

Caucasus ELECTIONSWATCH

A weekly review of elections related processes in the Caucasus Region

02 October 2012

Georgian elections mark start of first peaceful transition of power through the ballot box in the South Caucasus

Parliamentary elections were successfully held in Georgia on 1 October. After a tense few hours after polling stations closed, during which both leading parties in the election were claiming victory of some sort, it became evident that the opposition Georgian Dream Coalition had won the elections with a decisive 55% of the vote, whilst the governing United National Movement received 40% of the vote. All the other parties together got less than 5% of the vote.

On 2 October, in a move unprecedented in politics in the South Caucasus since the countries of the region regained their independence after the collapse of the Soviet Union in 1991, President Mikheil Saakashvili in a televised message admitted defeat and said his party will move to opposition. The President said:

"Dear citizens,

The preliminary results of the Parliamentary Elections show the winning party to be the Georgian Dream. This means that the parliamentary majority should form the new government.

As president, within our constitutional framework, I will support that process so that parliament may function as it should and elect the Speaker of parliament as well as forming a new government.

It is well known that I do not share the Georgian Dream's views. There are fundamental differences between us and I believe that their views are mistaken. However, the majority of Georgians have made their choice and we appreciate that. At the same time, as the leader of my party, I would like to say that the UNM will now go into the opposition.

The main achievements of the Rose Revolution in these past 8 years are very important, not just for Georgian history but because these achievements make Georgia great in the eyes of the rest of the world.

That is why I believe that it is impossible to eliminate our achievements and as an opposition force we will strive to defend them.

I respect the choice of the majority, while at the same time I am grateful to our supporters. I deeply believe that there is no alternative for Georgia's progress and development and we will continue to fight against future obstacles."

Georgian Dream leader Bidzhina Ivanishvili in a press conference shortly afterwards said that he was starting the process of forming a new government.

Issues remain as to how the new government and parliamentary majority will work with the President in the next year as he serves his last year in office. Constitutional changes that the UNM had pushed through parliament in the last legislature greatly reduce the powers of the president but only after Saakashvili's term ends. The next weeks and months are likely to be challenging.

For the moment however the start of a peaceful transition of power marks a positive breakthrough for Georgia and for the region in general. It will be up to the new government now to take steps to ensure that the shortcomings connected with the electoral process that have been noted during these elections are rectified as soon as possible. ■

Prepared by the editorial team of CEW.

Positive reaction in the international community to developments in Georgia

There has been a positive reaction in the international community to developments in Georgia.

Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission and Štefan Füle, Commissioner for Enlargement and European Neighbourhood Policy, made the following statement:

"The EU congratulates the Georgian Dream coalition on its election victory. The Georgian people have now spoken. Both responsible government and constructive opposition are essential parts of a functioning democratic society. We call on all representatives elected to the new parliament to work together in the interests of Georgia.

The generally positive conduct of parliamentary elections on 1 October, and the high level of voter participation, underscore Georgia's commitment to its democratic path. We take full note of ODIHR's preliminary assessment of the conduct of the elections which considers that the process has shown a healthy respect for fundamental freedoms at the heart of democratic elections.

We look forward to continued close cooperation with Georgia on our ambitious mutual agenda of political association and economic integration."

In Washington a spokesman for President Obama said:

"The United States congratulates the people of Georgia for the successful completion of yesterday's parliamentary elections, and the achievement of another milestone in Georgia's democratic development. Georgian citizens have set a regional and global example by conducting a competitive campaign, freely exercising their democratic rights, and affirming their commitment to undertake a peaceful transfer of power. Local and international election monitors, including OSCE/ODIHR, contributed to ensuring a transparent electoral process. While the final tabulation and appeals are still ongoing, these elections mark a significant step in the consolidation of Georgian democracy.

Much work remains in the coming days and months. President Mikheil Saakashvili, Bidzhina Ivanishvili and the leadership of the Georgian Dream coalition, and Georgia's new parliament will need to work together in a spirit of national unity to ensure continued progress on the advancement of democracy and economic development to the benefit of the Georgian people and the entire region.

