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**ELECTION OBSERVATION MISSION OF OCTOBER 2, 2021
LOCAL SELF-GOVERNMENT ELECTIONS**

**PRE-ELECTION ENVIRONMENT
MONITORING FOR
2021 LOCAL SELF-GOVERNMENT
ELECTIONS**

**INTERIM
REPORT**

(June 1 – August 31)

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**TBILISI
2021**

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Introduction

Public Movement “Multinational Georgia” (PMMG) was founded in 1999. The organization advocates the interests of minority diasporas and NGOs working in the field of protection of rights of ethnic, religious and linguistic groups residing in Georgia. PMMG is mostly focused on Tbilisi as well as Samtskhe-Javakheti, Kvemo Kartli, Kakheti, Shida Kartli and Ajara regions, densely populated with ethnic minorities.

Since 2003, PMMG has been implementing election observation programs in the Georgian regions with compact settlements of the ethnic minorities. The objective of the observation efforts is to contribute to fairness

and transparency of the elections and enhance trust among ethnic minorities vis-à-vis political and election processes.

Public Movement Multinational Georgia will carry out monitoring of the 2021 local self-government elections in Tbilisi and the following Georgian regions: Samtskhe-Javakheti, Shida Kartli, Mtskheta-Mtianeti, Kvemo Kartli and Kakheti.

The monitoring is carried out through the support of the United States Agency for International Development.

This Interim Report covers period from 1 June 2021 to 31 August 2021.

Methodology

Given the objectives of the observation mission, since 1 June 2021, PMMG has started to carry out pre-election environment monitoring in four municipalities with **4 long-term observers (LTOs)**¹:

- Ninotsminda – Samtskhe-Javakheti region;
- Akhalkalaki – Samtskhe-Javakheti region;
- Marneuli – Kvemo Kartli region;
- Dmanisi – Kvemo Kartli region;

Whereas from 1 August 2021, PMMG expanded the monitoring area and started to carry out pre-election environment monitoring in 17 additional municipalities. Therefore, Public Movement Multinational Georgia currently has **21 long-term observers**² deployed to monitor the pre-

¹ Each LTO is responsible for observation in one election district.

² Each LTO is responsible for observation in one election district.

election campaign in Tbilisi and the following geographic areas with compact settlements of the ethnic minorities:

- **Ninotsminda, Akhalkalaki, Aspindza, Akhaltsikhe, Adigeni, Borjomi – Samtskhe-Javakheti region**
- **Marneuli, Dmanisi, Bolnisi, Gardabani, Tsalka, Tetritskaro – Kvemo Kartli region**
- **Mtskheta – Mtskheta-Mtianeti region**
- **Lagodekhi, Sagarejo, Kvareli, Akhmeta – Kakheti region**
- **Kaspi – Shida Kartli region**
- **Isani, Krtsanisi and Samgori – Tbilisi**

Prior to launching the pre-election environment monitoring, PMMD updated materials on election topics as well as conducted trainings based on changes in electoral legislation to raise qualifications of the long-term observers. At these trainings LTOs were informed both about the amendments enacted in the election legislation and pre-election environment and campaign monitoring rules.

In order to carry out election monitoring, PMMG LTOs' receive information about the possible violations from the following sources: media (TV, radio, digital media); requesting public information; local self-government organs and their websites; social networks; parties, candidates, party activists, NGOs, citizens and public meetings.

In order to carry out pre-election environment monitoring, LTOs observed and studied:

- Political and electoral activities of the political parties / aspiring candidates;
- Use of hate speech in the pre-election campaign;
- Abuse of administrative resources;
- Facts of oppression/intimidation/threats/physical assault;
- Vote buying and violations of political party financing rules;
- Statements and complaints;
- Statements and complaints about election violations;
- Voter lists;
- Activities of the election administration;
- Voter education, including awareness of the minorities;
- Pandemic-related impediments which hinder carrying out political/electoral activities or preparations/holding of the elections.

As a result of the monitoring, election problems, needs and challenges will be identified as well as specific recommendations will be elaborated to improve election environment.

PMMG will regularly communicate information to public about results of monitoring of pre-election campaign.

Main Findings

- A few months before the 2021 Local Self-Government elections, the Parliament of Georgia adopted election amendments with broad public involvement. The aims of these amendments were to end the post-election political crisis in the country and restore trust in elections. Most of the amendments contributes higher trust vis-à-vis the election results. At the same time, few issues which are important to be addressed in order to hold elections in a better environment, still remain.³
- Given the legislative changes, membership in the CEC increased to 17 for 2021 elections. Of these members, there will be 8 non-partisan members and 9 members appointed by the political parties. These changes, concerning the staffing of election commissions, increased participation of the political parties in the activities of election commissions. However, the challenges with respect to the election of professional commission members, remain unaddressed: the election of professional members of the CEC needs higher support in the Parliament of Georgia (majority of 2/3 of the full membership of the Parliament of Georgia). However, there is an alternative mechanism, which provides for the election of professional members of the CEC with the support of the majority of the full membership of the Parliament of Georgia, albeit, temporarily, for only six months. This mechanism leaves the possibility of election acceptable members for the ruling party as professional members of the CEC. At the same time, the number of professional members has increased at all levels of the election commission (from 6 to 8 members), which aimed to balance the proportion of members appointed by political parties to the election commission.
- For the 2021 elections, the Parliament of Georgia elected CEC chairperson and two professional members temporarily, for a period of 6 months. The candidates failed to receive votes of 2/3 of total number of the MPs. Therefore, one of the aims of the electoral reform, that the professional members of the CEC were elected with high confidence could not be implemented at this stage.
- The selection process of professional poll workers for District and Precinct Election Commissions was conducted in line with the law and sessions to select members were held in a transparent manner. However, certain trends which may negatively affect election administration's competent, unbiased and objective activities, have been identified. It is a fact that the best part of the persons, elected as the professional members of the election commissions, are employed in organizations on budget payroll which make their independence vulnerable while performing their duties as election commission members.

³ These include extending time for election dispute resolution and improvement of election dispute settlement standards, prevention of vote buying, impartial and timely investigation of facts of pressure and intimidation, higher standards of staffing polling stations with professional poll workers and prevention of use of administrative resources.

