



**Final report on Elections Monitoring carried out in Kvemo Kartli and
Samtskhe-Javakheti regions of Georgia during the Local Self-
Government Elections, 30 May 2010**

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Introduction

“Public Movement Multinational Georgia” has carried out the elections observation program specially designed for the regions of Samtskhe-Javakheti and Kvemo Kartli under support of the United States Agency for International Development (USAID) within the framework of the project “Civil initiative on monitoring of Local Government Elections 2010 – Enabling ethnic minorities in Kvemo-Kartli and Samtskhe-Javakheti to secure fair elections”.

140 observers out of the recruited 320 persons carried out monitoring in Samtskhe-Javakheti region, the rest – 180 persons observed the elections in Kvemo Kartli region. The observation has been conducted in the following elections districts: №20 Rustavi District; №21 Gardabani District; №22 Marneuli District; №23 Bolnisi District; №24 Dmanisi District; №25 Tsalka District; №36 Borjomi District; №37 Akhaltsikhe District; №38 Adigeni District; №39 Aspindza District; №40 Akhalkalaki District and №41 Ninotsminda District.

The observers have been recruited from Tbilisi, as well as from other towns of the respective regions.

Scope of observation:

The observation program has captured the multi layer techniques and methods of monitoring for the realization of its envisaged goals and objectives. To this end the program a) has carried out the monitoring of the pre-election period and produced two reports, b) conducted the observation of the elections day and finally c) provided the comprehensive review of the post elections developments.

The pre-election monitoring has primarily focused on highlighting the findings obtained by the project deployed observers regarding the following issues: monitoring the use of administrative resources on the part of the ruling party; the degree of accessibility to the electoral resources on the part of all political entities participating in the elections; the evaluation of the political process developed in the region and the identification of any facts of pressure and intimidation imposed on the political opposition, the local election administration and the local means of mass media.

All the findings highlighted in the pre-election reports have been obtained by the project deployed long term observers (LTOs) as well as through the direct communication with the major political parties/blocks engaged in the regions of Samtskhe-Javakheti and Kvemo Kartli. The reports have been designed in a way allowing the disclosure of the elections related facts and evidence in a regional context.

The proper attention has been given to the identification and evaluation of the elections day findings – facts of violations of the electoral as well as administrative law. To this end the project has produced 4 elections day news updates highlighting all the facts obtained by the project deployed observers from the regions of Samtskhe-Javakheti and Kvemo Kartli.

The particular emphasis has been put on the post electoral developments and the examination of the facts, problems as well as challenges have been revealed in the course of filing complaints by the observers, discussion of complaints at the levels of Precinct, District and Central Elections commissions and the steps taken by elections administration to address the electoral shortcomings.

Executive Summary

In Samtskhe-Javakheti and Kvemo Kartli Local Government Elections took place on the background of the number violations of the electoral law, including both significant violations of the law and minor procedural violations. These violations included:

- absence of marking
- massive repeated and multiply voting (“karusel”) and multiply insertion of the ballots, including organized insertion of the ballots by the PC members
- voting on behalf of the family members’
- voting without IDs
- pressure on the observers, including threats of physical retaliation
- post-elections pressure on observers with threat to dismiss from work interference in the counting process by the local authorities
- taking out of the protocols from the PCs and filling of it in the DEC
- absence of the filling of necessary documentation (registration journals, control papers, demonstration protocols etcetera)
- attempts to exercise control over the voters

In total we submitted 48 complaints at the PC and DEC of the target regions. 12 complaints have been submitted to the DEC. All the complaints have been rejected except of the complaint about cancelling of the results of the Akhalkalaki DEC (40) precinct 15 in village Korkhi, where PMMG observers identified fact of the massive ballot insertion by the commission members. Some violations were continuous however PC members were reluctant to accept the repeated complaints.

We should underline that level of knowledge and electoral awareness of the PC and DEC members in our target regions is still issue of concern, as well as degree of their openness to cooperate with domestic and international observers. Another concern is extremely low level of electoral and legal awareness of the local voters, which is main precondition for continuous violation on the Elections Day. We should also mention proactive and open position of the Central Electoral Commission regarding the communication with observation missions.

Methodology of obtaining the elections related findings

The project has utilized different means to obtain the necessary data for the evaluation of the pre-election, elections day and post electoral processes.

The primary source of information has been the long term observers deployed by the project in the respective regions. Moreover, the project has applied to the direct communication with the major political parties/subjects engaged in the respective regions. Through the exchange of correspondence the project was able to capture the wider area of the concern as well as challenges the local political entities have been facing. In addition, the project kept closer ties with both central as well as local elections administration to obtain the necessary information. The local media sources have been widely consulted to ascertain the correctness of the information submitted by the parties. Therefore, by utilizing the different sources of information the project team was able to compare, revise and sort the relevant data in order to enhance the quality of judgment.

Methodology for the identification of the PEC

Taking into consideration the finite nature of the financial resources appropriated for the implementation of the project the project team has decided to pay particular attention only to those precinct elections commissions and consequently polling stations which had been the most sensitive and problematic during the past extraordinary presidential and parliamentary elections when the enormous number of violations of electoral law had been revealed (misconduct on the part of the members of the PEC, repeated voting, insertion of ballots in bigger amount into the ballot box, falsification of the protocols and consequently the elections results, intimidations and pressure on the voters etc). Therefore, all the PEC chosen by the project bore the character of importance as well as challenge.

Methodology for the recruitment of the observers

The regions to be observed by the project represent the areas compactly resided by ethnic minority communities communicating mostly in their native languages that are Armenian and Azerbaijanian. Therefore, this fact has been taken into account while selecting and recruiting the potential observers. Each observer was supposed to properly communicate not only in minority languages but also in the state language to facilitate the proper communication not only with the local voters with minority background but also with the representatives of the elections administration speaking partly in Georgian language. Moreover, the project has defined the special set of criteria the potential observers were supposed to satisfy. Particular attention has been given to the professional stance of the person; communicational and report writing skills; his/her knowledge of elections related issues, procedures and rules as well as readiness to assist the project in the realization of its envisaged goals and objectives.

