

Caucasus ELECTIONSWATCH

A weekly review of elections related processes in the Caucasus Region

12 June 2012

Georgia in transition: US leaders hammer in importance of free and fair elections

American political leaders have over the last few days highlighted the importance of free and fair elections in Georgia whilst also expressing support for Georgia's territorial integrity and for the right of the Georgian nation to decide its future.

US Secretary of State Hillary Clinton linked the two messages during a press conference in Batumi on June 5th, at the end of her visit to the country. She said that free and fair elections that will result into a fully democratic transfer of power will be the "single best thing" Georgia can do to advance its security, democracy and international reputation.

The message was echoed a day later in Washington. Lawmakers in the U.S. House of Representatives described parliamentary elections in October and the 2013 presidential election in Georgia as "critical" for the country's democratic development.



Representative Howard Berman (California), the House Foreign Affairs Committee's top

Democrat, said he was "concerned by efforts to prevent a prominent political opponent from running in the parliamentary election" -- a reference to billionaire opposition leader Bidzina Ivanishvili. Berman also decried "reported attempts to intimidate local opposition leaders, including denying them access to media."

House lawmakers also approved a resolution reaffirming support for Georgia's territorial integrity, NATO aspirations, and democratic reforms made to date.

Freedom House categorizes Georgia as "transitional"

A Freedom House report has categorized Georgia as a Transitional Government or Hybrid Regime. The Nations in Transit 2012 report, published on 6 June, is Freedom House's comprehensive, comparative study of democratic development in 29 countries across Eurasia.

The US-based organization found that those countries which achieved the greatest democratic success since the end of the Cold War "are now displaying serious vulnerabilities in their young democratic systems". Over the past five years, stagnation and backsliding has been evident in key governance indicators, particularly in new EU member states and the Balkans, the report says.

"Today I met with leaders of the opposition parties and discussed their vital role in deepening Georgia's democratic development. The United States believes competing energies and ideas drive the democratic process; civic activism, open debate and level playing field, citizens' access to information are all vital as you move towards parliamentary elections and then presidential elections. We expect Georgia will hold free and fair elections this fall and then completely democratic transfer of power in 2013 and we believe that every party and every candidate should respect the political process and we look forward to welcoming a strong relationship with those that the Georgian people choose"

Hilary Clinton, US Secretary of State, speaking in Batumi on 5 June 2012



Georgia has an overall score of 4.82, on a scale of 1 to 7 (1 being the most democratic). It scores 5.00 in Electoral Process, 3.75 in Civil Society, 4.25 in Independent Media, 5.75 in National Democratic Governance, 5.50 in Local Democratic Governance, 5.00 in Judicial Framework and Independence, and 4.50 in Corruption. Apart from Georgia, the group of Transitional Governments or Hybrid Regimes include Albania at 4.14, Bosnia and Herzegovina at 4.36, Ukraine at 4.82, and Moldova at 4.89. ■

Source: CEW with Radio Free Europe/Radio Liberty, IPN and civil.ge

Caucasus Elections Watch is a specialised weekly publication focusing on elections related processes in the Caucasus, with news and analysis compiled by experts with long experience of the region.

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Baku

US Secretary of State Hillary Rodham Clinton met on June 6 with a prominent Azerbaijani opposition activist who was just freed after serving a year in prison, and prodded the oil-rich Caucasus nation to do far more to advance democracy and human rights. Clinton said she spoke with the Harvard-educated Bakhtiyar Hajiyev and urged him to continue his pro-democracy campaigning. She expressed hope that Hajiyev "will be able to continue his work without interference."

Clinton met several other opposition members, too, after lunching with Azerbaijani President Ilham Aliyev and other top government officials and stressing "the importance of fostering a vibrant civil society and embracing democratic reforms."

"We urge the government to respect their citizens' right to express their views peacefully and to release those who have been detained for doing so, in print or on the streets, or for defending human rights," she told reporters.