The United States stands with all Georgians in welcoming these historic elections. President Obama and his Administration look forward to furthering our close cooperation and strong bilateral partnership with Georgia.

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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Yerevan

Armenia's Central Electoral Commission (CEC) convened a special session Saturday 29 September, and appointed by-elections to fill the vacancies of two majoritarian seats in the National Assembly, one in the capital city Yerevan's Electoral District No.1 and the second in Gyumri city's Electoral District No.35.

The CEC designated 2 December as the date for these by-elections, and it approved the schedule for preparing and holding the vote.

The MP seat from Gyumri's Electoral District No.35 became vacant because Samvel Balasanyan was elected Mayor of Gyumri in recent local government elections, and the MP mandate from Yerevan's Electoral District No.1 became vacant because Ruben Hayrapetyan had submitted a petition to renounce his parliamentary seat. This followed an incident at Harsnaqar Restaurant Complex owned by Hayrapetyan on June 17, where several military doctors including Edgar Mikoyan, Arkadi Aghajanyan, Garik Soghomonyan, Artak Bayadyan and Vahe Avetyan were brutally beaten by security personnel. Vahe Avetyan died in hospital on June 29. A criminal case was subsequently opened and six people are standing trial. The incident created an outcry in Armenian society on the impunity of oligarchs associated with the political process. ■

Tbilisi

The OSCE/ODIHR Election Observation Mission for the Georgia Parliamentary Elections, on 24 September issued its second and last interim report ahead of the 1 October poll. The report covers the period 6-19 September 2012.

In the report the mission states:

"The campaign has become increasingly polarized and focused on the competition between the United National Movement (UNM), and the election bloc Bidzina Ivanishvili-Georgian Dream (GD). The tone of the UNM and GD campaigns is confrontational and rough.

While opposition parties have opportunities to convey their messages to the electorate, the GD complains about an uneven playing field and a general atmosphere of subtle pressure and intimidation towards opposition views. An Interagency Commission (IAC) continues to pro-actively address allegations of violations of electoral legislation and has issued 11 recommendations to date, including the recommendation to suspend the enforcement of some court decisions.

Election preparations remain on schedule with the Central Election Commission (CEC) meeting legal deadlines. Printing of ballots and voter lists will commence on 21 September. Voter lists in consular offices have been finalized and a total of 45 polling stations have been established abroad to enfranchise 42,613 registered voters. The CEC extension of the deadline for voter registration abroad did little to deflect criticism and confusion about applicable registration procedures.

Voters will have a choice between 2,806 candidates, including 2,313 candidates from party lists on the proportional ballot and 493 candidates on majoritarian ballots. In total, there are 797 female candidates (28.4 per cent). Neither the UNM nor the GD met the voluntary quota for gender representation on their respective lists. All majoritarian races appear competitive, with two to ten candidates running for each seat. On 14 September, the Tbilisi City Court extended the detention of a GD supporter, who was arrested on 16 July on charges of vote-buying and later on 31 August became a candidate on the GD list.

The State Audit Office (SAO) has investigated more than 100 individual donors of GD, of which the courts fined 68 for illegal donations. For UNM, 10 donors were investigated of which 8 were fined. The UNM explained the limited number of UNM donors being fined by their policy to advise donors in advance on the size of their donations based on their tax declarations.

Media has provided voters with extensive coverage of the electoral campaign. However, most broadcasters monitored by the OSCE/ODIHR EOM appear to follow partisan editorial policies in their news and current affairs programs. So far, only the public broadcaster offered viewers balanced campaign coverage.