- The CEC initiative to live broadcast CEC sessions, which contributes to transparency of the CEC amid the pandemic, warrants a positive appraisal. The CEC decision to hold interviews with the candidates for District Election Commissions and make this process available for public also warrants a positive appraisal.
- No outstanding activities have been observed in the monitored municipalities during the campaign in the reporting period. Largely, it was only the ruling party which carried out robust campaigns in these electoral districts. The opposition parties have started to get active since the second half of August.
- There were the facts identified during the monitoring which are allegedly related to forcible dismissal from the job on the political grounds. As stated by the most of people who lost their jobs, they were considered as unreliable and unacceptable persons for the ruling party ahead of the election and therefore it was demanded they quit their jobs based on their personal letter of resignation. There were two such cases in Akhaltsikhe, seven cases in Akhalkalaki and two individuals were fired in Dmanisi with the Mayor's decree. It was clear that potential reason behind these dismissals were their ties with a number of political party/individuals, including: United National Movement, Giorgi Gakharia's For Georgia party and the Georgian Dream.
- During the reporting period, the trend was observed in the monitoring districts, when incumbent Mayors and Heads of municipalities who are simultaneously nominated as candidates, conducted election campaign from their official positions. It is true that these elected individuals have no obligation under current legislation to leave their jobs if nominated, although in such cases it is difficult to distinguish which activity is related with them acting in their official capacity and which one to the election campaign. Prior to official launch of the election campaign, local budget appropriations increased for several municipalities which constitutes a years-long practice and potentially aims to provide legal ground for election-motivated spending. We would also like to highlight number of initiatives put forward by the Government of Georgia whose implementation coincides with the pre-election period and may be election-motivated spending or intended to exert certain influence over electoral process. Launching such initiatives in the pre-election period creates unequal ground for the electoral subjects, since by using budgetary resources, the ruling party puts itself into an advantageous position as compared to other subjects taking part in the elections.
- The analysis of 5 July 2021 events, gives rise to a reasonable suspicion that the political actors, through use of hate speech, persecution of people with differing opinion and encouraging of physical violence, deliberately sought to exploit situation to gain political dividends and mobilize voters for the upcoming elections. It is not coincidental that use of hate speech has in fact become an inseparable part to further polarization between the parties and stipulates violent confrontation. PMMG has repeatedly condemned malpractice of the parties using hate speech during the campaign which significantly harms both political and electoral environment and shows the need to implement efficient and sustainable approaches (at institutional as well as legislative and policy levels) to avoid this vicious social phenomenon for the next election cycles.

Political Context

The President of Georgia has issued a decree to set 2 October 2021 as a date for the local self-government elections.⁴ The voters have to elect municipalities' representative bodies and Mayors of self-governing city / self-governing community.

On 30 June 2021, the chairperson of the Central Election Commission of Georgia, Tamar Zhvania, resigned from her position. The President of Georgia announced an open competition for the vacant positions of the CEC chairperson and two professional members of the CEC. On 2 August 2021, the Parliament of Georgia elected the new CEC chairperson and two professional members for the period of six months.

The political crisis in Georgia, sparked in the aftermath of 2020 Parliamentary Elections, ended with 19 April political agreement between the ruling party and the opposition. After reaching the agreement, individuals who signed the agreement entered the Parliament and started to exercise their duties. However, some of the MPs and political parties did not sign the agreement.⁵ According to the Georgian Dream's suggestion on 16 April 2021, early parliamentary elections were to be held in 2022 in case the Georgian Dream failed to garner less than 43% of real proportional votes in 2021 Local Self-Government Elections.⁶ However, on 28 July 2021, the Georgian Dream annulled the 19 April political agreement. Therefore, the ruling party has backtracked on its promise to link holding early parliamentary elections to the support of the Georgian Dream garnered at 2021 Local Self-Government Elections. The Georgian Dream stated that the reason behind their decision to withdraw from the political agreement was the refusal of the United National Movement to join the agreement and clarified that the Georgian Dream had faithfully complied with all components envisaged by the political agreement.⁷ The Georgian Dream's withdrawal from the political agreement, first and foremost, harmed interests and international image of our country and put its reputation as being a reliable partner under risk.⁸ This political agreement, reached within several months through the joint efforts of Georgia's international partners as well as its implementation in good faith, were vital to reduce political tensions and polarization in the country, ensure pluralism, advance the country's democratic development and meet the existing foreign policy challenges,⁹ including support of the Georgian people's Euro-Atlantic choice and promotion of democratic reforms.

On 26 July 2021, Temporary Investigative Commission of the Parliament of Georgia, which was tasked to study election violations identified during 2020 Parliamentary Elections and determine how they affected the final election results, ended its activities. Most of the opposition parties in

⁴ <https://cesko.ge/res/docs/ShowFiles.pdf>

⁵ At the time of publication of this Interim Report, the United National Movement had signed the political agreement.

⁶ https://eeas.europa.eu/sites/default/files/mediacia_samomavlo_gza_sakartvelostvis.pdf 83.8

⁷ <https://www.interpressnews.ge/ka/article/667608-kartuli-ocneba-19-aprilis-shetanxmebas-anulirebulad-acxadebs/>

⁸ PMMG released a statement with regard to the Georgian Dream's withdrawal from the political agreement. The statement is available here: <https://www.facebook.com/PMMG.ORG/posts/4565340976849781>

⁹ <https://www.facebook.com/PMMG.ORG/posts/4565340976849781>

the Parliament did not express trust to the Commission and refrained from taking part in the proceedings. According to the conclusion published by the Investigative Commission, identified shortcomings could not have a substantial impact on the final results of the elections.¹⁰ At the same time, Investigative Commission studied the election monitoring reports prepared by the local observer organizations and started to criticize observation activities of these organizations.¹¹

On 5 July 2021, in the center of Tbilisi, on Rustaveli Avenue and adjacent territories where Tbilisi Pride was supposed to take place, radical and violent mobs assaulted and both verbally and physically attacked LGBTQ community members, human rights activists and journalists. Based on information in the media and available video footage, dozens of media workers were subjected to physical and verbal assault. The most disconcerting was call for violence from the clergy as well as the priests assaulting journalists and other individuals together with deliberately raiding the offices of NGOs. The inadequate police forces at places where radicals were gathered as well as lack of adequate and proper response on violence set the ground for assaulting and offending dozens of journalists and other citizens whereas calls for violence and unlawful actions left without response generated sense of absolute impunity.¹²

On 11 July 2021, TV Pirveli cameraman, Lekso Lashkarava, who was beaten and injured by violent mobs on 5 July 2021, was found dead in his own home. The death of the journalist sparked massive public tensions, followed by the anti-government rallies at Rustaveli Avenue. The protesters demanded punishment of the organizers of orchestrated attacks against journalists and all perpetrators with the full severity of the law as well as the resignation of the Prime Minister.¹³

The analysis of 5 July 2021 events, gives rise to a reasonable suspicion that the political actors deliberately sought to dramatize situation by using hate speech, persecution of people with differing opinions and encouraging physical violence against them. The final goal of these measures could possibly be mobilization of voters and exploiting the existing situation for political aims. It is not coincidental that use of hate speech has in fact become an inseparable part to further polarization between the parties and stipulates violent confrontation. PMMG has repeatedly condemned malpractice of the parties using hate speech during the campaign which significantly harms both political and electoral environment and shows the need to implement efficient and sustainable approaches (at institutional as well as legislative and policy levels) to avoid this vicious social phenomenon for the next election cycles.