At a news conference alongside Clinton, Foreign Minister Elmar Mammadyarov said the government was doing its best to strengthen civil society, human rights and the rule of law. "Human rights cannot come within a night," he said. "It's a generational issue. It's a process." ■



Tbilisi

The US based Committee for Open Democracy (COD) has set up an Elections Observation Mission in Georgia, ahead of Parliamentary Elections in October. The President of the organisation, Tom Noland, said that they hoped to receive a letter from the Georgian government that would allow them to formally monitor the electoral process on election day.

At the beginning of June, COD hosted in Tbilisi the former Chairman of the Central Elections Commission of Ukraine, Yaroslav Davydovych, who has been designated as a Special Advisor for its mission in Georgia. The Mission is currently assessing Georgia's election law. Davydovich says that COD will issue a report on this shortly. He also highlighted problems with the Georgian media, especially television broadcasting. ■



Kutaisi

Kutaisi City Court imposed a 3000 GEL bail, as a pre-trial measures of constraint on three activists of the Georgian Dream opposition coalition on charges of vote-buying.

As reported, the activists of the political coalition distributed flyers and application forms promising gifts of significant value to voters in Kutaisi. Leaders of the Georgian Dream attended the court's sitting. ■

Georgian Young Lawyers Association (GYLA) asks statutory bodies to investigate possible breach of party funding by the governing party



One of Georgia's leading NGOs has raised concerns about practises of the ruling United National Movement in Georgia which it says may constitute a breach of current election law on party funding. The Georgian Young Lawyers Association has written to the government controlled Chamber of Control, and Task Force on Free and Fair Elections asking them to investigate. In a statement GYLA said:

"On May 28, 2012, Maestro TV newscast aired a report about a meeting held by representatives of the Unified National Movement with medical professionals in restaurants Monopoli and Triumph. As revealed by the report, Interior Minister Vano Merabishvili, Tbilisi Mayor Gigi Ugulava, head of Tbilisi City Halls' Municipal Department Of Social Services and Culture Mamuka Katsarava and heads of various other departments of the local self-governance held closed meetings with over 1500 people.

According to medical professionals that participated in the meetings, they discussed issues pertinent to the city maintenance, problems and reforms planned in the medical field. In interviews with a journalist doctors also confirm that at the meetings representatives of the UNM hosted a buffet dinner.

According to the report, together with political officials heads of various departments of Tbilisi City Hall also participated in the meetings, whereas venues for the meeting have been included in the City Hall's plan. Participants invited to attend the meeting state that they were invited to meetings organized by the City Hall as opposed to a political party.

Active participation of public officials in agitation meetings highlights once more the blurred line between public and political authorities one the one hand and party activities on the other, which results in mixing activities of the authorities with those of the party creating risks of use of administrative resources in pre-election period. OSCE Document of the Copenhagen Meeting of the Conference calls for clear separation between the state and political parties, obligating states to provide ... the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities".

Further, it is noteworthy that recent agitation meetings of the ruling party with voters is held behind closed doors, without allowing media to attend and cover such meetings and events, which raises certain questions with respect to the content of statements and election promises made during the meetings and hinders media to obtain and impart information about the meetings.

With respect to food provided to voters at agitation meetings Tbilisi Mayor Gigi Ugulava clarifies that the food expenditures

constitute legal expenditures of the party and buying food by a party at its own expense does not amount to violation of law . We would like to disagree and note that food expenditure may not be viewed as a legal expenditure of a political party since food is purchased for agitation meetings and offered/provided to voters free of charge at these meetings. Consequently, we find violation of Article 252 of the Law of Georgia on Political Union of Citizens prohibiting a party from providing or distributing goods or services free of charge to citizens of Georgia via a candidate, a representative or any other individual (except as prescribed by law).

Further, in the given case there may also be signs of vote-buying which envisages criminal liability for direct or indirect offer, promise, transfer or provision of money, other property, property rights, service or any other benefit for election purposes.