Main findings

PRE-ELECTION PERIOD

Intimidations and pressures imposed on the political activists

It has to be noted that the political environment in general in the regions has been somehow calm, balanced and stable free from emotions and violence as compared with the political context developed during the extraordinary presidential and parliamentary elections of 2008 being characterized as tense and highly emotionally charged. However, as the political pressure was getting mounted the members and activists of political entities' regional offices talked about pre-electoral disturbing factors and pressure. Some political forces have been quite satisfied with the pre-election environment and did not see any obstacles hindering the proper conduction of the pre-election campaign. Others were complaining about the pressure as well as intimidation imposed on the opposition parties engaged in the regions of Samtskhe-Javakheti and Kvemo Kartli. Though there have been some differences in opinions.

According to the information provided by David Rastakian (ranking first in the Party list of "Movement – For Fair Georgia" in Akhalkalaki DEC) the following facts of intimidation imposed on the members of his party have been identified:

1. Deputy Head of the local Agency of the Ministry of Internal Affairs in Akhalkalaki District Kakha Khutsishvili, Acting Head of the mentioned entity Vitaliy Torosian and member of the City Council (Sakrebulo) Robinzon Kartvelishvili have been approaching candidates of the "The Movement – For Fair Georgia" with the request to withdraw their candidatures, in particular targeting ethnic Georgians included in the party list. They explained that ethnic Georgians should not be included in the party list of "The Movement – For Fair Georgia" as far as it is "party of betrayers of the nation". In particular in the village Chunchkha (PEC 40.19) they approached Robinzon Topadze with such request. Mr. Topadze is ready to confirm that fact. The same happened in relation to Tengiz Margebadze, who was threatened that his wife will be fired from work.
2. Candidate of the same political party Nazeli Demurchian was threatened that her brother will be fired from work.

3. Candidate of the same political party Robert Stamboltsyan became victim of the falsification. Unknown persons prepared an appeal to the Akhalkalaki DEC on his behalf with requesting the withdrawal of his candidature from the lists. Given appeal was submitted to Samvel Stamboltsyan (nephew of the Robert) who works in the DEC for further proceedings. Samvel recognized that this appeal was not drafted by his uncle and refused to make administrative proceedings on it. However Robert Stamboltsyan was dismissed from the lists by other member of the DEC. Samvel Stamboltsyan was threatened that he will be expelled from DEC. Robert Stamboltsyan still claims that he was dismissed from the lists on the basis of the false appeal.
4. Director of school in the village Kurtkha approached Nana Avatesian and threatened that she will be fired from work if proceeds her political activity.

Moreover, As Armen Farmanian, the coordinator of the election staff of the “Movement – For Fair Georgia” in Akhalkalaki district has pointed out political entities are not put in equal conditions in Akhalkalaki and Ninotsminda districts. There have been facts of the intimidation against political activists. More precisely, as he explained Levon Kobelian, the majoritarian candidate of the “Movement – For Fair Georgia” in Ninotsminda district has been strongly advised to withdraw his candidature otherwise his family members and relatives would face the serious problems. Mr. Kobelian was forced to withdraw from candidacy.

Moreover, according to Mr. Farmanian the Movement’s supporters are being threatened by the local police as well as the representatives of the “United National Movement” to avoid cooperation with the Movement. In addition, all the agitation materials posted in Akhalkalaki and Ninotsminda districts belonging to the Movement are being forcibly removed presumably by the activists of the ruling party.

As Mr. Farmanian pointed out the local shop keepers had been intimidated and oppressed by the representatives of the local authorities who do not allow them to post the posters on the shop windows belonging to the “Movement – For Fair Georgia”. As the shop keepers complain they will be seriously penalized if they permit the posting of the opposition parties’ agitation materials in their respective premises.

According to the information obtained from the Head of Akhaltsikhe branch of “Alliance for Georgia” Tamar Gogoladze some facts of intimidation on the political activists of the Alliance as well as abuse of the administrative resources on the part of the ruling party “United National Movement” can be identified in the region. As Mr. Gogoladze complained the Alliance is not put in equal conditions as compared with the ruling party which enjoys the financial and administrative superiority against other political entities.

As become known the practice of illegally removing the visual agitation posters belonging to different opposition political entities and to some extent ruling political party has been widely used in the region. Most of the posters belonging to “Alliance for Georgia” have been forcibly removed in Akhaltsikhe and in some other parts of the region.

In addition, it has to be noted that the windows of most of the trading objects host the posters of ruling party “United National Movement” while the agitation printed products belonging to other political entities are being left without placement. As the local representatives of the opposition political parties including the “Alliance for Georgia” complained the owners of the local trading objects refused the opposition parties request to place their posters inside the windows. Therefore, as the political parties argued the owners of the shops have been imposed under the pressure presumable from the side of the local administration not to cooperate with opposition political parties.

Moreover, as the election law stipulates the local administration should ensure the equal access of all political subject to post their agitation materials. However, according to the explanation obtained from the representative of the “Alliance for Georgia” the local authorities have not been able (willing) to appropriate the equal space for that purpose – they complained that agitation stands belong to private entities and it was in their immediate discretion to make a decision on the appropriation of the space; consequently the local administration could not interfere in private business. As it became known there were 3 billboards in Akhaltsikhe and 2 of them were already occupied by the “United National Movement”.