¹⁰ <https://matsne.gov.ge/ka/document/view/5224324?publication=0>

¹¹ On 18 June 2020, representatives of the PMMG, Georgian Young Lawyers Association, International Society for Free Elections and Democracy and Transparency International – Georgia answered the questions of the Temporary Investigative Commission.

¹² PMMG released a statement with respect to events unfolded at Rustaveli Avenue on 5 July 2021. The statement is available here: <https://www.facebook.com/PMMG.ORG/posts/4496014517115761>

¹³ According to the information of the MIA, drug overdose could have caused the journalist's death. <https://police.ge/ge/shinagan-saqmeta-saministros-brifingi-aleqsandre-lashqaravas-gardatsvalebis-faqtze-mimdinare-gamodziebis-shesakheb/14796>

Legislative Framework

On 28 June 2021, the Parliament of Georgia adopted electoral amendments. The process of working on legislative amendments has continued for several months in a transparent manner and broad public engagement. The electoral amendments were a response to the political crisis sparked in the aftermath of 2020 Parliamentary Elections, aiming to end the crisis and restore faith in the elections. Although the main part of these amendments contributes to higher trust in the election results, they failed to address all problematic issues in election legislation and practice.¹⁴

Work on legislative changes started on 8 February 2021 when the Working Group on Electoral Reform was formed in the Parliament of Georgia. The aim of this Group was to translate all issues reflected in the agreement between the Georgian Dream and Citizens party into an electoral legislation. European Socialists also joined this agreement. Electoral amendments envisaged by the political agreement intended to restore faith in the electoral process.

Other parties in the Parliament of Georgia joined the working process of electoral reform only after they had signed 19 April political agreement, brokered by Charles Michel, and started to exercise their duties in the Parliament after ending their boycott.

Therefore, broader public engagement in the electoral reform implementation process has been ensured since May 2021. From the same period, draft Electoral Code was amended and issues included in the 19 April 2021 political agreement (Way Ahead for Georgia) were also reflected. The package of legislative amendments has been sent twice to the Venice Commission and OSCE Office for Democratic Institutions and Human Rights to get their conclusion: first during registration of legislative changes in the Parliament as well as after voting for them at the first hearing.

Electoral amendments concern issues such as the electoral system for local self-government elections, staffing of election commissions, abuse of administrative resources, election disputes, verification of vote results, gender quotas, etc.¹⁵

Amendment – Election System – The number of individuals to be elected from proportional lists in local self-government representative bodies shall be increased and the number of those to be

¹⁴ These include extending time for election dispute resolution and raising standards for election dispute process, prevention of vote buying, fair and timely investigation of facts of pressure and intimidation, raising standards of staffing election commissions with professional members, prevention of the abuse of administrative resources.

¹⁵ Since February 2021 PMMG, together with the other NGOs, has been involved in the activities of Parliament of Georgia's Working Group on Electoral Reform. PMMG presented numerous recommendations to the Working Group on Electoral Reforms, concerning issues governed by the political memorandum, such as electoral system, election administration, electronic voting, electoral disputes, administrative resources, etc. It also included other issues, not governed by the memorandum, such as vote buying, filling out corrections protocols and recommendations which according to PMMG would increase political representation and involvement of the ethnic minorities. Of PMMG's recommendations, the Working Group endorsed extension of electoral dispute resolution time and removal of restriction of having a member in the electoral commissions. However, recommendations submitted to the aim of facilitating political representation and involvement of the ethnic minorities were rejected.

elected as majoritarians, shall be decreased. Therefore, the composition of municipal councils shall be as follows: 4/1 ratio in favor of proportional lists in big cities and 2/1 ratio in other self-governing communities. In addition, threshold for local self-government elections was also lowered from the existing 4% to 3%. This rule does not apply to Tbilisi where threshold for proportional lists shall be 2.5%. Moreover, 40% threshold was introduced for majoritarian candidates.

Assessment: The electoral system has been criticized for years for disregarding the equity principle between the votes of the voters. The unequal distribution of the registered voters between the election districts, which contradicted the principle of vote equity, has been viewed as a problem. In addition, number of municipalities has very large number of majoritarian MPs and the issue of proportionally reflecting votes in the representative organs has been brought to the agenda.

The changes in the electoral system should be assessed positively. This is because the number of mandates to be distributed proportionally has increased and proportionality of votes in municipal councils is better guaranteed (votes are proportionally translated into mandates). In this case, the level of disproportionality between the seats in municipal councils and votes of the electoral subjects decrease, which facilitates more fair representation of the political parties in the municipal councils. In addition, lowering the threshold for municipal elections contributes higher political pluralism in the municipal councils and representation of more parties. We believe that holding elections for municipal councils under a fully proportionate electoral system would have contributed better reflection of votes into mandates. This also envisages use of open lists where interests of different groups of society, including those of ethnic minorities, would have been better taken into account.

Amendment – Election Administration – The rule of staffing of election commissions was changed. The number of commission members, at all level of electoral commissions, increased from 12 to 17 with a following ratio – 8 non-partisan members, selected for their professional quality and nine members appointed by the political parties. At the same time, it was adopted that political parties shall appoint commission members on the basis of parity (one party – one commission member). Therefore, the rule, which allowed a single party to appoint more than one member in the election commission, was annulled. In addition, higher quorum was introduced for election of professional members in the election commissions which in case of the CEC membership is two thirds of the votes from total number of MPs of the Parliament and two thirds majority from superior election commission for appointment in an election commission of any level. Simultaneously, a specific anti-deadlock mechanism for the election of an election commission member was also introduced.¹⁶ The rule of the CEC chairperson election was changed and the CEC chairperson is now elected similarly to the CEC professional members – through open competition with the support of two thirds of total number of the MPs in the

¹⁶ At first two votes, a person needs backing of 2/3 of all MPs to be elected as the CEC member, 3/5 at the third vote and every next vote requires a simple majority. Any appointment which happens in line with this procedure (intending to prevent potential blocking of a candidate) should be temporary. The duration of such appointment is six months and in the course of this period, standard appointment procedure has to be launched again. At the same time, it was decided to have one week gaps between the votes instead of four week gaps as suggested by Charles Michele's document.

Parliament. A position of the second deputy CEC chairperson was added which shall be occupied from the ranks of the CEC members appointed by the opposition parties.

Assessment: The legislation prior to the amendments allowed the ruling party to appoint three members of total six political party members in the election commissions which corroborated its dominance in the election commission. Therefore, legislative amendment which allows a party to appoint one member only, should be appraised positively. As a result of the amendments, in total nine parties are now entitled to appoint members in the CEC. This increased participation of the political parties in the CEC activities which has to be assessed positively.