In this light, we apply to the financial monitoring service of the Chamber of Control of Georgia to look into the fact and act on the alleged violation of law by a political party.

We apply to the Interagency Commission for Free and Fair Elections to examine and take corresponding further actions." ■

Source: CEW with GYLA

Fact Box

The majoritarian system in the Georgian Elections

Georgia has a mixed system in which 73 lawmakers out of 150 will be elected in 73 single-mandate constituencies and the remaining 77 seats will be allocated proportionally under the party-list contest among political parties and election blocs, which will clear a 5% threshold.

Under this system, wherein a majoritarian MP is elected through winner-takes-all rule (but a candidate should get at least 30% of votes).

Different number of votes are required to elect a deputy in different electoral districts. This is one of the shortcomings of the system noted by local and international observers. The Venice Commission, has long been recommending Georgia to secure equality of vote through establishing approximately equal sized single-mandate, majoritarian constituencies. The commission said wide disparity between the constituencies - ranging from about 6,000 voters in the smallest constituency to over 150,000 voters in the largest one – "undermines the principle of equality of suffrage."

Source: CEO with civil.ge

The battle for

Georgia's main opposition movement, Bidzina Ivanishvili's "Georgian Dream" coalition, took its campaign to the country's second city Kutaisi, on Sunday, 10 June. Ivanishvili addressed a large crowd of thousands from behind a bullet proof screen, as concerns regarding the billionaire's safety increased as his popularity increases.

People from all over the Central Georgian province of Imereti congregated in Kutaisi's David the Builder Square to hear Ivanishvili introduce the candidates who will run for the single seat majoritarian constituencies in the province on the Georgian Dream ticket next October.

Earlier the local government had refused permission for the rally to be held in the city's main square. The event in Imereti was an important test for Ivanishvili's popularity outside the capital where it was thought that his support was weaker.

Imereti is likely to be one of the most hotly contested areas during the autumn's parliamentary elections in Georgia and unlike other regions outside the capital Tbilisi it has a record of voting against the incumbent government.

Kutaisi was always considered as the second most important city in the country and this has been re-enforced by the decision of the Georgian government to move the parliament there from the capital.

The new parliament building was used last month for a special session of the Parliament addressed by President Saakashvili. Some MPs had expressed concern that the building was not safe and should not be used yet. On Friday a local worker was killed when scaffolding collapsed on him. This was the third death connected with the parliament building, a mother and child died on the site of the building during the demolition of a former war monument to make way for the new legislature. The government has been criticised that in its haste to finish the building it is flaunting safety regulations.

Source: CEW

An enormous glass bubble has sprung up in a field in the middle of Georgia

The new parliament building was the subject of a story filed from Kutaisi on 10 June by the BBC's Damien McGuinness for the web site www.bbcnews.co.uk.

Looking like some sort of 1960s sci-fi spaceship, a 40 metre-high domed eye, with a huge concrete eyelid, stares out blankly. This is Georgia's new parliament building.



Kutaisi

It's the pet project of the country's architecture-enthusiast president, Mikheil Saakashvili. It's located hundreds of kilometres from the capital Tbilisi, in the town of Kutaisi, and MPs will move here after October's parliamentary elections.

The huge glass dome will contain split-level gardens and glass-fronted offices. Voters should be able to see right in. At its heart, sunlight streams into a white semi-circular parliamentary chamber, made entirely of natural wood.

All the glass is meant to symbolise democratic openness and transparency in a country, which until 1991, was part of the Soviet Union.

Modern, impressive and transparent, just like Georgia

"Just like the new Georgia, this building is modern, impressive and transparent. And just like the new Georgia, this building represents equality and accessibility for every member of our society," proclaimed President Saakashvili in a recent speech to MPs in the newly finished parliamentary chamber.

Ramaz Nikolaishvili says the new parliament is a sign that Georgia is shaking off its communist past. The bright space-aged curves are very different to the old Soviet-era parliament building in Tbilisi. Built while Joseph Stalin ruled the USSR, it's an intimidating stone-pillared fortress, with few windows, and lots of locked gates.

