

Caucasus ELECTIONSWATCH

A weekly review of elections related processes in the Caucasus Region

24 July 2012

International Community calls on Georgia to ensure media freedom, says government is failing to protect journalists.

In light of recent violent incidents against journalists, both the Organisation for Security and Cooperation in Europe (OSCE) and Amnesty International have called on the Georgian government to uphold the rights and freedom of the media, and investigate thoroughly acts of aggression, and intimidation against representatives of the media.

OSCE Representative on Media Freedom, Dunja Mijatovic, in reference to the violent clashes in the villages of Mereti (26 June) and Karaleti (12 July) which left tens of people injured, many of whom were journalists, said in a statement on 16 July, "Journalists should be able to work unhindered, regardless of the political affiliation of the media outlets they represent."

She made it clear that the responsibility falls on the shoulders of the authorities "to ensure that media workers can perform their professional duties without fear of violence, or any other form of obstruction."

The incident occurring on 12 July, in the village of Karaleti in the Shida Kartli region in Central Georgia, resulted in ten journalists from the *Info-9* news agency, *Metskhre Arkhi* (TV9), *Trileti* and the *Shida Kartli Information Centre* who were covering campaign activities of the opposition coalition Georgia Dream being sent to a hospital in Gori to have their injuries treated after fighting erupted.

Media reports show several local residents verbally insulting and demanding that the Georgian Dream supporters leave the village immediately. As a confrontation developed, video recordings of the incident show residents throwing stones at the Georgian Dream activists and members of the press. As the media representatives and opposition supporters retreat, a man accompanying them is seen brandishing a gun. Six people, four opposition activists and two village residents, have been arrested and sentenced to 15 days of administrative detention according to the Georgian Ministry of Internal Affairs following the altercation in Karaleti.

According to a lawyer for the Georgian Dream coalition, there were four principal agitators, allegedly connected to the United National Movement (UNM), who remain at large despite the opposition providing photo and video evidence which demonstrates their involvement in the violence.

Mijatovic, who has already been exchanging letters with the Georgian government over other cases of violence against journalists, expressed her hope that the government "will do their utmost to reverse this worrying trend."

Amnesty International, the respected global human rights organisation, echoed the OSCE Representative's views in a statement released on 20 July.

"The authorities," it says, "are failing to protect the opposition supporters and journalists from what appears to be politically targeted violence."

Amnesty called on the Georgian government "to ensure freedom of expression and association of all persons regardless of their political views or association and to bring those responsible for the recent attacks to justice following a thorough, impartial and effective investigation."

The statement also highlighted Amnesty's growing concern over the increasing number of reports of pro-opposition journalists being harassed and prevented from carrying out their work, pointing to the case of Ekaterine Dugladze.



Dugladze, a female reporter with internet-based *Info-9* News Agency in Zestaponi, has been constantly followed by a group of seven young men for the past three weeks. She told Amnesty that the men follow her by car or on foot, preventing her freedom of movement, interfering with filming and interviews, and come "physically very close [...] making inappropriate remarks about my work and private life and asking questions in an on-stop manner."

The *Info-9* correspondent has filed a complaint with the police, but to no avail. "I am forced to continue my work in an intimidating and threatening environment, feeling completely unprotected," she said.

Amnesty urged the Georgian authorities "to ensure that the journalists are able to work unhindered and without the fear of violence regardless of the political affiliation of the media outlets they represent."

Finally, both international bodies expressed their unease over the seizure of over 10,000 satellite dishes from independent media agency *Maestro TV* at the beginning of this month.

Mijatovic of the OSCE hoped that the decision made by the Tbilisi City Court "would not negatively impact the right of its viewers to freely receive information."

Representatives of twenty different Georgian media outlets met on Friday in Tbilisi in support of *Maestro TV*. The group, according to Democracy and Freedom Watch, is demanding that the prosecutor's office and the Tbilisi city court cancel the seizure and reverse their actions on the grounds that authorities "violated freedom of speech and the public's right to receive diverse information."