The local representative of the “Alliance for Georgia” has protested the fact of intimidation imposed on its political activists. On 9 May a sheep has been disappeared in Village “Muskhvi” who was found after a couple of days. However, the 3 activists of “Alliance for Georgia” had been taken to the local police station without any evidence and interrogated for more than 10 hours. Interestingly, two suspects (Giorgi Zhuzhunadze, Spartak Melikidze) interrogated by the police were the party candidates in Uravli 13 election district and the one (Giorgi Inasaridze) the actual member of Uravli 13 election commission nominated by “Alliance for Georgia”. All the detainees have been released 10 hours after an intensive and offensive interrogation.

Representative of the “Alliance for Georgia” for Bolnisi district has pointed the fact of intimidation imposed on the party political activist. Temur Rekhviashvili, the member of the election commission of Village Poladauri appointed by the “Alliance for Georgia” has been threatened by Besik Rekhviashvili, the candidate of “United National Movement” in Rachisubani Election District to halt any closer cooperation with the “Alliance for Georgia” otherwise he would face serious problems. As a result of this Temur Rekhviashvili has resigned and is now unemployed. As Mr. Aslanidze complained the abovementioned fact is the clear manifestation of intimidation imposed on the political activist from the side of the ruling party.

The critical approach towards the issue of intimidation and the pressure imposed on the opposition political entities was being kept by the “Movement for Fair Georgia” Rustavi organization. According to the assertion of the party representatives the party coordinator in the Gardabani municipality was pressed by the government officials. Valerian Beridze was threatened by strange persons and was advised to leave the party. Mr Beridze presumed that threatening was organized by Gangebeli. The person threatening the party representative was presumably the Gangebeli of local municipality. As the “Movement for Fair Georgia” representatives claimed every person showing his interest to cooperate with the party was threatened. They even addressed one’s mother, father and other family members. Head of the Rustavi branch of the movement Ivane Shatirishvili claimed that the county was terrorized and elections would not be conducted in objective environment.

Khaik Meltonian, majoritarian candidate of the “Alliance for Georgia” in village Nardevan of the Tsalka district stated that there was attempt of the illegal detention of his brother Marlen Meltonian. According to Khaik Meltonian his brother was released after attempt to charge him with the criminal offence. He could not draw direct connection between detention of his brother without any reason and his political activities, but he suspected that it could be indirect intimidation.

On 10th of May the advertisement banners belonging to Giorgi Melikidze, the majority candidate of the “Christian – Democratic Movement” has been removed and severally damaged in the election district N10 of Rustavi.

Moreover, some other posters belonging to the same party have been illegally removed in the 7th and 8th micro districts of Rustavi.

Abuse of Administrative Resources

Given facts and available evidence it has appeared that no improvement on the misuse of administrative resources has been revealed in the regions. Some precedents securing a priority treatment of and conditions to the ruling political force – “United National Movement” have been identified in line with the recent changes and amendments made to the election legislation.

One fact has been identified by the local election observers in Akhaltsikhe, Samtskhe- Javakheti region causing the dissatisfaction among some local community representatives such as university students and public school pupils. Notably, for ensuring the wider attendance of the voters as well as creation of the cheerful atmosphere while presenting the party nominees as well as the majority candidates of the ruling political force “United National Movement” the administrations of some public schools and universities have been strongly requested to ensure the attendance of school pupils as well as students in the meeting envisaged to be held in the Queen Tamar Monument located right in the center of Akhaltsikhe, the administrative center of Samtskhe-Javakheti region.

It should be noted that there is no doubt that the existing elections law is more favorable to the ruling political party than those representing other opposed political forces. Notably, the existing elections law is enshrined in a way not allowing the independent candidate to run for the election – according to the law the person willing to participate in the elections (including both parliamentary and local) should be nominated by the political party. This fact represents the clear quintessence of the existing legal discrimination exercised towards the independent minded politicians willing not to be affiliated to any political entities.

As the “Conservative Party of Georgia” representative in Samtskhe-Javakheti region Oleg Sandroshvili explained the political subjects formally enjoy the equal opportunities to carry out the pre-election campaign. However, taking into consideration the immense financial as well as administrative resources possessed by the ruling party “United National Movement” it appears that the governmental party is posed in advanced conditions.

As was disclosed by the observers of PMMG in the region of Kvemo Kartli the only political subject enjoying the uninterrupted access to the municipally owned venues for meeting with the voters is the ruling political party “National Movement”. They are gathering in the culture houses belonging to the Gamgeoba (local executive branch of the authority) for the conduction of meetings with the voters. As for other political subjects they are denied with that chance.

Moreover, as has been pointed out by the local community representatives the misuse of administrative resources was mostly tangible with the utilization of the campaigning potential of local teachers, deputies as well as local authority representatives primarily engaged in the agitation in favor of the ruling political party “National Movement”.

On 7th of May, the leader of “Alliance for Georgia” in Marneuli, Qamil Aliev charged the “United National Movement” members in using of administrative recourses and authority. According to Mr. Aliev the deputy Governor, Gusein Iusubov visits villages and conducts pre-electoral agitation. Moreover, as the members of the “Alliance for Georgia” complained administrative recourses are not lawfully used by the head of Sakrebulo, Aivaz Ismailov, his deputy Mamuka Doreuli and former Gamgebeli Zaza Dekanoidze, who still use public vehicles and offices. Later on the explanations have been issued by Zaza Dekanoidze who denied accusations brought against him. According to Mr. Dekanoidze the deputy Governor left his position and consequently has right to carry out the pre election political campaign.

In addition, as “Alliance for Georgia” representatives complained all the state servants in Bolnisi district has been been been been been been been been been been been been been been been strongly advised to vote for the “United National Movement”.

Pre-election campaign

Out of the 19 registered political parties/blocks as registered at the Central Election Commission only “United National Movement”; “Alliance for Georgia”; “Topadze – Entrepreneurs”; “Tortladze – Democratic Party”; “Targamadze, Grigolia, Christian – Democratic Movement” and “National Council” carried out pre-election campaigns in the regions of Samtskhe-Javakheti and Kvemo Kartli.