In regard to the rule of election of the CEC professional members, the version before amendment allowed the Parliament of Georgia to choose the CEC professional members through a majority of total number of the MPs. This predicament, when one party controls parliamentary majority, did increase the chances of making a decision favorable to the ruling party. As a result of the amendments enacted in the Election Code, the quorum needed for the election of the CEC professional member has been raised and instead of majority of the parliament it is now required that the two thirds of total number of the MPs shall vote for the CEC professional members. The requirement of a higher quorum for the election of the CEC professional members contributes to the election of CEC professional members on the basis of political deal which in turn contributes to higher trust vis-à-vis the CEC professional members and that also needs to be assessed positively. However, at the same time, the number of the professional members increased (from the existing six members to eight) in all levels of election commission which aimed to counter-balance the proportion of the members appointed by the political parties in the commissions. The anti-deadlock mechanism for the high quorum requirement has also been adopted which allows election of the CEC professional members by the majority from total number of the MPs temporarily for six months. The decision to retain possibility for the majority of the Parliament of Georgia to elect the CEC professional members, still allows the ruling party to select acceptable individuals for the CEC professional members which is not in line with the spirit of the election reform, since the latter envisaged election of the CEC professional members with a higher degree of legitimacy. Of additional note is that as a result of the amendments, the number of the professional members increased to eight to counter-balance the number of the commission members appointed by the political parties.

Amendment – Abuse of Administrative Resources – As a result of legislative changes, the number of those individuals, who are forbidden to carry out or take part in election campaign while exercising their official duties or during working hours, has been increased. In addition, certain restrictions were introduced with respect to gathering of public servants as well as individuals employed in pre-school and educational facilities on the ground of their employment affiliation.

Assessment – Abuse of the administrative resources has always been a serious problem for election campaigns. This concerns, particularly, to the use of human resources for the campaign purpose. There have been multiple elections when the people of different professions, teachers on budget payroll, school directors, and kindergarten tutors attended ruling party/candidate election events in an organized manner, including during the working hours which did not constitute a violation under the previous legislation and was not considered as unlawful participation in election campaign. Therefore, for the purposes of facilitation an equitable election environment, these changes have to be assessed positively. In addition, in terms of prevention of abuse of administrative resources for campaign purposes, it was important to ban personification

and equation of budget-funded projects and programs to parties or one of party leaders, which should be considered as abuse of administrative resources.

Amendment – Election Disputes: Time for the review and appealing of election dispute increased to some extent (one to two days), whereas in case of District Election Commission's review of a decision from two to four days. The possibility to submit complaints electronically is a novelty together with creation of electronic registrar, where persons authorized to submit complaints can register. It was ruled that decisions to leave complaints without consideration should be made on a collegial basis, by an election commission.

Assessment: The Election Code provides very limited time for submission of complaint and its review which is usually 1-2 days. On the one hand, this limited timeframe hinders the authors of the complaint to prepare substantiated and backed up complaints and submit them timely in the election commissions and courts and on the other hand impedes election commissions and courts to thoroughly study submitted complaints and substantiate the decisions they made. Therefore, we assess positively the increased timeframe for election disputes. At the same time, we believe that increasing timeframe for one day mostly (in case for the decision by the District Election Commission for 2 days) is not sufficient for effective review and resolution of election disputes. We believe it would have been better if time for dispute review had been extended from 3 to 5 days which is a standard time for election dispute cessation and review. In addition, the introduction of possibility to submit complaints electronically, which will allow authorized subjects (parties, observer organizations) to save their already limited time while submitting complaints to the election commissions, should also be assessed positively.

Amendment – Tabulation and Verification of Election Results – To enhance trust vis-à-vis election results, there will be a mandatory recount in five polling stations per each electoral district. In addition, it is forbidden to fill out election results corrections protocol after all documentation of polling station has been sealed. District Election Commission may decide to fill out correction protocols for the corrected summary protocols filled out without correction protocols, based on verification of election results.

Assessment: As a result of the amendments enacted in the election legislation in 2017, it became possible to correct substantial mistakes made in the summary protocols of the precinct election commissions (PECs) in the next day of the Election Day. Based on this rule, PECs corrected mistakes in the summary protocols without recount and verification of the PEC results, including correction of misbalances in the summary protocols when the number of invalid ballots and ballots cast for electoral subjects exceeded the total number of voters who actually took part in the elections. This rule of correction of the mistakes in the summary protocols caused much dissatisfaction during the 2020 parliamentary elections when it was found out that misbalance in summary protocols were not some isolated cases. In addition, superior District Election Commissions mostly left without review or rejected PEC recount/verification complaints. At the same time there has not been a regulation which would have obliged the superior election commission unconditional recount of certain number of PECs. Therefore, these above mentioned changes are important, which we believe would enhance trust in the election results. In addition, it would also be desirable to introduce an obligation of PEC recount based on a specific criterion, in case of ballot surplus in the summary protocols.

Amendment – Polling Station Perimeter and Prevention to Controlled Voting: It was banned to physically hinder movement of voters during the Voting Day in the polling station or 100 meters

in the vicinity of the polling station as well as assembling and taking stock of voters. The enforcement of these regulations has become the responsibility of the Ministry of Internal Affairs which shall be authorized to issue penalties for the transgressor individual.

Assessment: This amendment aims to avoid controlling of a voter's will at the territory adjacent to polling station which has been a malign practice in Georgia for many years, since it hinders free expression of a voter's will. This practice implies presence of supporters and agitators of the electoral subjects at the polling station territory during the Election Day to influence and control voters: whether or not he/she went to the polling station to vote and for whom did he/she vote. Therefore, we believe that expansion of a specific radius/perimeter (from 25 meters to 100) where supporters of the electoral subjects are going to be banned to take stock of voters, will contribute free movement of voters at the polling station and reduce the degree of control over their will.

Amendment – Setting Up of the CEC Advisory Group: At the initiative of the political parties, CEC Advisory Group shall be set up which is tasked to submit recommendations on election disputes to the CEC. CEC Advisory Group shall be composed by the experts nominated by local CSOs and international organizations.

Assessment: The CEC Advisory Group is important to ensure election dispute transparency. At the same time, it is vital that the activities of the CEC Advisory Group are unbiased and impartial.

Amendment – Competition Commission at the Administration of the President of Georgia – The composition of the Competition Commission at the President of Georgia to select CEC membership candidates have been changed and the number of the Commission members has been adjusted. The Commission consists of 10 members at most and it should incorporate people from academia and CSOs that have at least 7 years' experience of working in the field of elections, or protection of democracy or human rights

Assessment – Prior to the enactment of these changes, the Competition Commission included representatives of the Administration of the President of Georgia and local CSOs which took part in the activities of the Competition Commission with the President's invitation. The Competition Commission did not conduct interviews with the contestants. The public was unaware what criteria the Competition Commission members used to make their decisions vis-à-vis the candidates. We believe that changes in rules of staffing the Competition Commission and introduction of interview with the applicants made it possible to improve transparency and publicity standard of the Competition Commission's activities. The possibility to have interviews with the candidates for the CEC membership allowed the Competition Commission to know the candidates better and make decisions vis-à-vis them based on a specific criterion.

