

Elections: Documenting Violations

Special
Edition

A newsletter is published by the South Caucasus Network of Human Rights Defenders — a project funded by European Union's European Instrument for Democracy and Human Rights programme for Georgian-Armenia-Azerbaijan

4 June, 2010

In Focus:

Georgia

The trend of pressure and intimidation against defenders continued during the elections

On May 30 local municipality elections were held throughout Georgia. Several Human Rights Organizations based in Georgia, as well as international observers sent their monitors to observe the elections.

Two members of the **South Caucasus Network of Human Rights Defenders** were involved in the monitoring: *Multinational Georgia* and the *Human Rights Center*.

Both organizations documented serious violations of law and procedure. Within their mandate, observers were approaching election administrations to correct the violations and eradicate malpractices ongoing at the polling stations. In a number of cases observers also filed written complaints however, election committees often refused to register the complaints, without any legal justification.

Because of their work, election observers from both NGOs faced pressure and intimidation from election administration on the grounds, as well as from some representatives of local law enforcement authorities.

Several observers from the *Georgian Young Lawyers' Association* were also pressured and threatened in several polling stations.

According to observers, in a number of cases it was helpful to call the Central Election Committee and ask them to instruct local election committees to observe the law and procedure. In a number of cases presence and support



from international observers was also reported to be helpful for ensuring physical security of local observers.

It is alarming however, that several people involved in election monitoring reported threats received after the elections day pressuring them to withdraw the complaints filed.

Results of two polling stations from Sagaredzo District (Kakheti Region) were annulled in response to complaints filed by the **Human Rights Center**.

See further details on:

www.humanrights.ge

See exclusive video material documenting violations at different polling stations at:

<http://hridc.tv/>

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Local Municipality Elections:
Serious violations observed during the elections

Photo reportage from
polling stations
exposing violations



Observations about pre-election environment



This project is funded by the European Union



project is implemented by the Human Rights Center (Georgia).

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Local Municipality Elections in Georgia

Serious violations observed

On May 30 local municipality elections were held throughout Georgia. 100 observers from the [Human Rights Center](#) monitored the elections throughout Georgia, most significantly in Kakheti region - in the villages populated by Azeri minority and Samegrelo region.

According to [Human Rights Center](#)'s observers, the most widespread violations and questionable practices observed and documented by them were the following:

- **Presence of law enforcement authorities in official uniforms** (policemen, representatives of the prosecutors' offices) at the polling stations or near them without any legal justification— in Samegrelo that was especially widespread,
- **Obstruction of election observers**, physical pressure, threats or physical abuse against them, in some cases law enforcement authorities was directly involved in that,
- **Presence of unidentifiable people at the polling stations** who were freely in contact with commission members, were entering and leaving polling stations freely,
- **Ineligible citizens** (minors) or without proper documents were allowed to vote
- **Lack of Georgian language skills** by voters to effectively exercise their constitutional rights
- **Overcrowding at the polling stations**, voters were followed by unidentified people or commission members in the voting cabin, in some cases calling "besh besh" (number 5 – ruling party) to them
- **Procedural violations** during **voting** and **counting** procedures (not keeping records book in proper order, not sealing documents, etc.)
- **Technical problems**: special tool for marking often out of order or not attended properly, polling station was opened in a highly inappropriate places (animal farm)



“It was everything but not elections,” – said Ucha Nanuashvili, the executive director of the [Human Rights Center](#) in conclusion.

OSCE/ODIHR: Georgian local elections mark evident progress, but significant shortcomings remain to be addressed



Elections in Georgia marked evident progress towards meeting international standards, but significant shortcomings remain to be addressed, international observers from the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Council of Europe's Congress of Local and Regional Authorities concluded in a statement released on 31 May 2010.

The election administration organized these elections in a transparent, inclusive and professional manner, but systemic irregularities were observed on Election Day in some regions, including several cases of ballot box stuffing and procedural violations during the vote count. The observers also noted deficiencies in the legal framework and its implementation, and characterized the campaign environment as an uneven playing field

favouring contestants from the incumbent party. The Georgian public broadcaster provided overall balanced coverage.