Most complaints noted to date were filed with District Election Commissions (DECs) with regard to appointment of members to Precinct Election Commissions (PEC) or delineation of precinct boundaries. A few DEC or CEC decisions were challenged in courts and none were reversed," says the OSCE/ODIHR Mission report. ■

Yerevan

Armenia's National Assembly (NA) on 1 October started a special hearing to discuss Prosecutor General Aghvan Hovsepian's formal petition to include The Civilitas Foundation founder, former Foreign Minister, and current Prosperous Armenia Party MP Vartan Oskanian as a defendant in a criminal lawsuit. ■

Editorial

MOSTLY FREE, BUT LARGELY UNFAIR

Like the government of President Mikheil Saakashvili, the Georgian parliamentary elections held on 1 October 2012, reflected a mix of the best and worst practises for conducting elections in a free and democratic society.

Regardless of the result and the controversy around it that will continue for some time to come, the picture is patchy.

Constitutional and legal framework

The elections were held within a Constitutional and legal framework that were clearly biased in favour of the ruling United National Movement. The elasticity with which the Georgian Constitution has been treated since 2004 has built in advantages for the current ruling group. The lack of checks and balances, resulting from a timid parliament and a judiciary that has failed to defend its independence have been a serious weaknesses of the Georgian political system since the Rose Revolution of 2003, and reflected themselves in the way the government tried to destroy Bidzhina Ivanishvili's Georgian Dream at its inception.

Pre-election situation

The pre-election situation was tense and confrontational. The leading Georgian NGOs: Transparency International, Georgian Young Lawyers Association and ISFED summed up very efficiently the many deficiencies in the pre-election environment in their report last week (see pages 6-7 for the full text.)

Media

The Media situation, until the official start of the election campaign at the end of August greatly favoured the ruling party. The "must carry" campaign, conducted by Georgian civil society helped rectify some of the problems for the duration of the campaign, but the government resisted calls to have the "must carry" rules extended beyond the election period. The media, even during the campaign could have done more to give a voice to the smaller parties contesting the election, some of whom had credible alternative programmes.

Campaigning

The short five week election campaign was vibrant and largely peaceful, even if tense. Despite credible reports of intimidation of opposition supporters the opposition was free to organise and mobilise and this was the most positive side of the election. The role of the Inter-Agency Task Force, under the auspices of the National Security Council of Georgia, probably helped avoid escalations in a number of areas.

Voting Process

The voting process proceeded largely peacefully and in an orderly fashion. The turnout of nearly 61% was realistic and within the bounds of reason. Hundreds of complaints of irregularities were registered throughout the poll, and it could be that with further study a pattern could be identified. However the initial impression is that most problems originated locally by supporters of the government being overzealous. The overall impression is that most Georgians could exercise their right to vote freely and without intimidation.

Counting Process

Many past Georgian elections have been falsified at the counting phase. This in itself should have prepared both the authorities and the political activists to ensure a smooth counting process. Whilst the Central Elections Commission prided itself on its efficiency during the poll, it seemed to have been completely unprepared for dealing with the counting process. The long delays, and even interruptions in the counting makes one wonder why and what was going on. Here again some more time is required to study all the data and identify a pattern. The incidence of direct interference in the counting by unauthorised uniformed personnel is disgraceful.

Mostly free, but largely unfair.

All this leads us to conclude that the 2012 Parliamentary Elections in Georgia were mostly free, but largely unfair.

In a situation where the Georgian government has often acted like "Dr Jekyll and Mr Hyde" this is not surprising. Those in the international community who met and liked Dr Jekyll, but refused to admit to the existence of Mr Hyde carry some of the responsibility for Georgia's problems, whilst those who said that Dr Jekyll did not exist were equally wrong.

Certainly for the next year Georgia is going to have to learn to live with power being shared – in what proportion is not yet clear, by two strong political forces: one holding the Presidency and one strong in the parliament. This will be the setting for next year's presidential election. The best thing that can happen is if the United National Movement and the Georgian Dream start early consultations to enact the needed constitutional and legal changes that would ensure a level playing field and best practises for that election. They must do so whilst respecting each other, and more importantly respect others who support neither of their parties, and of these there are many.