The appeal states that "the step taken by the prosecutor's office together with the court contradicts [the democratic] principles declared by Georgia and prevents people from making an informed choice in the upcoming parliamentary elections," noting, "it is completely unacceptable [to use] state institutions against [the] media, such as the prosecutor's office and the court, especially when it is done for political reasons."

Tamar Chugoshvili, chair of the Georgian Young Lawyer's Association, is concerned that the number of cases hindering the work of the media in Georgia is increasing. She said that a serious issue in Georgia remains the fact that political neutrality does not exist. She noted, that the line between the ruling political party and the government is very unclear, making it difficult to distinguish between the activities of the UNM and the authorities. ■

Report prepared for CEW by Karina Gould with reporting from on line Georgian media and the websites of the OSCE and Amnesty International



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.

Caucasus Elections Watch is also distributed electronically. For more in depth articles you may also visit our website www.electionswatch.org or join our facebook page.

Published by

LINKS Analysis,
7-10 Adam House,
Adam Street,
London WC2N 6AA

T +44 2075209308
F + 44 2075209309
E analysis@links-dar.org
W www.links-dar.org

LINKS was established in London in July 1997 as an independent, not-for-profit, think tank, working on areas of conflict and conflict prevention, governance, global security and international relations. Over 15 years it has implemented a wide range of activities in support of its basic aims: the peaceful resolution of conflicts and the promotion of democracy in societies in transition, working most of the time through innovative, ground breaking projects. Around 500 events in more than 30 countries were organised.

Regional Partner

International Centre on Conflict and Negotiation (ICCN)

Machabeli str. No 5;
P.O. Box 38 Tbilisi 0179
Georgia

T: (995 32) 923 920
F: (995 32) 939 178
W www.iccn.ge

Subscription:

Caucasus Election Watch is distributed free electronically.

To subscribe please send empty email with the word subscribe in the subject to subscriptions@links-dar.org. To unsubscribe please send an empty email with the word unsubscribe in the subject to subscriptions@links-dar.org

Printed copies of the report are available against payment.

Price for 1 copy, including p+tp:

UK £5, Other EU €7,
Other countries €10 €

6 months (26 issues) 10% discount Bulk order :
50 copies and more 10% discount.

Baku

The British Embassy in Baku, along with the OSCE Office in Baku and representatives of the Council of Europe and the European Union, organised a conference last week entitled "From traditional to online media." The conference brought together stakeholders in media, civil society and officials to discuss the future of media in Azerbaijan.

Andrey Valentinov, the advisor on political affairs to the EU representative in Azerbaijan called upon the country to "support the creation of new media [...] by adopting new laws to support them." He also noted that in democratic societies countries must not control or intervene in media activity. The EU official encouraged the government not to rush into reforms in media legislation but to engage in dialogue with media outlets and representatives to gain their perspective and opinion.

Noting that media preferences have changed in the country, Koray Targay, the head of the OSCE office in Baku, explained that people now prefer to receive most of the information online.

Highlighting the contribution the OSCE office has made to the development of online media in Azerbaijan, Targay explained that "Several projects have been implemented since 2011, he said, adding that "courses were organised for journalists. Freedom of speech and press are the OSCE's basic principles. Before, news could be received through radio and television. Today this information is not enough. Today we get full information through online media more rapidly."

According to reports from Trend news agency, there are 40 daily newspapers, over 200 online news services, nine national TV stations and 20 internet radio services in Azerbaijan. Sixty-five per cent of Azerbaijanis use the internet, and 35% are frequent users. ■

Gurjaani

Police in Georgia arrested one member of the opposition Georgian Dream coalition after he hit a female employee of the local government in Gurjaani, a town in eastern Georgia which was the scene of devastation after a recent storm

"Information Centre Kakheti" reported that Giorgi Natroshvili was arrested and taken to the local police station for questioning.