The authorities made efforts to pro-actively address problems, including improving the quality of the voter lists. Nevertheless, the low level of public confidence in the election process persisted. The observers said further efforts in resolutely tackling recurring misconduct are required in order to consolidate the progress achieved and enhance public trust before the next national elections.

"These elections were marked by clear improvements and efforts by the authorities to address problems occurring during the process. It is now time to fix the remaining shortcomings and take effective steps to prevent electoral malpractices before the next elections at the national level," said Ambassador Audrey Glover, Head of the OSCE/ODIHR long-term Election Observation Mission.

"The municipal councils, the mayors and - more specifically - the directly elected Mayor of Tbilisi have now to solve the social and economic problems of the country which are serious. From the perspective of locally elected representatives, responsible regional stability policies are key in this respect. The Congress is ready to accompany and assist Georgia in this direction, in particular with regard to the development of local democracy and citizens' participation," said Günther Krug, Head of the Congress of Local and Regional Authorities delegation.

"Strong democracy is built from local level upwards so we were particularly pleased to see the high level of engagement and interest of young people, women and minorities in these elections. We hope that, as shortcomings are addressed and confidence develops, many of them will move from involvement in the process to be the candidates of the future," said Sharon Taylor, speaker of the members of the European Union's Committee of the Regions in the Congress delegation.

Source: OSCE/ODIHR
http://www.osce.org/odihr/item_1_44178.html

Public movement **Multinational Georgia**

Public movement "**Multinational Georgia**" requested on May 31 May to annul the election results in two polling stations in Samtskhe-Javakheti region. The head of the public movement **Arnold Stepanian** stated about it at the press-conference in the media-center.

Stepanian said a large amount of extra ballot papers was dropped into the ballot box in the **polling station # 25** in Ninotsminda and in the polling station **# 15** in Akhalkalaki. Besides that, various violations were observed in Samtskhe-Javakheti and Kvemo Kartli regions. More precisely, in the polling station **# 38** in Samtskhe-Javakheti region one person voted several times; this violation was prevented by the observer.



A voter in the polling station **# 28** in Akhalkalaki tried to drop several ballot papers together. Stepanian added that the election commission refuses to accept the complaints of the Multinational Georgia. The representatives of the organization stated that 25 voters were registered in the special list of military servants in the PS **# 20** in Ninotsminda district; however 26 military servants voted there. Stepanian said their observers filed complaints on the violations. Their observers also witnessed so-called election carousels in Samtskhe-Javakheti region.

As for Kvemo Kartli region, one person voted several times in Marneuli and Gardabani election districts. Stepanian said that in Gardabani district a voter changed clothes and arrived at the PS **# 25** to vote for the second time. Stepanian said that 80 voters were registered for the portable ballot box but the commission members took only 30 ballot papers.

Similar facts were observed in the polling station # 29 in the village of Sadakhlo in Marneuli district. Stepanian said people agitated in favor of the National Movement openly in the PS.

The Multinational Georgia has written 40 complaints on those violations. The observers of the Multinational Georgia stated that voters were less active in Samtskhe-Javakheti and Kvemo Kartli regions.

Source: <http://www.humanrights.ge/index.php?a=news&id=7958&lang=en>

International Society for Fair Elections and Democracy (ISFED)

Election administration and the government demonstrated “will to conduct fair elections, during both the pre-election period and on election day,” Tbilisi-based election watchdog group, **International Society for Fair Elections and Democracy (ISFED)**, said on Monday in its statement on [preliminary findings](#) on May 30 local elections.

“However, number of tendencies observed on the Election Day cast the shadow on positive assessment,” ISFED, which monitored elections at 1,100 precincts throughout the country, said.

The group noted among negative trends “a wide-scale agitation by activists of electoral subjects in areas surrounding polling stations.”



It also said that cases of significant violations, recorded by ISFED monitors, like hampering observers to enter polling station, pressure and intimidation of observers, voting with ID cards belonging to others, inflated numbers of voters in the

supplemental list and more cast ballot papers than the number of signatures in the voters list, “were not wide spread.”

The watchdog group also listed “inadequate qualification” of precinct level election administration employees and logistical problems among negative aspects of the Election Day.