This amendment has improved the standard of staffing of the Competition Commission as well as transparency and publicity of its activities. We also positively assess the introduction of possibility of interviewing the CEC membership candidates.

Amendment – Mandatory Gender Quotas – Mandatory gender quota rules have been changed for the local self-government elections. It was decided that in the party lists for the local self-government elections, every third candidate should be of different sex.

Assessment – This change does not contribute to increased women participation in politics and remains as one of the challenges.

Amendment – Power of Precinct Election Commission Members: PEC members' functions have been changed to ban the members appointed by the political parties from becoming voter registrars during the Voting Day which puts them in unequal ground vis-à-vis professional, non-partisan PEC members. In addition, according to the changes, only non-partisan PEC members can be elected at the positions of chairperson, deputy chairperson and secretary.

Assessment – This amendment puts non-partisan PEC members in an advantageous position vis-à-vis those PEC members who are appointed by the political parties, which is not right because according to the Election Code, all PEC members shall have equal powers.

Amendment – According to the general rule, right to have a CEC member is linked with the support party had garnered in the elections. However, a transitional provision for the 2021 elections provides that a political party's right to have a CEC member will be linked specifically to the funding which party receives from the state. This denied the Labour Party, which was allowed to appoint a member at CEC in line with a general rule, an opportunity to actually appoint its member.

Assessment – We believe that while adopting this amendment there was a lack of substantiation on why temporary CEC member appointment rule, which gives advantage to state funding in regard to appointment of the CEC members, should be introduced for 2021 election when based on general rule, it depends on party's support to have a CEC member.

Amendment – As a result of one of the changes, the right to appoint a CEC member was delegated to that party, whose every MP which gained seats in Parliament from that party's lists and exercises his/her duty, left the party at the time when the Electoral Code went into force and all of them together gained membership of another party.

Amendment: This amendment was made specifically in favor of the European Socialists whose members left the Alliance of Patriots of Georgia and founded a new party once they entered the Parliament.

Amendment – Reduction of Time Between Votes. The anti-deadlock procedure for election of CEC chairperson or/and professional members for 2021 elections envisages one-week gap between votes instead of four-weeks as suggested by the 19 April political agreement.

Assessment – Reduction of time between votes decreased time for the political parties to reach an agreement with respect to the CEC candidates. This could be detrimental to reach an agreement between the ruling and opposition parties with respect to the CEC candidates.

Election Administration

Staffing of Election Commissions

Staffing of the CEC

On 30 June 2021, the CEC chairperson, Tamar Zhvania, resigned from her position. Therefore, the CEC chairperson's position became vacant. At the same time, as a result of 28 June 2021 amendments in the Election Code, it was needed to elect two new professional CEC members.

Competition Commission at the Administration of the President of Georgia

On 1 July 2021, the President of Georgia announced open competition for the positions of the CEC chairperson and two professional members. The Competition Commission was staffed with 11 members, including five representatives from CSOs and six representatives from the higher educational institutions.

The Competition Commission shall make a decision by a majority of the total number of members.¹⁷

Staffing of the Competition Commission in a way to have majority (6/5) of the representatives of the higher education institutions was to ensure that the decisions of the Competition Commission cannot be made in disregard of their opinion.¹⁸

The President of Georgia invited Public Movement Multinational Georgia in the Competition Commission. The chairperson of the board represented PMMG in the Competition Commission. Although the process had to be carried out in a short timeframe as mandated by the law – the Competition Commission in fact had a very limited time (2 days) to make decisions vis-à-vis the candidates. The Competition Commission held individual interviews with both CEC chairmanship and membership candidates which were broadcast live on Georgian Public Broadcasters' Facebook page. These decisions of the Competition Commission contributed to the transparency of the process and enabled the public to get more information about the participants in the competition.

The Competition Commission nominated Giorgi Kalandarashvili's and Giorgi Santuriani's candidacies to the President of Georgia for the CEC chairmanship as well as the candidacies of Ana Mikeladze, Lela Taliuri, Tamara Sartania, Gia Tsatsashvili and Maia Zaridze for the 2 vacant positions of CEC professional membership. Eventually, the President of Georgia submitted candidacies of Giorgi Kalandarishvili and Giorgi Santuriani for CEC chairmanship to the

¹⁷ Election Code of Georgia. Article 12.3

¹⁸ Of academic representatives in the Competition Commission, three (out of six) were from the Georgian Technical University.

Parliament of Georgia and candidacies of Tamara Sartania, Lela Taliuri, Maia Zaridze and Gia Tsatsashvili for the CEC professional membership.¹⁹

Election of the New CEC Chairperson and Two Professional Members by the Parliament of Georgia

According to the amendments enacted in the election legislation, If the CEC Chairperson and professional members are elected by a majority of at least two thirds of the total members of the Parliament of Georgia, their term of office shall be five years, and in another case, their term of office shall be 6 months.

On 2 August 2021, the Parliament of Georgia elected Giorgi Kalandarishvili as the CEC chairperson and Maia Zaridze and Gia Tsatsashvili as the professional members. The elected persons are incumbent employees of the CEC.

The Parliament of Georgia elected both the CEC chairperson and two members for six months, since these individuals failed to receive support of two thirds (at least 100 votes) of the total members of the Parliament of Georgia. **As a result, it was impossible to elect persons equipped with higher degree of political trust as the CEC chairperson and professional members.** As stated by the opposition, if elected, these persons would not be free from the influence of the ruling party.

Staffing of the District Election Commissions

Given the amendments enacted in the election legislation during the reporting period, the CEC elected three temporary members per each District Election Commission (DEC) for 2021 elections and in turn, DEC elected eight professional members per each precinct election commissions (PEC). The legislation also changed the quorum necessary for the election of professional members and the majority of two thirds from the total members of DEC is currently needed.

To elect DEC members, the CEC hold interviews with the candidates for temporary DEC membership candidates and provided live broadcast of this process. This approach aimed to increase transparency of DEC membership selection process which needs to be welcomed. As a result of information verification, carried out by PMMG LTOs, it was found out that some of the elected members were interim DEC members for the previous elections, some of them are employed in various services of the municipal authorities or work at educational resource centers and schools. In some cases, direct links with the ruling party have also been identified.²⁰ **According to the current legislation, public servants are not forbidden to hold temporary DEC membership and this does not constitute a violation of the law.**

¹⁹ PMMG made the following decision with respect to the candidates taking part in the 8 July 2021 competition: Of the CEC chairmanship candidates, PMMG supported three candidates – Giorgi Kalandarashvili, Giorgi Santuriani and Lily Begiashvili and of the CEC membership candidates, supported the following five candidates – Ana Mikeladze, Tamara Sartania, Maia Zaridze, Emzar Kakulia and Gia Tsatashvili. PMMG recused itself and did not take part in assessment the one candidate to make sure the impartiality of this candidate's assessment was not questioned because of her organizational affiliation.