The incident happened during the visit of the leader of the Georgian Dream Coalition, Bidzina Ivanishvili, to Gurjaani to meet with the local population. After the meeting there was a scuffle between supporters of Georgian Dream and Mako Chitinishvili, an employee of the local government. Georgian media reported that she

verbally attacked Bidzina Ivanishvili, and this caused dissatisfaction among his supporters, and then Giorgi Natroshvili hit her in the face.

Before the incident, people tried to explain to the woman that government representatives have not helped them sufficiently, and told her about the problems they are having. "It is not the right time for politics when we people are dying from hunger," one of the locals told her.

Before the incident, Inter-Press News reported that one of the locals would not let Ivanishvili visit her house. A teacher of Georgian language said if she let Ivanishvili in, she might be fired. "Please do not take pictures of me, I'll be fired. They fired a teacher in Kalauri for supporting Ivanishvili," she said. ■

Yerevan

Yerevan's Central and Nork Marash Administrative Regions' General Jurisdiction Court in a ruling it gave on 23 July after hearings in closed session, dismissed the petition of lawyer Tigran Atanesyan, on behalf of The Civitas Foundation's founder and former Foreign Minister Vartan Oskanian.



Oskanian's lawyer was appealing against a decision to open a criminal lawsuit by the National Security Service (NSS) Investigation Department and in which Oskanian was called as a witness.

At the time Oskanian wrote on his facebook page, "It was apparent from the content of NSS' statement issued that I am being questioned as a suspect and not as a witness along the lines of the criminal lawsuit that is launched. Considering this, I decided to use my constitutional right and not to testify." ■

Reliability of Opinion Polls Questioned.



Contradictory results from several opinion polls in Georgia, ahead of parliamentary elections, have again cast doubts about the usefulness of election polling in the South Caucasus.

Full or partial results of three polls were released in Tbilisi over the last few days.

The NDI poll, which asked voters which party they would vote for if the elections were to take place tomorrow, reported that 36% of respondents said they would vote for the United National Movement (UNM), the governing party, 18% for the Georgian Dream (GD) coalition, led currently by Bidzina Ivanishvili, and 3% would vote for the Christian Democratic Movement. Another 22% responded they did not know who they would vote for and another 16% refused to answer the question. Five percent of participants said they would vote for another Georgian political party.

NDI interviewed 6,299 randomly selected individuals from across the country between June 4 and 22. According to the report, the results have an average margin of error of +/- 2%.

When comparing the June results with those of the previous wave conducted in February, support for the UNM fell by 11 points, whereas support for the Georgian Dream coalition increased by 10 points.

The UNM, shortly afterwards released the figures from its own poll, conducted by Greenberg Quinlan Rosner in June of this year.

Poll Conducted by:			
	NDI	UNM	GD
UNM	36%	57%	30.7%
GD	18%	31%	43%
CDM	3%	4%	N/A

The UNM survey identifies 57% of those who took the survey as responding that they would vote for the ruling party, 31% for the Georgian Dream, and 4% for the Christian Democrats, and 1% for the Labour Party. An additional 5% said they did not know who they would vote for or had not yet decided.

The governing party maintains that their support has not dropped. Senior Party spokesperson Goka Gabashvili told Democracy and Freedom Watch, "We have ideal conditions for starting the election campaign. The voter will make a final decision on Election Day." He added that the most important factor for the UNM is the trend in voter intentions, noting that "we have [many] more voters than our opponents have."

Partial results were also released of a third poll conducted for Georgian

Dream by Young Psychologist Association, together with a UK based polling organisation which showed that 43% of Georgians consider the Georgian Dream coalition and Bidzina Ivanishvili as the most able to solve their problems, while 30.7% feel this way about the governing party and incumbent president Saakashvili; the other 30% did not answer.

Maya Panjikidze, a spokesperson for the Georgian Dream coalition, the most important indicator of support for the opposition is not a figure published by an institute but rather the "unprecedented number of supporters who have shown up at the five rallies [the coalition has] held since May." While expressing concern about the accuracy of the NDI poll results, the Georgian Dream spokeswoman nevertheless noted that the opposition continues to have great respect for this organisation.