Source: <http://civil.ge/eng/article.php?id=22373>

31 May, 2010

The Chairwoman of **ISFED - Eka Siradze** stated at the press-conference in the media-center that there was **chaos and disorder in the polling station # 58** in Saburtalo district, Tbilisi. After the observer of the Fair Elections decided to write a complaint, the chairperson of the election commission insulted him and did not register his complaint. Siradze said the chairperson hid the seal and consequently they cannot register the complaint.

“We are going to file the same complaint to the Saburtalo election district # 3. This time we have to call our observer back from the PS because **dangerous people made a siege round the PS**,” said Siradze.

According to her, their observers witnessed violations in the polling stations **# 16 and 64 in Batumi**. In the PS **# 16 two voters found signatures in their boxes** in the registration journal. In the PS **# 64 there were fewer signatures in the journal than the number of the used ballot papers**.

Siradze stated that in the polling **station # 14 in Senaki district five IDPs voted without IDP certificates**. A voter from the special list of the other PS voted in the polling station # 32 in Khobi; however, no remark was made in the working version of the voters' list.

Siradze said the violation was observed in the PS **# 2 in Kharagauli district; 49 people were registered for portable box but the commission members returned to the PS with 50 ballot papers**. Eka Siradze said the organization has already filed complaint on the fact and requested to annul the ballot box.

According to Eka Siradze, by 6:30 pm the Fair Elections have already written 22 complaints.

Source: <http://www.humanrights.ge/index.php?a=news&id=7957&lang=en>

31 May, 2010

U.S. Embassy in Georgia

The United States Embassy in Georgia ***shares the initial assessment by OSCE/ODIHR*** and other international monitors and supports their primary conclusions. Georgia's conduct of these elections marked evident progress over past polls and represents clear improvements toward international standards. Embassy teams observed technical improvements in the administration of the elections on election day, although we also observed ***irregularities in individual precincts in Kakheti, Kvemo Kartli, Samtskhe-Javakheti and Samegrelo.***

We recognize the Central Election Commission's efforts to improve transparency and responsiveness to electoral concerns. We highlight the commitment of the government's interagency task force to engage political parties and civil society on elections-related issues. However, we also note reports during the campaign of the misuse of administrative resources, a lack of impartiality of media coverage, instances of intimidation of opposition parties and candidates, and inaccuracies in the voters' list.



We look forward to continuing to work with the Georgian authorities, political parties and civil society to address these challenges and shortcomings. Additional improvements in both the administration of elections and the campaign climate will be essential to increase public confidence in democratic institutions and processes. Successful democratic parliamentary elections in 2012 and presidential elections in 2013 would result in the first peaceful, constitutional and democratic transition of presidential power in Georgia's history.

The U.S. Embassy in Georgia fielded 19 teams to observe elections in Tbilisi and throughout the country. The Embassy seconded an additional three teams to support the OSCE/ODIHR Election Observation Mission to Georgia.

Source: US Embassy in Georgia

<http://georgia.usembassy.gov/latest-news/official-statements-2010/u.s.-embassy-statement-on-georgian-local-government-elections-may-31>

New Generation – New Initiative (Tbilisi-based NGO)

Head of the organization ***New Generation – New Initiative Mikheil Devdariani*** evaluates the municipal elections positively; however, he requests the abolishment of the election results in 10 polling stations.



On May 31 Mikheil Devdariani stated at the press-conference in their office that they request to annul the election results in the villages of Sagarejo district which are populated by ethnic Azeri people.

“What happened in those polling stations had nothing to do with the elections and everything was done against the election procedures,” said Devdariani.

New Generation – New Initiative also requests to annul the results in the polling station # 23 in Vake election district in Tbilisi; the secretary gave ballot papers to the registrar in secret on which the desired candidate were already marked.

Devdariani said that two tendencies were observed between violations. “The ballot was not carried out in accordance to the law and violations happened in regard with portable ballot boxes.”

According to Mikheil Devdariani, more than 20 complaints were filed to the CEC from their organization. The observed violations cannot influence the overall results of the elections.

<http://www.humanrights.ge/index.php?a=news&id=7964&lang=en>

31 May, 2010

A number of international and local organizations were also involved in the monitoring of the pre-election environment.

According to the OSCE May interim report, the main focus has been on the election of the mayor of Tbilisi. The



OSCE/ODIHR Election Observation Mission (EOM) has received allegations of violations from some opposition parties and non-governmental organizations, including pressure on candidates, illegal campaigning by state officials, and unequal access to administrative resources to the benefit of the governing party candidates.