²⁰ Beka Gvaramadze, temporarily elected DEC member at Adigeni District, is brother of Giorgi Gvaramdze, head of the Georgian Dream's Akhaltsikhe campaign office. In addition, Ketevan Obolashvili, also elected as temporary DEC

Staffing of the Precinct Election Commissions

PMMG's long-term observers attended sessions at 14 DEC's when the District Election Commissions (DECs) elected the precinct election commission (PEC) members.²¹ As reported by the LTOs, in many cases there were only eight applications submitted for eight vacant positions at the PECs which did not allow holding a competition in those cases. The LTOs were informed that because of low salaries and risk of getting infected, citizens refrained from taking part into competition for selection of PEC members.²²

The monitoring identified the following:

- DEC sessions were open and authorized persons, if interested, were able to attend;
- Staffing of PECs was carried out in a timely manner in line with legally set timeframe;
- DEC's observed competition rules and procedures;
- DEC's observed the legal requirement and did not elect those individuals as PEC members who were appointed as PEC members by the political parties during the last general elections. Therefore, those applicants were not able to take part in the selection process.²³

However, in light of these, trends which may negatively affect election administration's competent, unbiased and objective activities have been identified on the basis of analysis of information provided by the LTOs. These trends are as follows:

- In some cases, PEC member election process was of a formal nature. The LTOs were left with the impression that DEC members knew in advance who they were going to elect. As stated by the LTOs, "the process resembled more to appointment on a position, instead of election".²⁴ Perhaps, this was the reason of low participation on PEC membership competition
- LTOs were unaware of the criteria (except experience in the field of elections) based on which the DEC members were giving advantage to particular applicants.
- DEC members did not hold individual discussions about the candidates, their experience and competence.
- In some instances, disciplinary punishments were applied to the elected persons during the 2020 elections.²⁵ However, there were also cases when persons with previous disciplinary punishment were not elected as PEC members.²⁶
- Elected persons are mostly on government payroll.

member in Adigeni district is a director of Abastumani Public School and cousin to the ruling party's majoritarian MP, Anton Obolashvili. Ketevan Obolashvili has been elected as temporary DEC member for number of elections.

²¹ Isani, Marneuli, Gardabani, Kaspi, Mtskheta, Tsalka, Dmanisi, Borjomi, Adigeni, Aspindza, Akhalkalaki, Ninotsminda, Akhaltsikhe and Sagarejo.

²² Akhalkalaki, Dmanisi.

²³ Akhaltsikhe (10), Sagarejo (8), Mtskheta (11).

²⁴ Akhalkalaki, Borjomi.

²⁵ Mtskheta (13 PEC members).

²⁶ Adigeni (2 PEC members).

- In some instances, ties of the elected persons with the ruling party have been identified.²⁷

It was identified during the monitoring that in those DEC members where PMMG LTOs carried out observation of election of PEC members, some of the DEC members appointed by the political parties expressed distrust in the process and did not take part in the election of PEC members.²⁸

Therefore, PEC members were not elected with a full support of all DEC members appointed by the political parties. In particular, DEC members appointed by the opposition parties have voiced their dissent.²⁹ As stated by the DEC members, harboring critical attitude toward the process, DEC members were electing the Georgian Dream party activists as PEC members. They also claimed that big part of the elected PEC members was employed in schools, kindergartens, public services and NNLEs founded by the municipalities.³⁰ They highlighted the facts that electronic applications submitted by the candidates contained no information about their election experience and most of them were sent at the same time, from one and the same email account.³¹ Media also reported possible undue interference of the ruling party in staffing of Isani PEC which was confirmed by Isani DEC member appointed by the European Georgia with PMMG LTO.³² The LTO also learned that the Personal Data Protection Inspector took interest in this issue.

Ethnic Composition of the Election Commissions

Of 21 electoral districts, monitored by the Public Movement Multinational Georgia, the largest number of ethnic minorities, 14 out of 17, is in Ninotsminda and Akhalkalaki DECs. Only two representatives of ethnic minorities hold membership in Marneuli DEC, seven DECs have one ethnic minority representative each and the rest 11 DECs have no representatives of ethnic minorities.

Number of Ethnic Minority Representatives in the District Election Commissions

²⁷ As reported by the LTOs, brother, father-in-law and cousin of Azer Aliyev, majoritarian candidate, were elected as PEC members at Kizilajlo PEC N26. Anar Mamishov, active supporter of the Georgian Dream was elected as a member of Marneuli's PEC 22.89. Close relatives of the Georgian Dream MP Zaur Dargali, Afina Dargali (22.04), Gylunara Dargali (22.05), Dilara Dargali (22.66) and Samira Dargali (22.67) were elected as different PEC members in Marneuli.

²⁸ Members appointed by the United National Movements and European Georgia did not attend session in Akhalkalaki. DEC members appointed by Girchi in Akhalkalaki, Ninitsminda and Sagarejo expressed their distrust in the election process. Lelo-appointed DEC member in Sagarejo did not take part in voting. Akhaltsikhe DEC members appointed by the United National Movement and European Georgia expressed their distrust in the process. United National Movement members expressed their dissent in Sagarejo, Tsalka, Mtskheta, Marneuli, Adigeni and Isani who were joined by European Georgia members in Sagarejo and Tsalka. United National Movement and European Georgia members did not take part in election of PEC members in Mtskheta. Isani DEC members appointed by the United National Movement, Strategy Builder and Lelo refused to take part in voting. Marneuli DEC members appointed by the United National Movement, Lelo, Girch, Strategy Builder and European Georgia did not vote for any PEC candidate.

²⁹ Mostly the member appointed by the United National Movement and European Georgia.

