Hotel and removal of the recreational status of 4 700 m² land on the Tabori Mount in favor of Tabor Resorts. Tbilisi City Council made decision in favor of Tabori Resorts.¹⁸⁰ Opposition members protested against the decision followed by confrontation in the City Council hall. As a result, the chairperson of the meeting expelled Elene Khoshtaria and Zaal Udmashvili, mayoral candidate s of the parties European Georgia and United National Movement. Khatuna Samnidze, the leader of Republican Party was not allowed in the hall.¹⁸¹ Upon this, the member of the opposition and their supporters moved to Tbilisi City Hall to protest against the decision.¹⁸² Confrontation between the protesters and law enforcement officers aggravated¹⁸³ when the protesters attempted to enter the City Hall building. 6 members of the party National Movement were detained at the rally.

¹⁷⁷ One of them was promised to be helped in finding lost ship (the mentioned citizen has addressed the investigative bodies several months ago but no investigation proceedings has been implemented so far).

¹⁷⁸ <http://sknews.ge/index.php?newsid=15166>

¹⁷⁹ <http://sknews.ge/index.php?newsid=15166>

¹⁸⁰ <http://netgazeti.ge/news/223014/>
<http://www.mediamall.ge/?newsid=206528>

¹⁸¹ <http://liberali.ge/news/view/31508/sakrebulo-shi-opozitsia-savaraudod-ivanishvilis-kompaniistvis-mitsis-gadatsemis-gegmas-aprotesteb>

¹⁸² <https://www.allnews.ge/sazogadoeba>

¹⁸³ <http://rustavi2.ge/ka/news/86393>

- On October 10, 2017, a meeting of Tbilisi City Council discussing transfer of two land plots at Pushkin Square and on Tabori Mount to Tbilisi City was held on the background of a protest rally of the opposition.¹⁸⁴ Members of opposition wanted to protest the issues to be discussed at the mentioned meeting and they tried to enter the City Council meeting hall but the law enforcement authorities mobilized at the City Council did not allow them to¹⁸⁵, since, according to their explanation, the session was declared closed. Despite the resistance, the opposition party representatives tried to enter the City Council building due to what the law enforcement officers detained 11 members of United National Movement¹⁸⁶, including Kote Ioseliani, Majoritarian candidate for Vake.
- On October 9, 2017 Nodar Ezhishvili, Majoritarian MP Candidate of European Georgia in Telavi was threatened. Nugzar Gigauri who was drunk at the party office, threatened him with a firearm. The investigation found that the gun was a toy, and the accused was sentenced to 150 hours of community service.

¹⁸⁴ <http://1tv.ge/ge/news/view/183043.html>

¹⁸⁵ <http://1tv.ge/ge/news/view/182982.html>

¹⁸⁶ <http://www.interpressnews.ge/ge/samartali/457038-thbilisis-sakrebulothandakavebuli-nacmodzraobis-kidev-11-tsevri-mathshoriskote-ioseliani-momdevno-sasamarthlo-skhdmamde-gathavisufda.html?ar=A>