In general we can argue that the only political entity such as the “United National Movement” has been the most active in conduction of pre-election campaign in the respective regions taken into account its immense financial resources as well as administrative interference in the pre-election process.

The evaluation of the comments submitted by the major political entities engaged in the regions has clearly demonstrated the fact that the opposition political parties lacked the financial resources as well as human capital to actively engage in the regions and carry out pre-election campaigns and capture the wider spectra of the voters. Therefore, the main resources of the political forces have been allocated for campaigning in the capital and self-governing cities, while regional representations of the parties had deficit of both human and financial resources, some of them have not been able to prepare posters and some of them have not been able to hire observers. All mentioned above created deficit of the political compositeness

The only political party “United National Movement “ has carried out pre-election campaign in Samtskh-Javakheti region in the languages comprehensible to the local minority group (Armenian language) – the agitation materials including posters as well as political PSA have been translated and disseminated in Armenian language. As for the opposition political parties due to the financial problems they have not been able carry out the similar activities. Moreover, as the representatives of the “Conservative Party of Georgia” claimed the shortage of financial resources to be utilized for the conduction of pre-election campaign. The party which is the member of the block “National Council” has not received the printed products from the central office and therefore has not been able not only to disseminate them during the face to face meetings with the supporters but also to place the posters on visual stands.

The same picture has been depicted in Kvemo Kartli region. Interestingly, the parties’ representatives complained that they did not have enough financial resources to print the agitation posters. Therefore, all the majoritarian candidates in the regions were being left without publicity through posting the visual materials.

Out of six parties only one- “United National Movement”, presented the party program in ethnic minorities’ language – Azerbaijanian language. The rest claimed that because of the shortage of financial resources they could not afford the translation of political programs and concepts into Azerbaijanian language. “Tortladze – Democratic Party”; “Christian-Democrats”; “Topadze – Industrialists”; and “National Council” did not even intend to draft programs in Azerbaijani language.

It has to be noted that as the regional observers pointed out almost all political entities including those heavily indulged in the local level did not adequately (if not at all) reflect minorities’ needs, interest, their perceptions and ideas for change in the respective party (or individual majority candidate) political programs and concepts. No political entity has been identified so far discussing the problems of minority communities in the party program and consequently proposing the concrete mechanisms for their addressing and solution. Strikingly, the practice of ignorance of minorities’ needs on the part of political subjects continues and will not be halted unless the appropriate civil campaigns are launched and implemented. Political parties need to understand first the needs and problems of the local communities and then try to find the ways for their solutions and properly incorporate them into

their policy documents. Moreover, parties need to arrange meeting with the local voters in a more frequent manner in order to get them acquainted with the current trend and developments and enhance their understanding towards many related issues.

Finally, talking about the passivity of the opposition political entities in the region one trend has to be noted. According to the initiative put forward by the opposition in 2010 the changes have been made to the Elections Code. In line with the changes for the first time the members of the precinct election commissions appointed by the opposition political parties are allowed to elect the secretary of the commission among the opposition parties.

As has been discovered the opposition parties operating in Borjomi have refused to appoint the secretaries of the election commission for different reasons. Only three candidates have been nominated by “Topadze – Industrialists” and “Giorgi Targamadze, Inga Grigolia –Christian Democratic Union”; the rest 24 secretaries of the precinct election commission have been nominated by the political party “We Ourselves”. Moreover, it has to be noted that the secretaries of the election commission have the wider array of responsibilities including the dissemination of public information and making decisions on some very important electoral issues. Therefore, the secretary assumes the very important function in the election administration and is having the sway on the fair conduction of the elections.

Interestingly, Beso Popkhadze, the head of Borjomi district organization of “Topadze – Industrialists” has pointed out that the opposition parties turned out to be unprepared to realize their initiative that is to assume the functions of the secretary of the election commission. According to him the opposition parties do not have enough competent and educated members to nominate as the secretaries.

Electoral engagement of the local communities

As the pre-election observation process showed the level of electoral engagement of the local communities in pre-election process has been considerable low and unsatisfactory in the respective regions. This is partly because of their nihilism as well as distrust forged towards the elections administration as well as the local and central authorities.

Given facts and available evidence it appears that local population do not consider elections as the decisive and changing event in their immediate lives – the general perception among the local community representatives are formed in a way not encouraging their participation in the elections. People do deeply believe that their concerns and immediate needs are not really taken into account and upon the completion of the elections all the promises issued by the political parties will fade away. Therefore, local communities view the election as the waist of time, finance and energy – as they complain “our genuine voices will not be heard and taken into account!”.

According to the information obtained by the local observers of PMMG political parties as well as election subjects were not really eager to incorporate the problems and concern of ethnic minority communities into their appropriate political platforms or programs. This might be explained by the ignorance on the part of the political subject of the true problems ethnic minority communities are facing in the regions or the inadequate will to highlight minorities’ problems as far as politicians consider them unnecessary and time consuming.

Strikingly, no agitation stands have been placed in the villages which might diffuse peoples’ assertions that political parties do not consider the local dwellers to be primary recipient of their political messages. Only the small number of advertising boards was placed in the administrative centers of the districts and majority of them belong to the ruling party “United National Movement”.

Interestingly, the local residents had no idea who they were voting for. Some believed that it was the presidential and parliamentary elections other supposed that the local population should elect the Mayor of Tbilisi. Ironically, according to the recent survey carried out by PMMG in the region of Kvemo Kartli only one person out of ten had the correct answer to the question “what type of elections is being held in the region”. As the locally based NGO representatives explained this is partly because of the significant decrease in the sum appropriated by the donor organizations to finance voters’ educational programs in the region.

Informational provision of electoral process

The following media outlets exist in the region of Samtskhe-Javakheti:

Akhaltisikhe district:

- TV company “Channel 9”
- Newspaper “The Southern Gate” which is also disseminated in Akhalkalaki and Ninotsminda districts.