It is important to keep in mind that each poll was conducted by a different organisation with varying numbers of participants and the wording of the question. Thus the three surveys may not be directly comparable. It is notable that the survey commissioned by the Georgian Dream did not ask who the respondents would vote for if the election were to occur tomorrow as the surveys conducted by NDI and for UNM, but rather which party and candidate was most likely to solve voters' problems. Nevertheless, it is disconcerting that three surveys conducted by three reputable organizations would have such diverse results.

Seasoned observers of the political scene in the South Caucasus however say that the region has a very bad record of manipulation of opinion polls ahead of elections, as well as election exit polls. Poll results have sometimes been used to legitimise election fraud. Moreover the reliability of polls in a situation where people are afraid to state their voting intentions due to fear of retribution makes the accuracy of polling difficult to determine. They advise that opinion polls need therefore to be read with a large dose of cynicism. ■

Written by Karina Gould for CEW

Karabakh elections cause controversy outside, but welcomed inside

The Elections held in the self-declared Nagorno-Karabakh Republic that took place on 19 July stirred considerable controversy outside, but in the territory itself they were welcomed by both winners and losers as an example of the determination of the voters to establish democratic rule.



There were 98,909 voters eligible to vote, according to the territory's Central Elections Commission. Of these 72,833 actually voted, resulting in a turnout of 73.4%. Incumbent President Bako Sahakyan was re-elected having received 47,085 votes (66.7%), whilst the main opposition candidate Vitaly Balasanyan received 22,966 votes (32.2%). The third candidate Arkady Soghomonyan received 594 votes which is 0.8 percent of total votes.

Nagorno-Karabakh is recognised by the international community as part of Azerbaijan and its self declared independence is not recognised by any other state. The government of Azerbaijan condemned the elections, as did a number of international organisations.



In a terse statement issued in Brussels on the eve of the poll, the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the Commission Catherine Ashton said, "On 19 July, 'presidential elections' will take place in Nagorno-Karabakh. I would

like to reiterate that the European Union does not recognise the constitutional and legal framework in which they will be held.

These 'elections' should not prejudice the determination of the future status of Nagorno-Karabakh in the negotiated general framework of the peaceful settlement of the conflict. I recall the EU's firm support to the OSCE Minsk Group, and in particular to the sustained efforts of its Co-chairs, aimed at a peaceful resolution of the conflict.

I call on the parties to step up their efforts to find a negotiated solution to the conflict on the basis of the Madrid principles, which would allow progress beyond the status quo. I reiterate the EU's readiness to provide further support to efforts in this direction."

In a somewhat similar vein, the representatives of the OSCE Minsk Group co-Chair countries Ambassadors Robert Bradtke of the United States, Igor Popov of the Russian Federation, and Jacques Faure of France also issued a statement in which they "noted reports about the conduct of 'elections' that took place in Nagorno-Karabakh on July 19, 2012."

The statement added that "The Co-Chairs acknowledge the need for the de facto authorities in NK to try to organize democratically the public life of their population with such a procedure. However,

the Co-Chairs note that none of their three countries, nor any other country, recognizes Nagorno-Karabakh as an independent and sovereign state. The Co-Chairs stress that the procedures of July 19 in no way prejudice the final legal status of Nagorno-Karabakh or the outcome of the on-going negotiations to bring a lasting and peaceful settlement to the Nagorno-Karabakh conflict."

Controversy also arose about the participation of international monitors in the elections. Although no country or international organisation monitored the elections, a number of international observers were present including some parliamentarians. Azerbaijan condemned their participation and said that it would take appropriate action.

The Ambassador of Azerbaijan to Canada, Farid Shafiyev, has told the Canadian newspaper *The Globe and Mail* that the Azerbaijani government will declare the veteran Canadian Liberal politician Jim Karygiannis, the MP for Scarborough-Agincourt in Toronto, as a persona non grata for travelling to Nagorno-Karabakh to monitor the elections. Karygiannis who is the Party's spokesperson on multiethnic issues travelled to Nagorno-Karabakh at the invitation of the Armenian National Committee, who also paid for his trip, according to the newspaper.