³⁰ Dissent is available here: <https://olqsamaqt.cec.gov.ge/uploads/31/22624.pdf>

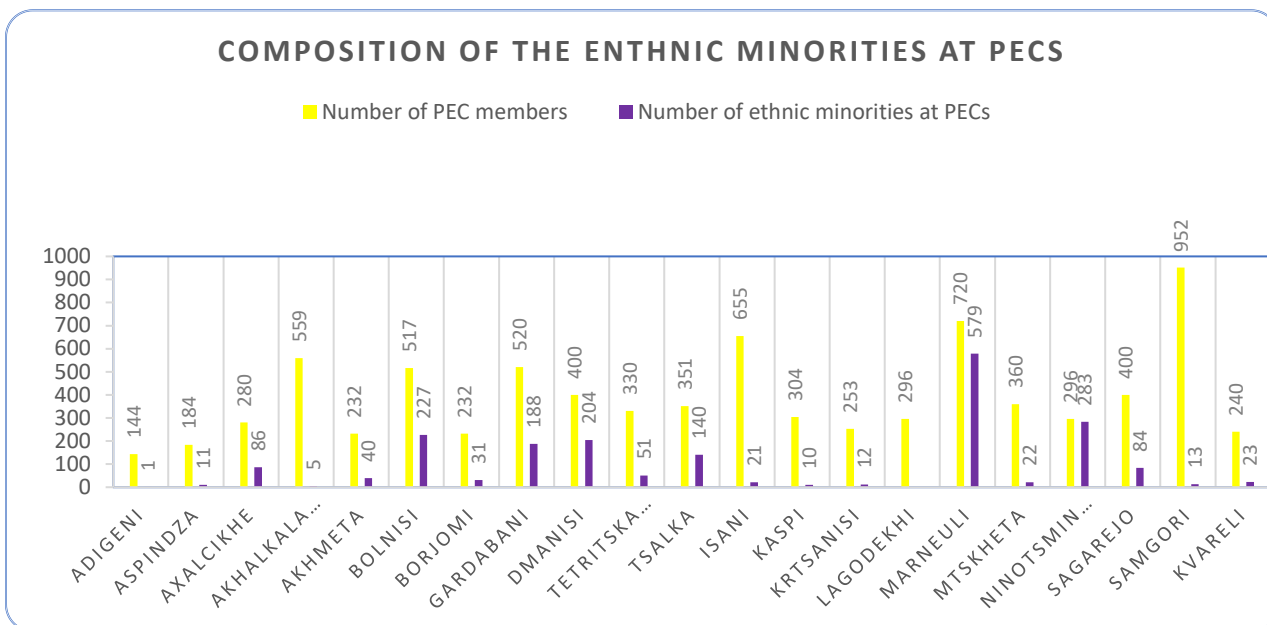
³¹ Dissent is available here: <https://olqsamaqt.cec.gov.ge/uploads/31/22906.pdf>
<https://olqsamaqt.cec.gov.ge/uploads/31/22914.pdf>

³² <https://www.facebook.com/TvMtavari/posts/701218387914941>

Adigeni Aspindza Akhaltsikhe Akhalkalaki Akhmeta Bolnisi Borjomi Gardabani Dmanisi Tetritskaro

Tsalka Isani Kaspi Krtsanisi Lagodekhi Marneuli Mtskheta Ninotsminda Sagarejo Samgori Kvareli

Number of Ethnic Minorities



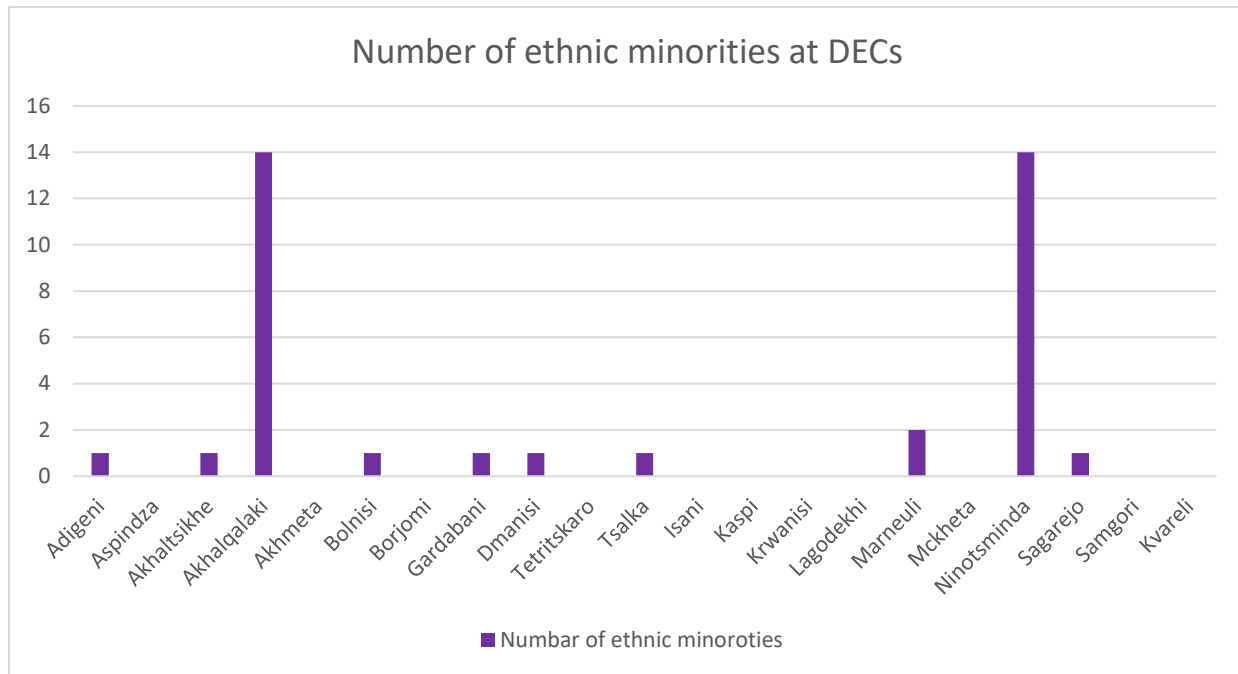
With respect to precinct election commissions, the highest representations of minorities is in Ninotsminda and Marneuli. Of 296 elected PEC members in Ninotsminda and 720 elected PEC members in Marneuli, there are 283 and 579 ethnic minority PEC members, respectively. Of all electoral districts monitored by PMMG, the lowest representation of ethnic minorities is in Samgori where out of 582 elected PEC members only 13 belong to ethnic minorities.

Representation of Ethnic Minorities in the Precinct Election Commissions

Number of PEC Members Number of Representatives of Ethnic Minorities

Adigeni Aspindza Akhaltsikhe Akhalkalaki Akhmeta Bolnisi Borjomi Gardabani Dmanisi Tetritskaro

Tsalka Isani Kaspi Krtsanisi Lagodekhi Marneuli Mtskheta Ninotsminda Sagarejo Samgori Kvareli



Current Activities of the Election Administration

The CEC is composed of 17 members for the 2021 elections, including eight non-partisan members and nine members appointed by the political parties. Therefore, the degree of involvement of the political parties in the CEC activities has been raised. One of the major CEC novelties for the 2021 elections was live broadcasting of the CEC sessions at Facebook page that has to be welcomed amid the pandemic and contributes to transparency of the CEC activities.