Bordjomi district: TV Company “Bordjomi”

Aspindza district: no outlet

Adigeni district: no outlet

Ninotsminda district: no outlet

Akhalkalaki district: ATV 12 – TV Company

The local media sources in general have been open to highlight all the events regarding the political rivalry among the political subjects and as well as cover the major events of their political campaign and display of view points of different political entities. The equal air time has been appropriated for all political subjects – the correctness of this fact and attitude is approved by the political parties themselves.

Political parties / subjects have been satisfied with the appropriated air time as well as the prices for the placement of advertisement. However, the intensive coverage of the pre- election processes has been hindered by the passivity on the part of the political subject being inactive to timely submit the agitation materials to the local means of communication for the dissemination of appropriate information.

Moreover, the political parties and majority candidates have not been active in the elaboration and placement of PSA in the media sources. In most cases the local TVs have been airing only that social video spot which was prepared by the Central Election Commission as well as PSA disseminated by the “United National Movement”.

The informational provision of the election campaign has been worse in Kvemo Kartli region. As is widely perceived informational coverage of pre election campaign is utterly important in order to enable the voters make a conscious choice. However, given facts and available evidence it appears that there is no means of communication in the region ensuring the adequate informing of the local population about the forthcoming event – local elections. Strikingly the only mean of getting information is the satellite dishes widely used in the region which understandingly does not portray the programs aired by the national based TV channels. Therefore, it can be asserted that local population

have been absolutely removed and kept in complete informational isolation which would have a negative effect on the final outcome of the election – population would only vote for the ruling party aggressively engaged in face to face meetings with the local voters as well as using administrative resources while the opposition parties were left without any informational means to disseminate their political views and promises.

The only TV Company operating in Marneuli (Kvemo Kartli region) terminated translation of programs in Azerbaijani language due to the emerged financial problems. It has to be mentioned that only the ruling party “United National Movement” translated election program in Azerbaijani language. According to the local leader of the “Alliance for Georgia” and its candidate in Bolnisi election district David Aslanidze party did not have any problems in highlighting the activities in local TV (TV Company Channel 5) carried out by the “Alliance for Georgia”. The TV Company was running the election PSA of the alliance in Georgian language.

Election administration

All the information held by the election administrations of Samtskh-Javakheti region has been open and publicly accessible. The necessary legally defined procedures regarding the correction of the voters list have been carried out in accordance with the defined legal standards; the died persons have been taken out from the voters list in the precinct election commissions; moreover, the commissions ensured the correction of the mistakes in the list as well as putting the omitted persons in the elections database.

The voters’ lists have been posted in the premises of the polling stations on appropriated places and pre determined dates as defined by the law. The necessary works have been commenced in all precinct elections commissions. However, the frequency of informational meetings of the representatives of election administrations with the voters as well as the intensity of dissemination of elections related printed products have not been satisfactory.

The specificities characteristic to the ethnic minority communities have been adequately reflected in the works of elections administration: the methodological guidelines for precinct elections commissions have been published in Armenian and Russian languages, the bulletins have been published in Georgian and Armenian languages.

The work of the elections administrations in the region of Kvemo Kartli has been satisfactory during the pre-election period. However some shortcomings have been identified. As the representatives of “Christian-Democrats” and “Alliance for Georgia” claim Central Election Commission is ultimately responsible in informing the local population and therefore should ensure the comprehensive coverage of election related issues in minority language. Central Election Commission started broadcasting of informational clips in Georgian and Azerbaijani languages in local Marneuli television from May 1st. Informational programs have only been broadcasted by television only in Georgian language.

As for the informational meetings with the local voters Marneuli District Election Commission preferred to hang election materials on visual desks and serve the local votes only at the office. Unfortunately, the DEC did not hold any informational meetings with the voters in and out of the town.

As for Tsalka district there have been some problems related to the voters’ lists, namely in Nardevan village number of the voters in the lists increased from 650 (as was during parliamentary elections) to 940, which did not correspond to the number of the population. Precinct election commission was closed and voters’ lists have been placed on the window of the local shop belonging to Samson Tamarian, who is also local majoritarian candidate of the “United National Movement”.

ELECTIONS DAY

By 8 A.M. all the polling stations in the abovementioned districts have been opened. However some facts of violations of electoral procedures have been identified.

Procedural violations and short coming in the work of electoral commissions

The polling station in Village Kumurdo, Akhalkalaki # 40 District, was not opened on time. In addition, there have been identified the attempt to cast a vote on behalf of the family member.

The registration journal is not genuine (does not correspond to the one approved by the CEC) in Akhalkalaki #2 precinct. Moreover, the members of the precinct commission did not have the identification badges.

In the village Khando the local precinct commission members did not know how to use the control paper (which should be dropped inside the ballot box before the voting process is commenced).

Several polling stations have experienced technical problems (village Kizilajalo, Marneuli district; precinct 49, district 22). At one of the polling station of Marneuli District the voter's marking appliance was not functioning. The polling station is closed until the marking appliance is fixed.

The observers have reported the problems regarding the control paper emerged at one of the poling station in Tetri Tskaro district (precinct 2, district 26). The control paper should be issued in 3 copies. However, issuance of only one copy is made possible. The district election commission is informed about this fact.

In addition, the members of the opposition ("National Council") have showed up in the poling station (precinct 25, district 21) in the village Kazankend and requiring the closure of the poling station. As they complained the members of the precinct commission are illiterate - do not know how to read and write

In Katnatu # 20 poling station (Ninotsminda # 41 election district) two registers shared one seal. In the special list for soldiers there have been 25 persons, however the votes have been given by 26 soldiers. All these facts have been challenged by the observers and filed the complaints.

Absence of marking, repeated and multiply voting and multiply insertion of the ballots, voting on behalf of the family members

In the village Vachiani, Akhalkalaki # 40 district, voters were given up to 8 ballot papers and consequently each voter casts multiply bullots.