The Globe and Mail quoted Canadian Liberal leader Bob Rae, as saying that he was standing by his MP. Rae told the newspaper "Canadian Members of Parliament have to be able to express their own points of view, and to conduct their own investigations of the human-rights situations in countries around the world."

"Mr. Karygiannis is an MP of deep experience," he said, "and is well known for his independence and candour. He enjoys my full confidence as leader."

One group that monitored the elections was the European Friends of Armenia, who had an eight member election observation team made up of Germans, Cypriots and Armenians. In a statement the group said "We strongly commend the local authorities for allowing us to move absolutely freely around Nagorno-Karabakh (including the scarcely populated buffer zone around) and to question anyone directly or indirectly connected to the elections. The efforts made to allow us and other observer teams to gain full insights and transparency were considerable and we call upon the international community to appreciate these efforts."

The group added that "The solidarity of democrats demands that we prefer and promote the basic human right of democratic self-governance and it is in this context that our group carried out our mission here. We call in particular upon the OSCE ODIHR to provide technical assistance and election observation for future local-election, as part of a humanitarian development aid, even if this is done while underlining the non-recognition of the local state entity. This will provide for a real boost in local democratic culture and help prepare the local population for the time after the resolution of the so-called frozen conflict, as envisaged by the OSCE Minsk Group."

Unlike most of the other elections held in recent years in the South Caucasus the election result did not cause controversy in Karabakh itself.

Controversy side.



Vitali Balasanyan, who although a loser in the election, secured a respectable third of the vote and conducted what many thought was a serious and inspiring election campaign, issued a statement after the results were announced, that whilst stopping short of endorsing the electoral process was positive in its outlook. He said:

“We proved to the world and to ourselves that the people of Artsakh are ready to become the masters of their future. And the elections showed that at least one-third of our population does not agree with the policy being conducted and it demands changes.

The President-in-office and his team were unable to secure fair elections. The elections were free, but not fair. [And] I consider the votes [I] received under these conditions to be a good result, which is a serious foundation for creating a new political institution. [And] One of the primary goals of this institution will be the protection of our citizens’ rights.

I thank all those who voted for me. I salute all those who listened to their conscience and voted for the other candidates.

I thank all the media and observers that impartially carried out their duties during the entire course of the elections.

I thank all those persons and organizations of Artsakh, the Republic of Armenia, and the [Armenian] Diaspora, which expressed their support for me and for my election program,” the statement concludes.

In a comment on the day after the elections the political editor of the website commonsense.eu which reports in detail about the situation around the Karabakh region said that “The elections have changed very little either domestically in Karabakh, or in the context of the ongoing negotiations for the settlement of the conflict. Politics in Karabakh has been largely stagnated over the last five years and thanks to the efforts of opposition candidate Vitaly Balsanyan the election campaign introduced a little excitement in it for the first time in many years. The result was however as expected. It is unlikely that Karabakh will see any major changes in the current context. With the elections out of the way it is hoped that all sides can now focus again on the peace negotiations. The Foreign Ministers of Armenia and Azerbaijan are scheduled to meet in New York in September on the margins of the UN General Assembly, and there is also a possibility they may meet earlier in Europe. These meetings are seen as important to keep the lines of communication between the sides open. They will not however produce the long awaited breakthrough, which requires a more direct engagement by the presidents of the two countries.” ■

“ACES strongly welcomes the wish of NKR authorities to organise local self-government based on democratic principles.”

The Armenian Centre for Electoral Systems (ACES) monitored the elections in Nagorno-Karabakh held on 19 July. ACES Director, Atom Mkhitarian, shares his impressions of the process.

“The free, fair and competitive presidential elections held in Nagorno-Karabakh on July 19 testify to the loyalty of Artsakh authorities and people to democracy and rule of law” – said the Armenian Foreign Minister Edward Nalbandian by answering a question of Armenpress news agency.