Annex #5

Cases of Interference in Pre-election Campaign

- On July 23, 2017, the European Georgia held manifestation named – No to Russian Fascism – on Agmashenebeli Avenue. According to mayoral candidate of the party Elene Khoshtaria, the manifestation was aimed at expressing clear attitude of the Georgian society that Russian fascism cannot gain foothold in Georgia. Other political parties also joined the manifestation, including the members of Republican Party and Free democrats. The mentioned manifestation was a response to March of Georgians held on June 14¹⁸⁷. Supporters of March of Georgians attacked the organizers of European Georgia and other participants with eggs. However, the situation has not escalated as the police forces were mobilized throughout the territory and they managed to resolve the tension.
- In July 2017, Saburtalo district majoritarian candidate of United National Movement, Nino Kvitaishvili pre-election campaign was interfered – unknown person threw eggs at the headquarters for four times. Patrol Police was called for two incidents and Kvitaishvili demanded proper measures and timely response.
- On September 9, 2017 an incident took place at the headquarters of Kote Ioseliani, Vake District Majoritarian Candidate of United National Movement – a brick was thrown at the office. According to Ioseliani, unknown person(s) threw plastic bottles at the office the previous day that hit one of the office workers in the face. The second day a brick is thrown at the office, which is assessed as interference in pre-election campaign by Ioseliani. Patrol Police came to the scene and received explanation from Ioseliani.
- On September 19 of the current year, a video was released through Facebook page of Aleksandre Elisashvili, mayoral candidate for Tbilisi on interference in the pre-election campaign.¹⁸⁸ According to the video and the statement of the mayoral candidate, Deputy Gamgebeli of Didube, member of Georgian Dream election headquarter and other unknown persons did not allow them to carry out an event and give an interview.
- On September 3, 2017, advertising banner at the local office of European Georgia was torn down in Zugdidi. Lela Kiburia, mayoral candidate of the party linked the fact with Georgian Dream. According to her explanation every poster on the surrounding area of the market were scratched and torn down, including posters of other opposition parties. Investigation of the incident started under Article 187 of the Criminal Code of Georgia.
- Domenti (Zviad) Sitchinava independent mayoral candidate in Zugdidi ordered billboard advertisement to the advertising company Outdoor.ge, since, according to his information, there was no other alternative. Despite the fact that agreement was signed with every detailed outlined and mayoral candidate paid a fair amount of money to the mentioned advertising company for placement of the agitation material on the billboard, the billboards set up on September 23 in Zugdidi dropped down one after another in a couple of hours. The company declared that the billboards had technical problem but it turned out that the four billboards with Domenti Sitchinava posters had no technical fault. The independent mayoral candidate for Zugdidi assesses the incident as a deliberate intervention against him.
- On October 3, members of European Georgia held a meeting in Bolnisi with supporters. According to GYLA monitor information, two strangers attacked Shakhel Maksomov, supporter of European Georgia who was driving an agitation car to fuel up. After verbal abuse the attackers started throwing rocks at him and damaged the party agitation car. According to the MIA investigation of the incident is launched under the article 187 of the Criminal Code of Georgia. According to them, people were not injured during the accident and only the car was damaged.
- On August 27, 2017 Ahmed Imamkuliev, Chairman of the regional organization of the political union – European Georgia – Movement for Liberty held meeting people in Kizilajlo village, Marneuli municipality when a candidate of Georgian Dream and the supporters interfered in the shooting of the event and carrying out the meeting in a peaceful environment [the Chairman explains]. According to the party, similar incident took place on August 28, 2017 as well in Baidara village of Marneuli municipality. In both cases up to 10 people in total participated.
- On August 27, a video was released through social network Facebook according to which unknown persons dressed in UNM t-shirts present themselves as supporters of Aleksandre Elisashvili, independent mayoral candidate to citizens and, as if to support him, they requested personal data and signature on a form of an unknown origin. According to Aleksandre Elisashvili headquarter the fact was a deliberate attempt to disrupt the elector-

¹⁸⁷ Organizers of the manifestation condemned messages and statements made at the March of Georgians. Namely, participants of the March of Georgians protested against increased number of foreigners in Georgia, their living and activities, requested proscription of illegally living foreigners and prohibition of granting the rights to residence. It should be noted, that Georgia's Youth Representative to the United Nations, Tatia Dolidze responded to the mentioned March with a critical statement that was followed by rude comments of participants of March of Georgian posted via social network containing gang rape threats.

¹⁸⁸ <https://www.facebook.com/AlexanderElisashvili/videos/1685178698180937/>

ate's will in the elections envisaged by the subparagraph b of the 2nd paragraph of the article 162 of the Criminal Code of Georgia. Aleko Elisashvili appealed to the Isani-Samgori District Police to launch an investigation but the request was refused.¹⁸⁹

- On September 19, 2017 members of the political party United National Movement and supporters held a rally at Cartu Bank building and blamed the Prime Minister in money laundering.¹⁹⁰ Verbal confrontation was observed during the rally. Patrol Police was mobilized at the scene.¹⁹¹
- On September 19 and 22, 2017, victims of the Bavshvta Samkaro fire assembled at the headquarters of Kakha Kaladze and addressed the most extreme form of protest, hunger strike.¹⁹² According to the citizens, the fire was intentional as the mayoral candidate had a business interests, aimed at building a new shopping center on the territory of Bavshvta Samkaro.¹⁹³
- Stands to display agitation materials for the local self-government elections 2017 were set up late in Batumi.