The voters in the village Kulikami were casting votes without presenting IDs to the commission members.

In the 58 polling station of the village Karajalari the same person voted twice.

Ms. Tamar Gogoladze, regional representative of "Alliance for Georgia" in Samtskhe –Javakheti has explained to the observers of PMMG that unprecedented number of voters gave their votes in several precincts in Akhaltsikhe district in a shorter period of time. According to her it was not possible for the polling station to process so many voters for a limited period of time.

She noted that by 11 A.M. 156 voters participated in the elections at the #8 poling station; 136 voters participated in the elections at the #2 poling station; 250 voters - # 21 poling station; 180 voters - #22 poling station; 150 voters – 19 poling station; 107 voters - #14 poling station (9:30); 201

voters - # 37 poling station; 200 voters - # 30 poling station; 160 voters - # 31 poling station and 300 voters - # 24 poling station.

The unidentified person has tried to vote for the second time in the precinct # 3 of Akhalkalaki election district # 40. The members of the precinct election commission are registering the voters in the register journal, put the necessary signatures and seals on the ballots and issue the envelopes to the persons without actual appearance of the voters in the poling station. This method is applied by the commission members to deliberately inflate the number of turnout.

The practice of casting votes without presenting the IDs as well as voting on behalf of the family members still persists in Akhalkalaki and Ninotsminda election districts.

The members of the precinct commission have been dropping the filled in ballots (presumably do not belonging to them) inside the ballot box at Orja # 14 poling station (Akhalkalaki # 40 district).

Voters have been dropping several ballots instead of one inside the ballot box at # 3 poling station of Akhalkalaki # 37 district election commission. The same practice is being witnessed in # 12 poling station of Village Aragva.

The same person has voted 3 times in the village Karajalari # 58 poling station of # 21 Gardabani election district. Moreover, 3 persons without attaining the voting age has been identified in the poling station casing the vote. The marking appliance has not been functioning for a certain period of time. However, the poling station has continued to operate. Moreover, from the early morning forward the poling station has been left without electricity supply. In addition, voting process has been proceeded in an unusual environment – the members of the commission has been assuming responsibilities and working in one room and the ballot box has been stationed in another room. The complaint has been filed on this case.

The same person has voted several times at village Sadakhlo # 29 poling station of Marneuli # 22 election district.

The observers assigned to # 29 poling station of Gardabani 21 election district has noted that the same person has voted several times. The observers also suspect that several unused ballots have been taken out of the poling station.

The same person has attempted to vote several times in Buzaveti # 38 poling station (Akhalkalaki # 40 district election commission). However his attempt has been prevented by the local observers.

The person has dropped the several ballots in the ballot box in Zakvi # 24 poling station (Akhalkalaki # 40 election district). The precinct election commission refuses to accept the complaint filed by the observers. The observers complain that there have been some facts of psychological pressure imposed on them.

The marking liquid as well as the checking appliance is not being applied at the # 63 poling station of Akhalkalaki # 40 election district. This fact has been challenged by the observers at precinct commission.

One of the members of the precinct election commission has identified the several already filled in ballots with the sign 5 circled around put into the envelop while trying to place her own ballot inside the envelop. This fact has happened at village Karajala # 58 poling station of Gardabani # 21 election district. This fact has been protested by the observers.

Zakir Abdunaev has voted several times at village Kizilajlo # 49 polling station of # 22 Marneuli district. As he explained he was advised by the “United National Movement” to cast the votes in favor of number 5 – assigned number to the “United National Movement” by the CEC.

The amount of voters’ marking liquid is not enough in Abatkhevi # 25 polling station (Akhaltzikhe # 37 election district) – the district election commission has not appropriated the needed amount. Polling station in Satkhi village of Ninotsminda # 41 election district is having the sign outside the premises of polling station with the assigned number 25. However all the elections related documentation shows number 26 for this particular polling station. In addition, the marking procedures of the voters have not been carried out during a half of a day. Moreover, the seal on the voting box has been removed for a while and sealed again after the complaint raised by the observers. These facts have been objected by the observers and consequently filed the complaints.

In addition, the observers have identified the serious fact of violation of the electoral law in Korkhi # 15 polling station (Akhalkalaki # 40 district). The members of the precinct election commission were dropping the bigger number of ballots inside the ballot box. The observers have recorded this fact on video which will be additionally disseminated by PMMG. This fact has been challenged by the observers and consequently submitted the filed complaint to the Akhalkalaki district election commission.

The same person has voted several times in village Kizilajlo # 48 polling station of Marneuli # 22 election district. This fact has been challenged by the observers.

The same person has voted twice in village Tazakendi # 25 polling station of Gardabani # 21 election district. Moreover, some other electoral shortcomings have been identified by the observers in this polling station: the members of the precinct election commission do not speak Georgian language and therefore experienced serious problems in filling in the registration journal as well as some other necessary documents as defined by the elections law; therefore they have made numerous changes and corrections inside the journal and made it almost unreadable; some members of the precinct election commission as well as observers had not been present in the process of dropping the controlling paper inside the ballot box; 80 voters have been registered to cast a vote through the removable voting box, however, the commission only appropriated 30 ballots (for casting the vote through majoritarian voting) and 150 ballots (for casting the vote through proportional system – 120 ballots were returned back). Therefore only 30 voters participated at home while the rest – 50 did not receive the necessary ballots to vote; the chairman of the commission did not have the special appliance (pillow with the paint) for the use of the commission seal. The observers have filed 5 complaints on the identified violations.

The facts of casting the votes for several times by the same persons are still persistent in village Sadakhlo # 29 polling station of Marneuli election district. Moreover, the observers have identified one fact according to which a person with different passport have registered and obtained several ballots; consequently he voted not once. In addition there is an open manifestation of the propaganda in favor of the ruling party “United National Movement” inside the polling station which is prohibited by the law. The voters are openly approached and advised to vote for this political party inside the premises of the polling station.