While the Republic of Nagorno-Karabakh (NKR) is internationally not recognised, a large number of international and local observers were present during E-day. The Armenian Centre for Electoral Systems (ACES) with the support of the FYCA - Federation of Youth Clubs (Armenia) and its member clubs in NKR conducted an Election Observation Mission.

ACES’s observation mission was a short-term one, and included the E-Day and the electoral counting procedures. Our mission observed about 15% of the 243 polling stations, stretching from Mardakert in the north to Hadrouit in the south.

We strongly commend the local authorities for allowing our observers to move absolutely freely around Nagorno-Karabakh and to question anyone connected to the elections. The efforts made to allow us and other observer teams to gain full insights and transparency were considerable.

Proxies of two main candidates were present in all polling stations that were observed by ACES, and when questioned they reported no violations of the electoral code, at the time of asking. As required by the electoral code educational posters were visible in all polling stations, both in Stepanakert and outside. Official CVs of the three running candidates, with photographs, were posted in all polling stations and no political advertising was visible in the proximity of the polling stations.

Again, according to the electoral code voter lists were posted in all polling stations. Voting procedures in all polling stations made a solid and organised impression. No reports of violence or tensions were received throughout the observation and the general atmosphere was friendly and relaxed. Voters questioned at the polling stations reported no violations or intimidations. Polling station staff and proxies fully cooperated with all observers and provided full transparency. The Central Election Commission fully cooperated with all observers and provided full transparency. Voter turnout was visibly above average.

Meantime, across NKR comparatively few billboard posters of any candidate were noticeable. The main form of visible campaign advertising consisted of A4 sized posters in shops and public places. Ballot boxes were marked and sealed with inconsistent means. In one polling station, two proxies of one candidate were present simultaneously. In a number of polling stations persons not related to the voting administration were counted inside the polling stations. However, none of the proxies or voters connected this to any form of code violation. Access to polling stations for people with disability was often not facilitated and voting by correspondence was not possible.

As a conclusion ACES strongly welcomes the wish of NKR authorities to organise local self-government based on democratic principles.

According to preliminary results of maximum votes received NKR acting President Bako Sahakyan. The results of the elections had been summed up and according to preliminary data 47085 voters gave their votes to Bako Sahakyan which is the 66.7 percent of total votes. NKR presidential candidate, deputy of NKR National Assembly Vitaly Balasanyan received 32.5 percent or 22966 votes. The third candidate Arkady Soghomonyan received 594 votes which is 0.8 percent of total votes. In the voting took part 72833 voter which is the 73.4 percent of total amount of people who have the right to vote. 98909 citizens had the right to vote in Artsakh. NKR Central Electoral Commission received only one application-complaint which is in the stage of discussion.

Mr.Vitali Balasanyan was a real opposition. He gathered many votes, which 3 times exceeds votes of the opposition candidate of previous elections. This is a result of the unity of opposition; unfortunately none of the five political forces of Karabakh supported Balasanyan, although several parliament members did so.

The international community should be interested in establishing relations with the authorities elected by the Nagorno-Karabakh people, especially as it is envisaged by the mandate of the OSCE Minsk Conference.

This commentary was contributed to CEW by Atom Mkhitarian , Director of Armenian Centre for Electoral Systems. He may be contacted at (mkhitarian@yahoo.com).

Georgian Government continues to put pressure on opposition on issues related to campaign funding

Three members of the opposition Georgian Dream coalition have been detained and six others have been fined as a result of continuing investigations into party financing.

Merab Kachakadze of the Conservative Party, Teimuraz Sheklashvili and Taniel Kardava of the National Forum were arrested on July 16 for violating the law on political unions on accusations that they participated in schemes to bypass party funding legislation.

Kachakadze has been accused of transferring GEL 7000 to the chair of his party's branch in Mtatsminda district who then distributed the funds to six other people who are then suspected of donating the money to the Georgian Dream.