¹⁸⁹ <http://netgazeti.ge/news/217206/>

¹⁹⁰ <http://www.ipress.ge/new/85383-qartu-banktan-nacionaluri-modzraobis-aqcia-mimdinareobs-video>

¹⁹¹ <http://rustavi2.ge/ka/news/85344>

¹⁹² <https://imedinews.ge/ge/archevnebi/28457/kakha-kaladzis-saarchevno-shtabtan-saprotesto-aqtsia-mimdinareobs>

¹⁹³ <https://imedinews.ge/ge/saqartvelo/28016/kakha-kaladzis-shtabtan-bavshvta-samkaros-dazaralebulebma-shimshiloba-daitskes>

Annex #6

Facts of Dismissal from Work

On June 5, 2017, director of Center of Youth and Culture Development of Gori Municipality City Hall dismissed head of Educational Department Eliza Kazishvili. Reorganization, followed by decrease of staff was indicated as grounds for dismissal. It is noteworthy that after the mentioned reorganization no employees except the administration were dismissed from work. Kazishvili links her dismissal to the political motif.

As Kazishvili underlined in her conversation with representatives of GYLA, she is a member of Free Democrats and a number of public statements made against local government preceded her dismissal. According to her, even when the list of employees was not approved yet, director of non-profit (non-commercial) legal entity demanded from her to write resignation letter, that she refused to do. Afterwards she was orally informed regarding cancellation of her position and dismissal from work, when the list of employees was not yet approved. The list was not approved even when the order regarding her dismissal was issued.

By the time of publishing of the report, the case is still in the Court.

Annex #7

Violations Observed on the Second Round of Elections

Pre-election Period

On November 8, 2017 Irakli Siradze, Head headquarter of the independent mayoral candidate for Ozurgeti, Konstantine Sharashenidze stated at a [press conference](#) that Giorgi Rokva, representative of Konstantine Sharashenidze, independent mayoral candidate for Ozurgeti was threatened and blackmailed. The head of the headquarter mentioned that Beglar Sioridze, mayoral candidate from Georgian Dream was threatening and blackmailing Giorgi Rokva. They presented short messages at the press conference, which Giorgi Rokva was sending to Irakli Siradze, head of the headquarter.¹⁹⁴

For a certain period, it was impossible to contact Giorgi Rokva. The Ministry of Internal Affairs started investigation of the incident. After two days, Giorgi Rokva was interrogated at Guria Police Department of the MIA regarding the fact. **After the interrogation, Giorgi Rokva denied pressure against him with the media.** GYLA required a comprehensive, unbiased and complete investigation of the fact.

Rezo Khundadze, member of the headquarters of the independent mayoral candidate for Ozurgeti spoke about threats against him with GYLA monitors.

Election Day

- On Ozurgeti precinct #59 (Nasakirali precinct) disturbance during the counting of votes happened. The developments have left the impression that after the results in favor of the independent candidate were revealed, there was an attempt to deliberately mess up the situation and annul the results groundlessly. 18 ballots were annulled by the Precinct Commission, among them 2 in favor for the Georgian Dream mayoral candidate and 16 - in favor for the independent mayoral candidate. According to the GYLA observer information, the Commission incorrectly annulled the ballots. GYLA filed a complaint on the fact. During a noisy discussion of invalidation of the ballots, the chairperson felt sick. At the same time representatives of different observing organizations and media entered the precinct and part of them requested to abolish the results of the precinct and interfered in the activities of the Commission.
- According to the information of our observer, the Commission of the Precinct #12 of Ozurgeti was going to invalidate approximately 35 ballots on which the will of the voters could be identified and the validity should not have been questioned. Approximately 12 ballots were in favor of the independent candidate, while about 5 ballots were in favor for the mayoral candidate of Georgian Dream. The Commission thought, that in such cases (name of one candidate was circles while the second name was crossed) the will of a voter was not shown and they should have been annulled. The GYLA observer also expressed opinion about invalid ballot papers. The Commission discussed the issue and the above mentioned ballots were considered valid.
- Up to 30 ballots were invalidated at Precinct #16 of Ozurgeti. According to GYLA observer information, approximately 17 ballots did not have signature of registrar on the reverse side of the ballot. According to the information of the observer, the votes on these 17 ballots were in favor for the independent mayoral candidate.

¹⁹⁴ According to the short messages, Giorgi Rokva was writing to Irakli Siradze, that Begi Sioridze was with him and sent his supporters. He asked Irakli Siradze to confirm to the supporters of Sioridze that it was a mistake and that Giorgi Rokva was not a representative of Konstantine Sharashenidze. He also requested to abolish the representation as he did not want problems.



კოალიცია

თანასწორობისთვის

საქმიანობის ანგარიში

2016-2017