According to the report, the compilation of preliminary voters' lists in urban areas has been affected by some shortcomings in the address system, recent changes to street names and changes of precinct boundaries. Only 171 of over 11,000 citizens who were deregistered from the civil register at their landlord's request applied within the legal deadline to DEC's for inclusion in the voters list.

The OSCE/ODIHR EOM's preliminary media monitoring results indicate a lack of balance in the prime-time news coverage of political subjects and candidates on most monitored television channels. Only the Georgian Public Broadcaster's First Channel (GPB1) has offered its viewers a more balanced picture of the campaign. The very high price of paid political advertising on main nationwide television channels has limited candidates' possibilities to campaign in the media.

Transparency International Georgia (TI) published the third interim report on the use of administrative resources for election campaign. The report covers the period of time between 5 May and 24 May 2010 and focuses on three



types of administrative resources: coercive, logistical and human. Involvement of public officials and representatives of the power-wielding agencies in the election campaign was particularly frequent during the reporting period. Public officials engaged in agitation while performing their official duties, which is prohibited by the Electoral Code. Representatives of the power-wielding agencies, meanwhile, are banned from participating in an election campaign altogether.



humanrights.ge
Web Portal on Human Rights in Georgia

The Human Rights Centre (HRIDC) has observed violations in different aspects. HRIDC report on pre-election monitoring speaks about the following violations: use of administrative resources;

facts of threatening, pressure and bribing of the voters; extortion of money from businessmen; pressure on journalists and on political parties; etc. Local authorities took vacations and got involved in the pre-election campaign, although they still used to go to work and use administrative resources for the election campaign for ruling party. In addition to that, in private conversation with the HRIDC regional coordinators, many businessmen confirmed the fact that they were forced by law-enforcers to finance the election campaign of the ruling party. HRIDC regional office in Kakheti observed the facts in Akhmeta when local municipality threatened voters with ceasing social assistance if they do not vote for the National Movement. According to the HRIDC report, public school teachers are strictly instructed to vote for the National Movement, otherwise they will be fired. These are just few facts that HRIDC report speaks about.

The Georgian Young Lawyers Association (GYLA) presented the second mid-term report on the results of the pre-election monitoring. The report covers the period from April 23 to May 22. GYLA reports about the violations in the regions during pre-election campaign. These are, pressure and threatening on voters in the regions. The report says that representatives of the National Movement collect IDs of the votes in the region and if anybody refuses to give they are threatened with firing them or their family members from jobs. GYLA report speaks about the participation of regional law-enforcers in the pre-election campaign of the National Movement.

TI Georgia, association Law and Justice, ISFED and GYLA oppose rules for participation of military servicemen in 30 May elections.

According to Article 10.10(1) of the Georgian Electoral Code, the servicemen of the Defense Ministry's and Interior Ministry's military (paramilitary) forces and units are to participate both in the proportional and the single mandate constituency in the local elections if by the Election Day they are permanently deployed at one place for a year or more.

According to the amendment recommended by NGOs no military servicemen would be relocated shortly before the elections in order to influence the outcome of vote in specific electoral district(s). However, the Central Electoral Commission (CEC) and the ruling party representatives presently interpret Article 10.10(1) in a different way. According to them, all military servicemen who have signed, at any point prior to the compilation of the special voter list, a contract for a period of at least one year should be allowed to vote, even if this was done the day before the list was compiled.

Under the Georgian law, the minimum duration of a military service contract is three years, while the duration of mandatory military service is one year. The law does not allow for military service shorter than a year, which means that all military servicemen will be allowed to vote in the 30 May elections. The military and paramilitary servicemen can have a considerable impact on the outcome of vote in electoral districts. The CEC's interpretation of Article 10.10(1) of the Electoral Code still makes it possible for the government to deliberately increase the number of military servicemen in specific electoral districts shortly before the elections in order to try to secure a favorable outcome of the vote.

Experts have also expressed their opinions about ongoing election campaigns. E.g., in his interview with InterPressNews, an expert [Gia Khukhashvili](#) stated, that the election campaign was rather calm. There was no high political temperature and activities aimed at particular goals from the side of the opposition were not present as well. Their involvement in regions was rather weak also.