The members of the precinct election commission started dropping the bigger number of ballots in the ballot box upon the closure of Buzaveti # 38 polling station (Akhalkalaki # 40 election district). Such a behavior has been justified by the members of the commission with the will that they wanted to vote for themselves as well as on behalf of the family members. According to the assertion of the members of the precinct election commission they did not know that they had not been eligible to cast a vote on behalf of the family members.

The elections protocol produced at the precinct did not include the individual number of the seal belonging to the register of the polling station. Therefore, the protocol without the number of the register's seal stamped on it was sent directly to the district elections commission. This fact has been challenged by the deployed observers. In addition, the chairman of the precinct election commission Mr. Hovik Akopian has refused to hand over the copy of the protocol to the attended observers.

On 12 P.M. the secretary of the Buzaveti # 38 precinct election commission has refused to count the number of voters' signatures put in the voters list. The young girl has showed up in Buzaveti # 38 polling station complaining the illness of her mother and requested the election commission to cast a vote on her behalf. The register has asked the observer whether the girl was eligible to do so. As the observer explained the girl had no right to vote on anybody's behalf. However, the girl had been given the right by the members of the commission to cast a vote on her mother's behalf.

The PMMG has filed the complaint to Marneuli # 22 district election commission on the fact of electoral violation revealed by the observers in Kizilajlo # 49 polling station (Zakir Abdunaev has voted several times at village Kizilajlo # 49 polling station of # 22 Marneuli district. As he explained he was advised by the "United National Movement" to cast the votes in favor of number 5). This fact has been challenged at the level of precinct election commission however being left without any reaction on the part of the commission.

The complaint was filed to Gardabani # 21 district election commission as far as the initial complaint had not been satisfied by Karajalari # 58 precinct election commission (the same person has voted 3 times in the village karajalari # 58 polling station. Moreover, 3 persons without attaining the voting age has been identified in the polling station casing the vote. The marking appliance has not been functioning for a certain period of time. However, the polling station has continued to operate. Moreover, from the early morning forward the polling station has been left without electricity supply. In addition, voting process has been proceeded in an unusual environment – the members of the commission has been assuming responsibilities and working in one room and the ballot box has been stationed in another room.).

Finally, PMMG has applied to Gardabani # 21 district election commission with the complaint according to which the chairman of # 3 precinct election had been independently counting the votes upon the completion of the voting process. According to the elections legislation three persons should be singled out among the members of the commission to count the votes. This legal requirement was violated by the chairman of the mentioned precinct election commission.

Pressure on observers from the PMMG and other subjects

In the precinct 10, Bolnisi districts #23, the observers of PMMG were not allowed to be present at the polling station. However, after the protest they have been admitted to attend the vote casting process with 2 hours delay.

The chairman of the 47 precinct election commission of 22 Marneuli district Mr. Khanaliev has been threatening the member of the precinct election commission Mr. Gasanov Shakhin nominated by the "Alliance for Georgia" by imprisonment and physical retaliation. (Mr. Gasanov Shakhin was requested the chairman to follow the elections procedures according to the established rules and opposing the chairman to act illegally).

The precinct election commission #7 of Saparlo (Dmanisi 24 district) does not register Khasrat Mamedov as the observer for the “Multinational Georgia” complaining that they do not know the procedures according to which the observers should be registered.

The observer Merab Modebadze nominated by one of the opposition parties has been dismissed from # 34 precinct station of # 23 Bolnisi election district on the ground of verbal assault of the commission members on the part of Mr. Modebadze.

Nasim Talibov has been denied the right to be registered at # 10 precinct of # 23 Bolnisi election district as the observer. This is because as the members of the precinct commission complained the observer's special badge (issued by the CEC) stipulated that he can move to any precincts and consequently he cannot stay in and carry out observation only in one polling station. The complaint has been filed on this fact.

Khasrat Mamedov has been denied the right to be registered as an observer at # 7 precinct of # 24 Dmanisi district as far as the members of the election commission did not know how to proceed with the registration procedures. The complaint has been filed on this case.

In general one can witness the big number of persons surrounding the polling stations that meet the cabs and approach the votes in an aggressive manner. The police do not show any initiative to interfere.

The observers are refused to accept their complaints by Buzaveti # 38, Diliska # 24, Zakvi # 28 and Akhalkalaki # 63 precinct commissions. The complaint has been filed to Akhaltsikhe district election commission.

In Korkhi # 15 polling station the observers had identified the fact of dropping of ballots in the ballot box in big quantities on the part of the members of the election commission. This fact is recorded on video. Despite the protest on the part of the observers this incident had not been prevented.

Maia Dalakishvili, the observer representing the PMMG has identified the fact according to which in Khando # 62 polling station the voter had tried to cast a vote for the second time. After the observer's intervention the fact had been prevented. Later on, the head of the village - Rtsmunebuli - (representative of Gangebeli in the region) appeared in the polling station and tried to impose the pressure on the observer. The head of the village left the polling station.

The fact of threatening physical retaliation against the observer had been identified in Kumurdo # 49 polling station. The aggressive behavior had been revealed by the persons representing both political entities “United National Movement” and “Movement for Fair Georgia” who with the imposition of pressure on the observer wanted to make provocations in the polling station.

The facts of repeated voting as well as voting on behalf of family members had been identified by the observer at Khaveti # 61 polling station. Moreover, the voters in this polling station had objected to undertake the marking procedures. However, after the intervention of the observers the voters had been forced to obey the rules and undertake the marking procedures.