Originally the stonework was engraved with Soviet stars and hammer-and-sickle emblems - that is until they were quietly knocked off the authorities. Many members of Georgia's fervently West-leaning government have tended to regard this hulking Soviet-era relic, which looms over Tbilisi's central boulevard, as a bit of an embarrassment.

The Regional Development and Infrastructure Minister, Ramaz Nikolaishvili, says the new parliament is a sign that Georgia is shaking off its communist past. "For a long time in our country, during the Soviet era, square ugly communist blocks were built," he said during a tour of the new parliament building. "We want to change that, and build other sorts of buildings. We don't want our children's taste to be ruined by communist architecture. We want beautiful buildings and we want the next generation to grow up with good taste. This will help them live in a better and more dignified way."

For local people in Kutaisi, the benefits of having the parliament here are much more concrete. This was once a thriving industrial town. But the collapse of the former Soviet Union 20 years ago changed all that. Now the factories are decaying husks, and unemployment is high. Moving the parliament here is all part of the Georgian government's plans to decentralise power away from the capital - and boost local economies.

The new jobs, which will come as government workers move here, are very welcome.

Davit Chikovani, the owner of a local restaurant, says until now people here have felt neglected because all the attention and money usually goes to Tbilisi. "It'll really make a difference because we'll get much more business. Actually we're now planning to renovate the restaurant, and change the design to cater for all these new customers.

We're really going to see a big increase in our profits."

The government is building a motorway to connect the new parliament with the capital. But that won't be ready for another couple of years. Activists say moving the parliament from the capital makes it hard to call the government to account. Until then you have to use a narrow winding unlit mountain road. The journey usually takes about three hours. It's the only connecting main road between the eastern and western halves of the country. So it can often take much longer because of heavy traffic, slow trucks or snow.

The new parliament is not just hard to get to. It's also far away from the political debate, say critics. Back in Tbilisi, a couple of hundred activists stage a demonstration on the steps of the old parliament in support of civil rights. Since Soviet days, this has been the traditional place to protest in Georgia.

Most government critics are in the capital. So activists say, moving the parliament away, makes it hard to call the government to account. "The parliament will be weaker, the parliament will be less accessible and there will be no participation of the general public," says protest leader Tamar Gurchiani.

"Sometimes I think they just hate our past. They want to hide everything that belongs to our past. They want to build a new country and I'm just wondering for whom - because the people of Georgia don't participate. They just don't ask us anything."

Total cost unclear

Many Georgians also worry about the cost. Georgia's finance ministry wasn't able to immediately provide the BBC with an estimate for how much has been spent on the building so far. But according to a statement given to Georgian press by the finance minister, construction to date has cost \$83m. There are no estimates yet publicly available about how much the entire project will cost in total.



The official unemployment rate is 15%. But many analysts estimate that the real figure is at least double that. And over 1.5 million Georgians are registered with state social service agencies as living in poverty. So many wonder whether cutting-edge architecture and relocating the entire parliament is really the top priority right now.

But at Independence Day celebrations in May, as Georgia's emotional national anthem is sung for the first time in front of the gleaming glass dome, it's hard not to be impressed. Just over a decade ago, Georgia was almost a failed state, struggling to provide its people with water and electricity. And during the 1990s the country was racked by crime, corruption and civil war. So for many Georgians, building this shining new parliament, is a moving symbol of how the country is also building itself. ■

Source: BBC (www.bbc.co.uk)

Prosecutors, footballers, journalists and actors; a colourful mix of candidates start lining up for Georgia's parliamentary elections

Political parties in Georgia have started preparing candidates for next October's parliamentary elections.

The First Deputy Prosecutor General of Georgia, Davit Sakvarelidze, announced on June 11 that he was resigning in order to enter politics.

Georgian media have speculated over the last days that Sakvarelidze will become the majoritarian candidate for the ruling United National movement (UNM) in the Krtsanisi District of the Capital Tbilisi.