With all its weaknesses the 2012 Parliamentary Election in Georgia may yet have been the turning point for the country and the region and a breakthrough for the South Caucasus in its quest for a democratic future. ■

Source: This comment was prepared by the editorial team of Caucasus Elections Watch.

Scandal at the heart of the Azerbaijani political process

The New Azerbaijan Party (YAP) announced Friday 28 September, that the party membership of Gular Ahmadova, a Member of the Azerbaijani Parliament, has been revoked after a video surfaced on YouTube earlier in the week depicting the prominent YAP representative requesting a bribe from a former dean of a private university in Azerbaijan in exchange for a seat in parliament.

"The New Azerbaijan Party has expressed deep concern [regarding the] behaviours of the member of the party Gular Ahmadova together with the former rector of the International University of Azerbaijan Elshad Abdullayev in the recent video materials", said Ali Ahmadov, (no relation to the MP in question), Deputy Chairperson of the YAP.

"Gular Ahmadova's behaviour is not compatible with the principles and values of the party," noted Ahmadov in a statement posted on the YAP website. "[Through] her fraud Ahmadova damaged the reputation of the ruling party in the country." The statement continues that Ahmadova's behaviour demonstrates she has lost the moral right to represent the YAP. Gular Ahmadova tendered her resignation on Friday in parliament, stating that as a criminal investigation was under way it would be inappropriate for her to remain in her position. She stated that she would assist the investigators, expressing confidence that the investigation will reveal the "objective truth" as well as the individuals involved in this scandal.

Ms. Ahmadova has dismissed the video as another attempt by the former educator to discredit her, noting that Abdullayev has tried unsuccessfully three times since 2002 to sue her in court. She remains adamant that the video was doctored.

The video was posted by opposition newspaper "Azadliq" (Azeri Report in English) which claims to have received the video and an accompanying letter from Elshad Abdullayev, former dean of the private Azerbaijan International University, currently living in exile in France.

In the video Gular Ahmadova, who has been described as one of the most influential members of the Azerbaijani parliament, is captured on tape demanding a bribe in exchange for a seat in parliament from the former dean of the private university.

During the sixteen minutes of footage filmed by what appears to be a hidden camera, Ahmadova and Abdullayev are seen to be arguing over the sum of the bribe to be paid. Ahmadova is heard requesting one million dollars, while Abdullayev claims he was

assured the amount to be paid was only five hundred thousand dollars. In response the prominent Member of Parliament explains to Abdullayev that the amount requested depends on how much time is left before an election. She clarifies that if the position is sought four months ahead of an election it costs three hundred thousand dollars, if the time remaining is between two and three months the seat costs half a million dollars and if there are less than seven days before an election the amount requested is one million dollars. The video is undated.

The former university official is then seen attempting to appeal to Ahmadova by mentioning the names of other important YAP officials, including Ramiz Mehtiyev, the head of the Presidential Administration of Azerbaijan. Ahmadova replies that no names need be mentioned as she collects and handles all bribes herself. She adds that she is even capable of "scratching off names from the list approved by the President."

The MP, later in the video, is heard reminding Abdullayev that "there are many who want to be a member of parliament, but there is only one voter."

As the two continue to barter over the price of a seat in parliament, Ahmadova is heard bringing up the arrests of former ministers Ali Insanov and Farhad Aliyev in 2005, whom she notes were arrested as a result of their "political inconsistency" warning Abdullayev "this is serious, this is politics – this is about power."

At one point in the video the influential politician is also heard saying that she was able to "take care of the OSCE [Organisation for Security and Cooperation in Europe] and PACE [Parliamentary Assembly of the Council of Europe]."

The video is a record of a meeting that happened in the office of Elshad Abdullayev, and which he filmed secretly. The meeting took place in October 2005, seven days before the Parliamentary elections. It was a tense political time in Azerbaijan immediately after the arrest of two important government ministers – Farhad Aliyev and Ali Insanov on coup charges. Abdullayev was a candidate in the Binagady constituency No 8, but he was not the officially endorsed candidate of YAP. During the conversation, Ahmedova tells him that she managed to strike the name of the official candidate off from the list confirmed by the president, and demands one million dollars to complete the process of having him elected. In fact on November 7 the Central Election Commission announced him a winner with 29,08% of the vote, but vote rigging was so blatant that under international pressure the result was cancelled.