Sheklashvili and Kardava of the National Forum have been accused of the same violation, according to the Ministry of Justice, for attempting to launder GEL 1750.

Both the Conservative Party and the National Forum are members of the Georgian Dream coalition.

Georgia's Law on Political Unions allows party members to pay up to GEL 1,200 in annual membership fees and make personal donations of no more than GEL 60,000 a year. Donations and payments of membership fees by a third party are prohibited.

The case should have been treated as an administrative offense instead of a criminal case according to the Georgian Young Lawyers' Association (GYLA), a legal advocacy and watchdog group based in Tbilisi.

GYLA maintains that the article used to arrest the three parties mentioned above is specifically in reference to vote-buying and even though it references "sham deals" it should only be invoked within that context.

The current case, maintains the GYLA, is an administrative offense concerning the violation of party membership funding and should be dealt with accordingly. The law in this case provides a punishment of a fine up to five times the original value of the violation.

GYLA expressed its concern, yet again, that law enforcement agencies have been given too much leeway in interpreting the law.

Within days of the arrests of the Georgian Dream activists, six more opposition supporters (including Teimuraz Sheklashvili mentioned above) have been sentenced by Tbilisi City Court to pay fines for illegal donations made to the Georgian Dream coalition.

According to the State Audit Service, Roman Kusiani, Giorgi Rcheulishvili, Omar and Anzor Shautidzes of the Free Democrats each donated between thirty and fifty thousand lari illegally to the Georgian Dream. Martia Chincharauliti and Teimuraz Kharashvili of the National Forum were also charged for making illegal donations to the Georgian Dream coalition.

Each individual has been fined for an amount five times greater than the initial sum donated, totaling just over the equivalent of two hundred thousand American dollars. All those sentenced maintain their fines were illegitimate and that they were within the legal limit for personal donations to a political party.

Bidzina Ivanishvili, leader of the opposition coalition, commented that the investigations and accusations are "without a doubt another example of how the authorities fight against their political opponents." ■

New website launched to monitor elections violations in Georgia

The International Society for Fair Elections and Democracy (ISFED), the Georgian Young Lawyers' Association (GYLA) and Transparency International – Georgia (TI – Georgia) have come together to develop a website, called "Multi-NGO Elections Portal" that will collect information on alleged campaign violations over the course of the electoral period.

The website will enable elections monitors to better coordinate their activities with live updates that citizens can send for free via text message. The incidents will only go on-line after they have been verified by the NGOs.

Already information on more than 150 violations is available on the website.

Eka Gigauri, the director of TI Georgia, has commended the web tool as a reliable source of information about the democratic situation in the country, showing violation trends which will prove "especially useful on election day."

The site is available at www.electionportal.ge.

UNM Code of Conduct still not endorsed by Georgian Dream Opposition.

Last week, the ruling party, the United National Movement (UNM), in Georgia presented a four-point code of conduct for political parties to sign for the upcoming parliamentary elections this fall. The proposal called upon Georgian parties to:

- Reject the use of violence or activities that would obstruct the campaign process, calls for violence and the use of hate speech, particularly with regard to minority-related issues;
- Reject vote-buying;
- Observe the recommendations on the use of administrative resources made by the Central Election Commission, NGOs and the Inter-Agency Task Force for Free and Fair Elections; and
- To accept the results of the elections as published by the Central Election Commission and deemed legitimate by accredited observer organisations.

While the Christian Democratic Movement (CDM) and the New Rights party immediately offered their support for the code of conduct – though no party has officially signed the declaration - both Georgian civil society and the opposition Georgian Dream coalition expressed concerns and raised issues with the code and the way it was developed.

Georgian civil society, represented by the This Affects You Too campaign, the coalition of activist and media groups that lobbied successfully for the implementation of the Must Carry/Must Offer legislation, issued a statement on 16 July tentatively acknowledging this positive step made by the UNM. However, they reiterated that the process of developing a code of conduct should be inclusive and not decided by a single political force. They concluded that the initial four points are insufficient to ensure “the genuine recovery of the [electoral] process.”