Counting of the votes and filling in of the protocols

It has to be noted that the vast majority of the precinct election commissions' protocols submitted to the district election commission had not been in conformity with the established electoral rules and

norms – they did not satisfied the legal electoral requirements. This tendency had been widely witnessed throughout the election district. Therefore it can be inferred that the members of the precinct election commissions had not been adequately prepared to handle the electoral process that is they had not been equipped with the necessary knowledge as well as skills. Interestingly the members of the precinct elections had taken the modest number of training courses and were supposed to handle the electoral process in more adequate and consistent manner. Persistence of the mentioned tendencies has been shared and affirmed by the char person of Akhalkalaki district election commission. Interestingly, most of the chairmen of the precinct election commissions could not independently handle the election documentations that is appropriately fill in the journals and other respective documentations and consequently asking the members of the commissions the assistance.

Finally, the observers have identified numerous facts according to which the percentage of the voting outcomes as recorded in the protocols of the precinct election commission had been inconsistent (the aggregate percentage of the results exceeded 100 percent). Moreover, there had been the cases when the number of the voters recorded in the protocols did not correspond with the actual number of the voters participating in the voting process in the perspective poling stations.

The chairman of Kotelia # 42 precinct election commission as well as the members of the commission could not independently fill in the protocol of the commission. They did not know how to handle with this issue. Therefore, the chairman of Kotelia # 42 precinct election commission had taken the blank protocol to the village Baraleti to obtain the assistance in filling in the gaps. This fact had been challenged by the observers. As a result of this the chairman handed over the blank protocol directly to the district election commission.

The representative of Akhalkalaki city fall (Gamageoba) has appeared in Diliska # 24 poling station and expressed his will to attend the ballot counting process. After the observers protested this fact he left the poling station.

Conclusions and lessons learnt

Main trends and problems	Recommendations and lessons learnt
Civil society impact	CEC, international and local organizations should enhance in pre-election period work with and financing for the media and high educational establishments in the regions
Lack of the knowledge and skills of the voters about electoral procedures, own rights, political system and programs of the political subjects, as well as understanding of the importance and nature of the electoral process	<p>Local and international organizations, mass media: We estimate as very important to carry out wide-scale programs on the voters, civil and political education of the citizens on the long-termed basis during the periods in between elections</p> <p>Educational establishments: to include elements of the voters education in the curricula of the high grades of the secondary schools and high educational establishments in line with promotion of the non-formal educational and awareness raising events in the field among high school and university students</p> <p>For the Election administration: to proceed practice of the operating of the special working group on the vulnerable groups of the voters and enhance scale of its activities</p> <p>For the political parties: to allocate additional efforts for the work with vulnerable groups and in ethnic minority regions, educating voters about own programs and promoting political dialogue at the local level</p>

<p>Lack of the knowledge and skills of the members of the electoral administration (especially at the PC level) in line with insufficient understanding of the nature electoral process and own powers and obligations, as well as overall aim of the own actions</p>	<p>To effectively use resources of the local mass-media</p> <p>For the CEC:</p> <ul style="list-style-type: none"> - To enhance procedural training at the PC level - To allocate additional efforts on development of the professional behavior and ethics of the conduct among members of the electoral administration at the PC and DEC level (training, joint development of the codes of conduct) - To fight the impunity of the members of the electoral administration (consistent imposition of the fines and disciplinary sanctions) - To carry out of the joint meetings and events of the electoral administration at the PC and DEC level and representatives of the observing organizations - To carry out awareness raising work among the members of the EA about the mission of the observing organizations - Attract young people <p>For the political parties:</p> <p>-To enhance preparation of the members of the electoral commissions nominated by the political parties and put additional attention on the importance of the nomination of the representatives</p> <p>For the NGOs and international organizations:</p> <p>To design, carry out and support different needs driven educational and awareness raising programs for the different levels of the electoral administration (addressing different needs of the different levels of the administration) with appropriate attention to the problem of the language barrier</p>
<p>Pressure on the observers</p>	<p>CEC:</p> <ul style="list-style-type: none"> - To fight the impunity of the members of the electoral administration (consistent imposition of the fines and disciplinary sanctions) - To enhance role of the regional representatives of the CEC - To carry out additional awareness raising (please see above) <p>International organizations:</p> <p>-to increase presence and support local missions</p>
<p>Transparency and legality of the electoral process</p>	<p>CEC</p> <ul style="list-style-type: none"> -to elaborate on the additional transparency at the DEC and PC level -to disciplinary sanctions -to increase cooperation between mass media and electoral administration (at the DEC level) -do not include those members of the EA who were involved in the significant violations in the new EA bodies <p>Intersectoral</p> <ul style="list-style-type: none"> -to initiate in face of the responsible state authorities – necessity of the application to the disciplinary measures

	towards representatives of the state and local authorities interfering in the work of the electoral administration
Non-responsiveness on violations	<p>CEC</p> <ul style="list-style-type: none"> -to put additional efforts on awareness raising among the PC and DEC members on the necessity to enhance efforts to immediately stop violations of the law -to enact disciplinary sanctions <p>Local and international organizations</p> <ul style="list-style-type: none"> -to put additional attention on this issue during the trainings for the observers or representatives of the EA on the importance of the immediate cease of the violations
Inadequate response to the complaints and inappropriate investigation	<p>CEC</p> <ul style="list-style-type: none"> -to raise awareness on the purpose of the complaint -disciplinary sanctions and exercise control over the terms -to widen initiative of the CEC – to include complaints at the level of the DEC in the online database -to initiate clarification of the law on the submission and review of the complaints -to develop internal procedures and guidelines preventing artificial prolongation of the terms and submission of the answers <p>Intersectoral</p> <ul style="list-style-type: none"> -to put attention on the content of the answers to the complaints during the training
Technical equipment of the PCs in the remote areas	CEC should put additional attention on the technical equipment of the PCs in rural areas
Documentation	<p>CEC should add the following elements to the training of the PC members:</p> <ul style="list-style-type: none"> - Exercise in filling of the documentation - Samples of the documents in minority languages - User friendly manuals