[InterPressNews](#)

Khukhashvili also confirmed that in terms of oppression and use of administrative resources not much had changed since previous elections, however a lot of effort was directed towards hiding such facts.

[Full interview with Nino Tsikhiskatsi](http://www.interpressnews.ge/en/index.php/permalink/17567.html) <http://www.interpressnews.ge/en/index.php/permalink/17567.html>

Photo Reportage from Elections in Kakheti Region



The portable ballot box in the middle of the street



No instructions for filling in the ballot papers in cabins



Several voters together in voting cabins



Poster of President Saakashvili at the polling station



Khinkali at the polling station



"Complaint was Torn off in Front of Me and They Threw Pieces at Me"

4 Jun. '10

"I had to work in a very difficult situation. There was terror and since I requested the commission members explanations for the violations, they imposed two 500 GEL fines on me; of course I will appeal against those fines," said the observer of the Human Rights Center journalist Gela Mtvlishvili in his interview with the newspaper "Resonance". During the municipal elections of May 30, he had to work in almost every district of Kakheti region as an observer.

[Source: http://humanrights.ge/index.php?a=article&id=5089&lang=en](http://humanrights.ge/index.php?a=article&id=5089&lang=en)

"Throw These Observers Away from Here!" Parody of Elections in Ganmukhuri

3 Jun. '10

Ganmukhuri is a beautiful village located close to the administrative border with Abkhazia. Although the municipal elections were more or less calm in Samegrelo region, there was noise and disorder in Ganmukhuri village from the early morning on May 30.

[Source: http://humanrights.ge/index.php?a=article&id=5084&lang=en](http://humanrights.ge/index.php?a=article&id=5084&lang=en)

[“Government Improved Methods of Election Rigging”](#)

4 Jun. '10

2010 municipal elections have become topic of urgent discussions from the very beginning. Despite that, today in Kutaisi, like entire Georgia, the ruling party celebrates the victory. The government assessed the municipal elections as a step towards the democracy like all previous elections. The voters (not to say anything about the opposition parties) have different opinion; they think the reality is completely different – the elections were carried out through serious violations in the country and Kutaisi was not exception at all.

Source: <http://humanrights.ge/index.php?a=article&id=5091&lang=en>

[Military Servants from Other Regions Voted for the Single Mandate Candidate in Rustavi at the So-called Close Polling Stations](#)

2 Jun. '10

On May 30, we were waiting for the permission to enter the polling station # 87 in Rustavi for one and half hour. It was so-called closed polling station which was located in the territory of the prison # 2 in Mshenebli Street, Rustavi.

Source: <http://humanrights.ge/index.php?a=article&id=5081&lang=en>

[Government Misappropriated Votes of Akhalkori District Residents](#)

2 Jun. '10

“What shall I do? If I do not go to Tserovani to mark number 5, they will take the cottage from me,” complained the resident of Akhalkori district before the municipal elections. “Unless you come and mark number 5, we will send you to Russians,” the IDPs settled in Tserovani village were told by the members of the National Movement. Representative of the Alliance for Georgia Gocha Gabrielashvili stated in his interview with the humanrights.ge that drunken member of the ruling party kicked the observer out of the PS. He said the village councilors and governors carried out election procedures in Tserovani.

Source: <http://humanrights.ge/index.php?a=article&id=5079&lang=en>

[“Besh-Besh” Was Still Heard in Azeri Villages](#)

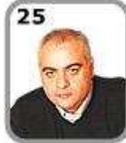
1 Jun. '10

It was a bit calm in the polling station # 48 in the village of Tulari in Sagarejo district from the morning. However, in the afternoon a chain of violations started. The commission chairperson allowed several voters to take part in the elections without IDs. After I noted about the violation, the chairperson told me that it was no problem; the voter had left the ID at home and he could vote without document since he lived far from the PS.