The group offered an additional 17 points to which parties ought to agree to uphold in order to ensure free and fair elections this fall.

These include the promotion of a democratic political culture, support for issue-based campaigning, ensuring journalists, regardless of affiliation, have equal access to campaign events, as well as for parties to pledge not to misuse media outlets for campaign purposes or to misinform the public.

The UNM on June 18, in response to the demands made by civil society, quickly added these points to their code of conduct and invited other parties to do the same.

Davit Bakradze, Chairman of the Parliament, stated at a news conference on 19 July that “these principles should be acceptable for all those parties [...] which are interested in holding really democratic elections instead of using elections as a pretext for triggering some other processes.”

Bakradze called upon all parties to accept the points offered by civil society as well as those initially presented by the UNM.

The Georgian Dream coalition has yet to endorse the code. The opposition coalition has raised two primary objections to the UNM code. First, Georgian Dream maintains that the code should have been developed by all of the political parties and mediated by civil society organizations. The opposition has accused the governing party of monopolizing the process.

Second, and most importantly, the Georgian Dream has made it clear that it cannot accept the fourth point of the code of conduct which would see it declaring its “unconditional” acceptance of the elections results as announced by the CEC and “deemed legitimate” by credible electoral observers.

Zakaria Kutsnashvili, a member of the GD coalition, told RFE/RL’s Georgian Service that the opposition has its own way of determining whether or not elections should be recognized. “As far as conditions are concerned,” he said, “these conditions are very simple and clear: fair, free and peaceful... How can we recognize [elections] results if [the] elections are not free, fair and peaceful?”

While the code is not legally binding, representatives from the ruling party have expressed concern that the hesitation to sign the code by the opposition leads them to suspect that should the official results not favour the Georgian Dream, the opposition might be planning for demonstrations even if the results are deemed legitimate by observers and the CEC. Georgian Dream spokeswoman Maia

Panjikidze, however, said that Georgian Dream is ready to participate in an inclusive process to develop a code that is amenable to all political parties and supported by civil society. ■



FOR SALE.

The building of the Parliament of Georgia in Tbilisi is for sale. Parliamentary Chairman Davit Bakradze said that “several investment groups” had expressed interest in buying it.

Bakradze said on July 19, that there were both “foreign and Georgian investment groups” among those interested in purchasing the Parliament building, but he did not elaborate details, adding that the ministry of economy was in charge of negotiating with potential investors.

Some employees of the Parliament said the staff had been ordered to remove their belongings from their offices ahead of the expected move of the parliament to its new location, several hundred miles away in the Georgian town of Kutaisi.

Parliament is currently in its summer recess but an extraordinary session is expected in the next days to consider planned budgetary amendments to allocate funds for relief efforts following strong wind and hail in Kakheti and some other regions of the country. Bakradze said that the relocation process would not hinder the holding of an extraordinary parliamentary session.

The building of the Georgian Parliament in Tbilisi is associated with many important moments of recent Georgian history, including the 9 April 1989 events when peaceful protestors were killed by Soviet Ministry of Interior troops triggering a wave of anti-Russian feeling in Georgia. The building was also at the centre of the civil war that saw the ousting of Zviad Gamsakhurdia as president of Georgia in 1992. It was the central point during the Rose Revolution in 2003 that brought Mikhail Saakashvili to

power as president of Georgia, and has since been at the centre of anti-government protests in the Georgian capital.

Georgians have mixed feelings about the building, some seeing it as a symbol of all that is wrong with their political system. But for a while in the 1990s the building became the symbol of democratic hope throughout the post Soviet space, when, under the chairmanship of Zurab Zhvania, the Georgian Parliament became the most dynamic and pluralistic legislature in the region.

The new Georgian parliament in Kutaisi is already open for visitors. A notice on the website of the parliament says that free tours of the new building are now available. ■

Source: CEW