LOCAL ELECTIONS PROCESS ENDS IN ARMENIA



Screenshot from the video of Gular Ahmadova speaking with Elshad Abdullayev

The Office of the Prosecutor General of Azerbaijan announced that it will investigate the corruption allegations against Ms. Ahmadova and that a criminal investigation has been established.

Ali Hasanov, a senior official of the Presidential Administration of Azerbaijan, confirmed on Wednesday that the authorities never accept people who try to enter official or elected bodies in such a way. Hasanov, who is the head of the Social and Political department of the Presidential Administration, said in his statement that the video provides evidence not only of people "like Elshad Abdullayev" to find illicit ways into government positions, but also, he said of the "resistance of state bodies to such facts."

"Such people," he told trend.az, "will sooner or later be exposed to the public. I have no doubt that the relevant bodies will take necessary measures regarding the video spread online."

The Azerbaijan International University was forcefully closed by the Ministry of Education in 2010 on allegations that Abdullayev was accepting bribes reports Radio Free Europe/Radio Liberty. ■

This report was prepared for CEW by Karina Gould.

Noting the election process was in general "well organised and calm with a satisfactory level of voter participation," the head of the delegation from the Congress of Local and Regional Authorities of the Council of Europe, Henry Feral (France, EPP), expressed the delegation's disappointment regarding the attitude of political parties to the final round of local government elections held in Armenia last week.

"Our satisfaction with the fact that these elections take place according to international standards is mitigated by the lack of commitment by political parties to local governance," said Feral at a press conference on 24 September, the day after the local self-government elections were carried out.

While the delegation conceded there were several factors such as limited financial resources, as well as a lack of interested staff and candidates, which could contribute to the lack of enthusiasm amongst political parties, the mission nonetheless felt that political parties should make a more concerted effort at promoting and ensuring democracy and good governance at the local level.

The delegation, however, did not give much heed to complaints from the opposition Armenian National Congress and independent observer groups surrounding allegations of vote-buying, aggression and abuse of administrative resources, including the use of local police forces and district attorney's offices during the elections. The delegation stated in its press conference that the Congress observers did not witness any direct evidence of fraud, however, Feral acknowledged that accusations had been made by several stakeholders.

Upon presenting the findings of the Congress delegation's mission, Feral noted that improvements could be made with regard to training the heads of the precinct electoral commissions. Furthermore, he indicated that the practical and logistical conditions within the polling stations needed to be improved.

The delegation called on greater participation by civil society in the local elections.

Voter turnout was 53.3%, or just over 342,000 people, according to the Central Electoral Commission of Armenia. Candidates of the ruling Republican Party of Armenia (RPA) won the majority of the contests in the local self-government elections.

Notable exceptions are the elections of Gugren Martirosyan to Mayor in Gavar City in Gegharkunik Region, who is not affiliated with any party, as well as Karo Guloyan, candidate of the opposition Prosperous Armenia Party (PAP) and son-in-law of PAP leader Gagik Tsarukyan, to Mayor of Aboyan. A PAP candidate has also won the mayoral race in Yeghegnadzor. The vast majority of other local leadership races were won by RPA candidates.

Eduard Sharmazanov, Vice Speaker of the Armenian Parliament and representative of the RPA said he was pleased to see RPA candidates doing so well in advance of the upcoming presidential elections in Armenia, noting that "it is clear that the Republican Party is the most influential political force in the country."

While Sharmazanov welcomed the "competitive, public and transparent" elections as "a real step forward," opposition parties remained sceptical as to the democratic nature of the recent elections. Local elections in Armenia are considered to represent a 'contest of money and administrative resources' instead of an actual preference for political platforms and promises.