Source: <http://humanrights.ge/index.php?a=article&id=5076&lang=en>

Preliminary Results for Tbilisi Mayoral Elections

Data of **742+32*** precincts from total **774**

 <p>2 Irakli Alasania "Alliance for Georgia" (I.Alasania, S.Subari, D.Usupashvili, D.Gamkrelidze, S.Zurabishvili)</p> <p>19.05 % (85861)</p>	 <p>14 Giorgi Laghidze political party "Future Georgia"</p> <p>0.14 % (633)</p>
 <p>3 Giorgi Topadze Topadze - Industrialists</p> <p>5.19 % (23405)</p>	 <p>18 Tamaz Vashadze political movement "Solidarity"</p> <p>0.65 % (2950)</p>
 <p>5 Giorgi Ugulava "United National Movement"</p> <p>55.23 % (248915)</p>	 <p>21 Davit Iakobidze Tortladze - Democratic party</p> <p>0.22 % (988)</p>
 <p>7 Zviad Dzidziguri "National Council"</p> <p>8.31 % (37434)</p>	 <p>25 Nikoloz Ivanishvili Ivanishvili - "Public Democrats"</p> <p>0.51 % (2308)</p>
 <p>10 Giorgi Chanturia Giorgi Targamadze, Inga Grigolia - Christian-democratic movement</p> <p>10.7 % (48220)</p>	

[Preliminary results from precincts](#)

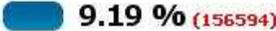
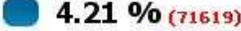
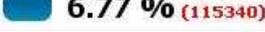
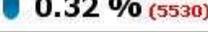
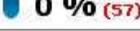
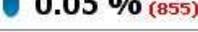
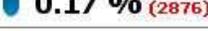
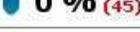
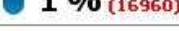
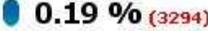
Proportional results as of Tbilisi

Data of **742+32*** precincts from total **774**

2. "Alliance for Georgia" (I.Alasania, D. Usupashvili, D. Gamkrelidze, S. Zurabishvili)	17.98 % (80163)
3. Topadze - Industrialists	6.23 % (27793)
5. "United National Movement"	52.5 % (234106)
6. Georgian Sportsmen Union	0.35 % (1580)
7. "National Council"	8.26 % (36850)
8. The national Party of Radical Democrats of Georgia	0.37 % (1636)
10. "Giorgi Targamadze, Inga Grigolia - Christian-Democratic Movement"	12.04 % (53678)
12. Political party "Our Country"	0.08 % (369)
14. Political party "Future Georgia"	0.12 % (520)
15. Political Movement "Tavisupleba"	0.32 % (1430)
18. Political Movement "Solidarity"	0.64 % (2876)
21. "Tortladze - Democratic party"	0.3 % (1342)
23. Political union of citizens "Public Alliance of Whole Georgia"	0.09 % (419)
25. Ivanishvili - "Public Democrats"	0.7 % (3136)

Georgia proportional

Data of **3622+72*** precincts from total **3694**

2. "Alliance for Georgia" (I.Alasania, D. Usupashvili, D. Gamkrelidze, S. Zurabishvili)		9.19 % (156594)
3. Topadze - Industrialists		4.21 % (71619)
5. "United National Movement"		65.74 % (1119608)
6. Georgian Sportsmen Union		0.11 % (1834)
7. "National Council"		6.77 % (115340)
8. The national Party of Radical Democrats of Georgia		0.18 % (3103)
10. "Giorgi Targamadze, Inga Grigolia - Christian-Democratic Movement"		11.93 % (203232)
12. Political party "Our Country"		0.02 % (369)
14. Political party "Future Georgia"		0.03 % (520)
15. Political Movement "Tavisupleba"		0.32 % (5530)
16. "Momavlis Partia"		0 % (57)
17. National-Democratic Party (NDP)		0.05 % (855)
18. Political Movement "Solidarity"		0.17 % (2876)
19. Political Movement "Mamulishvili"		0 % (45)
21. "Tortladze - Democratic party"		1 % (16960)
23. Political union of citizens "Public Alliance of Whole Georgia"		0.08 % (1348)
25. Ivanishvili - "Public Democrats"		0.19 % (3294)

Source: http://results.cec.gov.ge/index_eng.html

www.caucasusnetwork.org



The Newsletter has been prepared by the **Human Rights Center** (Network Coordinator in Georgia)

Please Note: It is obligatory to cite the South Caucasus Network of Human Rights Defenders when using materials from this newsletter

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