A UNM official told the Georgian news portal Civil.ge on that Sakvarelidze's possible candidacy in Krtsanisi single-mandate constituency was under consideration, but no final decision was yet made.

In the meantime, at a Rally held in Kutaisi, the leader of the Georgian Dream Coalition, Bidzhina Ivanishvili has named six out of the twelve majoritarian candidates for the Imereti region of Georgia.

Gubaz Sanikidze, one of the leaders of National Forum – one of the parties within the Georgian Dream coalition will run in Kutaisi, which is Georgia's second largest city and one of the largest single-mandate constituencies.



Davit Sakvarelidze, has resigned from his post as First Deputy Prosecutor General of Georgia to contest a parliamentary seat in the capital Tbilisi



Kakha Kaladze, a retired footballer, who was a captain of the Georgian national team and who won the Champions League on two occasions with AC Milan, will run in his native town of Samtredia. He is pictured here wearing the distinctive red and black Milan colours during match with Fiorentina.

Kakha Kaladze, a retired footballer, who was a captain of the Georgian national team and who won the Champions League on two occasions with AC Milan, will run in his native town of Samtredia.

Eliso Chapidze, a former journalist who edited daily Rezonansi before joining Ivanishvili's party, will run in the coal-mining town of Tkibuli.

An actor Gogi Kavtaradze was nominated as a majoritarian MP candidate in Zestaponi.

A lawyer Archil Kbilashvili from Ivanishvili's party, Georgian Dream-Democratic Georgia, will run in Bagdati.

Nodar Ebanoidze of the Republican Party, part of the Georgian Dream coalition, will run in Kharagauli.

Georgia has a mixed system in which 73 lawmakers out of 150 will be elected in 73 single-mandate constituencies and rest 77 seats will be allocated proportionally under the party-list contest among political parties and election blocs, which will clear 5% threshold. ■

Source CEW with civil.ge

Fears that Elections in Nagorno-Karabakh may further inflame tensions on Armenia-Azerbaijan line of contact

The campaign in the Presidential election in the self-declared Nagorno-Karabakh Republic is taking place amidst the backdrop of heightened tension of the line of contact separating Armenian and Azerbaijani forces. Last week there were reports on casualties on both sides in the most serious incidents reported this year. Karabakh and surrounding areas were reported tense, and the President of the self-declared republic extended the period of conscription of current military recruits by one month. Azerbaijan has condemned the elections, scheduled for 19 July 2012 as a provocation. International organisations and western countries are expected to declare that they will not recognise the results because of the current status of the territory and since the Azerbaijani population of the territory which was displaced by the conflict cannot vote.

Four candidates are running for the post of President: the incumbent President, Bako Sahakyan, a member of the region's parliament Vitaly Balsanyan, an academic Arkady Soghomonyan and an unemployed person, Valery Khachataryan. Although the current President is by far the favourite to win the election, Balsanyan is also a credible contestant who is a former war hero and who is mounting an active campaign.

Speaking to news.am Balsanyan said that "The attitude of the nation is not quite clear yet, but everything is quiet and peaceful in the country, we are working and getting ready." Commenting on how he was getting ready for the elections, Balsanyan mentioned that his team is busy with organization issues and is developing the campaign program. Among main points of Balsanyan's program is returning NKR as a direct participant in the negotiations on a peaceful settlement of the Karabakh conflict.

Balsanyan's campaign however suffered a setback following a statement made by Karabakh Central Committee of the Dashnak Armenian Revolutionary Federation (ARF).

According to the statement during the presidential elections in NKR ARF is to support Bako Sahakyan.



Bako Sahakyan, the president of the self-declared Nagorno-Karabakh Republic is considered the favourite in elections scheduled to be held in the territory on July 19th.



War hero Vitaly Balsanyan is mounting a credible challenge against the incumbent President but his candidature suffered a setback after one of the main parties declared its support for Sahakyan.