Local elections were held in 318 communities across the regions of Gegharkunik, Aragatsotn, Kotayk, Tavush, Vayots Dzor. Two weeks earlier, local self-government elections were held in the regions of Armavir, Ararat, Lori, Shiraz. Both rounds were observed by the Congress of Local and Regional Authorities of the Council of Europe, the only international delegation to observe the elections. ■

Report compiled by Karina Gould with Armenian media reports.

Georgian NGOs make evaluation of pre-election environment

Three leading Georgian NGOs issued a pre-election statement on 29 September summarising the pre-election environment in the country. The detailed statement by the leading civil society institutions of the country raises important issues about the context in which the 1 October poll was held. In their statement the Georgian Young Lawyers' Association, the International Society for Fair Elections and Democracy, and the Transparency International stated the following:

The October 1, 2012 parliamentary elections is an event of paramount importance for Georgia, as in addition to the country's transition to the system of a mixed government, weight of the legislative authority will be significantly changed. Election processes are greatly affected by the pre-election period as in order for the whole process to be deemed as fair, it is important that the pre-election environment provides for a fair and level playing field. The pre-election period was characterized with tough competition, strained atmosphere and multiple violations. Regrettably, there was a lack of pre-election campaigning focused on discussion of election programs and thematic debate. To the contrary, the pre-election campaign involved plentiful use of compromising information, multiple violations of law, active use of hate speech, violent and aggressive clashes.

During active election processes the following key trends and violations have been revealed:

Abuse of state resources:

- Use of legal resources of the state for political and election purposes, and changes in the election laws – although some new regulations introduced in the election legislation are positive, the authorities frequently initiated amendments that served interests of the ruling party only. In this respect, we'd like to highlight a number of new regulations in the Election Code and the law of Georgia on Political Union of Citizens. Party funding legislation was tightened while laws related to oversight of misuse of administrative resources remained disproportionately soft.
- Selective enforcement of law – Frequently state authorities and the State Audit Service in particular selectively reacted to individual actions of the ruling and opposition parties by being loyal to the United National Movement and excessively strict towards opposition parties. Hereby, we'd like to also highlight disproportionate sanctions (fines) established by the law on political unions, which paralyzed activities of opposition parties in a number of cases, whereas significant violations committed by the ruling party were left without a response. Due administration of justice has become a pressing issue. In light of the fact that a number of serious flaws were revealed in the work of the State Audit Service, it is important for the judiciary to be impartial and fair, acting as a guarantor of balance and rights. Monitoring of ongoing processes has revealed that the judiciary is too loyal of the State Audit Service, which is confirmed by

the fact that courts do not turn down motions of the SAS with serious lack of argumentation or substantiation.

- Spending of state funds for election purposes – there were instances of using state and municipal funds for programs without any long-time prospects, aimed to win over large masses of voters – e.g. the Summer Job program for students, Students' Festival, etc. Number of contract employees hired at municipal level for a short term was increased without any substantiation. Funding for social and amenities programs was increased.

- Use of institutional resources of the state for political and election purposes – institutional resources of the state (public servants, means of transportation, etc.) were frequently used in favor of the ruling party by giving unlawful tasks to public servants, collecting personal information of citizens for unidentified purposes, politicizing diplomatic service and using public service announcements for political purposes.

Pressure, threats and violence on political grounds:

- Arrests and detentions on political grounds – there were rarecases of politically motivated arrests or detentions throughout the year; however, as the election campaigning entered its active phase, number of arrests was increased. By late September, there was an unprecedented raise of such incidents, reaching alarmingly large scale. After September 19 more than 40 activists of opposition political unions were arrested on administrative grounds without due evidence and in violation of human rights standards.

- Dismissals from work on political grounds – there were frequent dismissals from work on political grounds both in public and private sectors, total of 57 cases recorded by us.