"I started to cooperate with ARF in 2005 when I participated in the parliamentary elections as member of the ARF-Movement-88 and have been a member of the parliamentary group of the same name. Since 2010 I have been a member of the ARF parliamentary group. Until now we had good relations and I always felt the respect of ARF members towards myself," Balsanyan's statement reads.

According to Balsanyan, he had informed ARF about his nomination as presidential candidate and ARF replied that the party is not going to support any of the candidates. Balsanyan says

that he considers ARF's recent decision to support Bako Sahakyan to be inappropriate.

Observers are concerned that the elections will further inflame tensions on the line of contact and are expecting intensified diplomatic activity over the next weeks to try to diffuse the situation. ■

Karabakh candidate campaigns on facebook.

Karabakh presidential candidate Vitaly Balsanyan has turned to facebook as an important medium of his election campaign, according to the London based Institute for War and Peace reporting (IWPR).

He told IWPR that under Karabakh's laws, he is not technically allowed to campaign until June 19, but he is updating his page every day with his thoughts and photographs.

"I launched the page with the aim of engaging more actively," Balsanyan wrote in a recent post. "I'm going to put down my thoughts and ideas and see how readers react. I think virtual conversations will be productive."

Diana Movsesyan, a graduate of Artsakh State University – the main institute of higher education in Karabakh – has already clicked "like" on Balsanyan's Facebook page.

"I am convinced that Balsanyan's candidacy gives us a chance to hold a different kind of election in Karabakh. I want it to be democratic, without pressure or anything," she said. "I hope that state institutions don't exploit their power [in favour of the incumbent] ahead of the election. I hope this election changes the atmosphere in the country." ■

Source: CEW with IWPR

Pressure grows on Georgian government to create a level playing field in the georgian media ahead of october's elections

Georgian NGOs that form part of the campaign "This concerns you!" have sent an open letter to the Georgian Parliament urging the legislative body to take the interests of the public and the voters into account and introduce "must-carry" and "must-offer" rules in the legislation regulating media activities.

"Do not allow any kind of restriction of access to any media outlet; Take into account opinions and recommendations provided by international organizations on the necessity of pluralistic media in the country," reads the letter.

The letter also discusses the restriction of access to Channel 9 and the decision to switch off radio signal in mini buses, moves seen as aimed at restricting citizen's access to information. "Even if there is some legal basis for the decisions, the end result has become a matter of concern for numerous non-governmental and media organizations and citizens," says the letter.

The Campaign members urge MPs to heed the calls made by the civil society and international community for setting up pluralistic media environment.



The "This Concerns You!" campaign members believe the introduction of must-carry and must-offer rules will help improve election environment and provide public access to diverse information in the pre-election process.

Eastern Partnership Civil Society Forum

The call of Georgian NGOs was echoed in Brussels this week at a meeting of the Eastern Partnership Civil Society Forum, a European Union supported framework linking civil society across Europe and the Eastern Partnership countries. In a resolution on Georgia the forum states that:



"The October 2012 Parliamentary Elections are of crucial importance for future of democracy in Georgia. The new parliament shall ensure the country's transition to parliamentary system and form the new government in line with the amendments to the Constitution of Georgia (October 15, 2010).

While the upcoming elections promise to be competitive, there still remain a number of challenges to the prospects of conducting free and fair elections in a level playing field.

In February 2012, significant part of the civil society organizations started a campaign under the name "This Affects You Too" aimed at improving election legislation and developing a better pre-election environment. Many of the campaign's proposals have eventually been reflected in the amendments to this law in May 2012.

On May 7, 2012 Georgia's non-governmental and media organizations submitted an additional package of the legislative proposals to the Parliament which, if adopted, will be instrumental for democratic elections in Georgia. The must-carry and must-offer principles introduced in the legislative package deserve a special attention as they ensure public access to the pluralistic media."

The forum called on the European Union to support the efforts of Georgian civil society aimed at ensuring fair and competitive elections and media environment. ■