- Politically motivated violence and threats – throughout the year there were reports of threats and intimidation of activists of political parties, frequently with the involvement of officials, public servants and law enforcement officers. During the pre-election monitoring we recorded up to 50 cases. As campaigning entered its active phase in the regions, violent actions and physical assaults increased and became particularly large scale in the second half of September. We believe that the law enforcement authorities failed to duly and timely react to these incidents, to investigate them in an effective and timely manner.

Media environment

- Enactment of the must carry and must offer regulations – enactment of the regulations was a positive step forward, as they obligated cable providers to transmit all Georgian TV channels and prohibit TV companies from withdrawing their programming from cable providers. Such regulations play an important role in providing voters with diversified information; however, they won't be kept beyond the Voting Day, which may have a greatly negative impact on keeping public informed about the process of elections.

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- Impounding of satellite dish antennas – there were several cases when property of private companies was impounded illegally. In this regard, impounding of satellite dishes of the Global Contact Consulting and Maestro TV Company is particularly noteworthy. The process was conducted in violation of law, which is particularly alarming when it affects free work of media outlets.
- Disruption of journalistic reporting – disruption of journalistic work, exerting pressure and making threats against journalists was frequent. Almost none of these incidents was effectively investigated and prosecuted.
- Restriction of audio and video recording at election precincts – several days ago the Central Election Commission (CEC) adopted a resolution about restriction of audio and video recording at election precincts, which contradicts Georgian legislation. Under the decision, representatives of media outlets and observers will be subject to unjustified and blank prohibitions, which will have an adverse impact on transparency of the process and will greatly limit the possibility to record any violations observed. Further, it is noteworthy that the changes were made several days prior to the elections, which is unreasonable in general.

Voter lists

- The Voter List Verification Commission (VLVC) – as a result of the work of the VLVC, information about citizens residing abroad, the deceased and those not residing at the registration address were verified unlike previous elections. Nevertheless, it was decided to include voters removed from registration or whose registration had been annulled back to the voter list, which further increased number of voters on the list and left room for illegal manipulation with these voters on the Election Day.

In view of these circumstances, it is safe to conclude that the pre-election environment was sharply unequal. It seemed that the competition was between the state and the opposition, as opposed to between political parties, caused by absence of boundary between the ruling party and the state's administrative function. This amounts to a significant violation of internationally recognized standards and makes it almost impossible to have a healthy political competition. Further, it is regrettable that the pre-election period completely lacked thematic discussions. To the contrary, public witnessed extreme polarization of political forces, confrontation, aggression and active use of hate speech.

This time, political parties as well as relevant state authorities must do their best to have the Polling Day under peaceful circumstances and in full compliance with legal requirements, in order to allow free expression of will of voters, which will be duly reflected in tabulation of election results. ■

The battle of the “kompromat” marks last days of the elections campaign

Secretly taped audio and videos appeared in abundance in the last days of the Georgian elections campaign. Georgian social media sites started calling this new battle of recorded evidence “the war of kompromats,” or, in other words, a fight of leaking the most compromising evidence possible between the government and the opposition. It is however difficult to ascertain if this battle had any impact on the choice of the Georgian people.

The Ministry of the Interior first released information about an opposition member currently under investigation for ties to criminal organisations by the French authorities, leading the French Ministry of Foreign Affairs to criticise Tbilisi's actions.

The statement from the French Foreign Ministry chided the government for contributing to the intensification of a “sensitive pre-election context, which has been further worsened after [the] revelation of cases of torture in the Georgian penitentiary” system, by using an on-going investigation which might affect the “proper conduct of elections.” The statement ended with France calling “once again on the Georgian authorities to spare no efforts for holding peaceful elections.”

Later a video appeared on Friday 28 September of one of Ivanishvili's bodyguards on YouTube allegedly providing audio recordings of the conversations of important Georgian Dream activists. In it, Beso Surmava, the bodyguard, says he was instructed by the opposition leader to record these conversations. Ivanishvili says these were fabricated and has never asked his security staff to record conversations of other opposition leaders. He asserts his bodyguard was intimidated by the government. Surmava was reported missing by his wife on Thursday shortly after the videos were released.

Consistently framing the political contest as a choice between Russia and Europe for the Georgian people, President Mikheil Saakashvili continues to compare his path with progress and that of the Georgian Dream with a return to Georgia's Soviet history. “What are the Russian schemes?” he asked supporters at a campaign rally in Imereti on Thursday. “That money is everything and people are nothing? To create discrediting materials, show it on TV and confuse the nation?”

Both the ruling party and the opposition coalition have taken to even more aggressive and inflammatory campaign rhetoric over the past week with the Georgian Dream leader calling the President “violent” and calling for the “collapse of the Saakashvili system”. The campaign in its final week took a tone that basically called upon voters to decide between good and evil – both sides claiming the other as evil.

While the political battles continued, and last minute tricks were pulled out of political hats on both sides, the Georgian voter had to navigate not only the choppy seas of any final campaign week but also through the thickening political fog as the intensity of the competition mounted and allegations of foul play were flying across the political spectrum. It was within this strained and divided environment that Georgian voters were asked to go to the polls. ■

Report prepared for CEW by Karina Gould.

Parliamentary Assemblies express hope for Georgia's future

Georgia's parliamentary elections marked an important step in consolidating the conduct of democratic elections, although certain key issues remain to be addressed, concluded the international election observers representing international organisations in a statement issued on the day after the poll.

The statement adds that elections were competitive, with active citizen participation through the campaign, but the campaign environment was polarized and tense, with some instances of violence. The campaign often centered on the advantages of incumbency, on one hand, and private financial assets on the other, rather than on concrete political platforms and programmes.

While freedoms of association, assembly and expression were respected overall, instances of harassment and intimidation of party activists and supporters negatively affected the campaign environment, and often ended with detentions and fines of mostly opposition-affiliated campaigners. This contributed to an atmosphere of distrust among contestants, the statement said.

The election administration enjoyed a high level of confidence and the Central Election Commission operated transparently, holding frequent open meetings open to observers, party representatives and media.

Election day was calm and peaceful throughout the country, and international observers assessed all stages of the election day process overall positively, although some procedural shortcomings were noted. The Central Election Commission began releasing preliminary results early in the morning hours, contributing to the transparency of the process.

"Despite a very polarizing campaign that included harsh rhetoric and shortcomings, the Georgian people have freely expressed their will at the ballot box," said Tonino Picula, the Special Co-ordinator who led the short-term OSCE observer mission, and the Head of the OSCE Parliamentary Assembly delegation. "The process has shown a healthy respect for fundamental freedoms at the heart of democratic elections, and we expect the final count will reflect the choice of the voters."

"Despite shortcomings, these elections were very competitive," said Luca Volontè, the Head of the Parliamentary Assembly of the Council of Europe (PACE) delegation. "The political forces elected



A voter casting his ballot at a polling station in Gori on 1 October 2012 (picture courtesy of ODIHR)

to the new Parliament, both in the majority and opposition, should now take up their responsibilities and work together to address these shortcomings for the further democratic development of the country. PACE will continue to co-operate actively with all forces in the new Parliament in these important reforms."

"Yesterday we witnessed Georgians' profound engagement in the democratic process," said Assen Agov, Head of the Delegation from the NATO Parliamentary Assembly "We were impressed that the mass rallies were peaceful, and the heartfelt involvement we saw can only bode well for Georgia's future."

"Georgia is an important partner for the EU, and we continue to be a steadfast supporter of promoting democracy and reform in Georgia," said Milan Cabrnich, the Head of the European Parliament delegation. "This will be possible if those who have been elected, in power or in opposition, exercise their democratic privileges responsibly in continuing reform for the benefit of the Georgian people."

"Yesterday's elections highlight the role that key democratic institutions play when they act professionally and impartially," said Nikolai Vulchanov, the Head of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) long-term election observation mission. "Elements of the legal framework, however, should still be improved and ODIHR and the Council of Europe stand ready to continue their productive co-operation with the Georgian authorities on this front." ■