The election administration's information campaign, aimed to increase voters' awareness, has been active to some extent. In particular, in the second half of August, as part of the "Talk to Voter" campaign, DEC members organized information meetings with the voters, including representatives of ethnic minorities. At these meetings, DEC members provided information to the voters about voters' rights, voting procedures, voter registration and other important election-related issues. Information materials were also distributed among the voters. As reported by the LTOs, voters received information materials in languages spoken by the ethnic minorities. For instance, information materials in Tsalka were distributed in Georgian, Armenian and Azerbaijani languages, in Marneuli they were bilingual in Georgian and Azerbaijani languages. Information campaign is still in progress.

In order to inform ethnic minorities, the CEC published information about the elections on its website's "Ethnic Minorities" banner. This information also included the CEC ordinance which determines set of sanitary-hygienic requirements for campaign votes and the Election Day to prevent the spread of the novel coronavirus.

The CEC, through its website, made available unified voters list (voters.cec.gov.ge) to the voters living in the regions with compact settlements of the ethnic minorities. In addition, the CEC also provided services of phone/information center as well as information videos and posters posted at polling station for the voters and other stakeholders.

In total 348 PECs were created for the 2 October 2021 local self-government elections in the majoritarian constituencies with compact settlements of the ethnic minorities. Of these amount, there are 211 Georgian/Azerbaijani PECs, 133 Georgian-Armenian PECs and 4 Georgian/Armenian/Azerbaijani PECs. Guidebooks and posters on sealing the election documentation have been prepared for the PEC members in languages they speak.

CEC Advisory Group

In accordance with the amendments to the Election Code introduced in June 2021, CEC advisory group was set up with the aim of submitting recommendations to the CEC regarding the process of reviewing election disputes³³. In addition, the chairperson of the advisory group or a member of the advisory group designated by him/her is authorized to attend the recount of the voting results in the District Election Commissions at his/her own initiative³⁴.

On 13 August 2021, the CEC approved the composition of the advisory group for the 2021 elections. It was determined that the advisory group shall consist of 12 members³⁵. 11 of these members are nominated by the local observer organizations which have been registered with the CEC during the last three general elections and 1 is nominated by the Public Defender of Georgia³⁶.

Based on the mandate of promoting the participation of ethnic minorities living in Georgia in the electoral and political processes, it is important for PMMG to be represented in the CEC Advisory Group and to express its views regarding the issues under consideration. On the one hand, the organization views participation in the CEC Advisory Group as an opportunity to be informed about election disputes in the CEC and District Election Commissions, and on the other hand, to facilitate the transparency of the election administration in the election administration system, including by providing competent and objective information to the public. Hence, the organization expressed a desire to participate in the selection process of candidates for membership in the CEC Advisory Group, and on August 8, submitted its candidacy application for the position of Advisory Group membership to the CEC. The organization nominated Davit Kirvalidze as a candidate for the CEC advisory group. Davit Kirvalidze meets the established criteria. He holds a degree in law and has experience in the field of elections.

On August 20, the CEC Advisory Group elected Mikheil Andguladze, a representative of “Unanimity for Public Rights” as the chairman of the Advisory Group. The person nominated by Multinational Georgia in the advisory group refrained from electing Mikheil Andghuladze. Of note is that Mikheil Andghuladze's rival for the position was Giorgi Zhorzholiani, who was nominated to the Advisory Group by the “Trade Union of Georgian Vocational Education and Qualified/Skilled Workers and Students”. The representative of PMMG also refrained from voting for Giorgi Zhorzholiani as a chairperson.

Turnout in the PEC Membership Selection Competition

³³ Election Code of Georgia - Article 16¹.

³⁴ CEC July 29 Ordinance #44 . Article 2.2

³⁵ https://cesko.ge/res/docs/CG_156_2021.pdf?fbclid=IwAR3682m4GNUGdwTdQ5qli4EbmNjw-NtmzyOsNhGbXNTmX5LLRw0yHgBsslC

³⁶ On August 8, two organizations: ISFED and Transparency International – Georgia did not participate in the formation of an Advisory group

Number of Vacancies Number of Submitted Applications

Adigeni Aspindza Akhaltsikhe Akhalkalaki Akhmeta Bolnisi Borjomi Gardabani Dmanisi
Tetritskaro

Tsalka Isani Kaspi Krtsanisi Lagodekhi Marneuli Mtskheta Ninotsminda Sagarejo Samgori Kvareli

Pre-election campaign

During the reporting period, no outstanding activity was observed throughout the pre-election campaign. The active election campaign was mainly run by the ruling party. The opposition parties have started to get active since the second half of August.

On July 30, the Georgian Dream nominated mayoral candidates in 63 municipalities³⁷. In the municipalities where PMMG is monitoring the election campaign, out of 19 incumbent mayors the ruling party has nominated 7 again as candidates. Active meetings with the voters were conducted mainly by mayoral and majoritarian candidates nominated by the ruling party. The pre-election promises of the ruling party candidates were related to solving infrastructural and social problems (construction of kindergartens, solving drinking water problems, arranging outdoor lighting, paving roads, promoting employment, etc.). In the regions, the mayoral and Sakrebulo/local council candidates for the Georgian Dream were nominated by the Prime Minister. Candidate nominations were also attended by the Speaker of Parliament and acting MPs, senior local government officials, and party supporters. The nominated candidates accompanied by majoritarian MPs, as well as municipal council members and high-ranking local government officials met with the population and talked about the implemented and ongoing projects of the Georgian Dream and gave promises. They also conducted a door-to-door information campaign.

As for the opposition parties and candidates, part of the opposition agreed to cooperate with each other and nominate joint candidates in a number of constituencies or to support strong candidates nominated by other opposition parties.

In the second half of August, the United National Movement became more active, nominating mayoral candidates. Part of the opposition: "United National Movement", "It is time", "Girchi - More Freedom" and "European Georgia" – presented a unified list of majoritarian candidates in Tbilisi³⁸.

Redistribution of political forces was observed in the monitored districts. For example, in Kvareli and Lagodekhi, members of municipal council from the Georgian Dream, and supporters of the Lelo party in Bolnisi, backed Giorgi Gakharia and his party For Georgia.

³⁷ <https://www.facebook.com/225385184188101/videos/1216364898784660>

³⁸ https://www.radiotavisupleba.ge/a/31414463.html?fbclid=IwAR2zK6Ttn_IWmgscKoaqKu7kKprqjVE5x4mVKfKYsGTIs_X4TfUWahwnH8c

Voter awareness regarding the 2021 elections is still low, especially in villages populated by ethnic minorities.³⁹ The monitoring revealed villages inhabited by ethnic minorities, where voters have less information about the 2021 elections.⁴⁰

In May, tensions ran high in Dmanisi municipality a few months before the start of the election campaign. The reason behind the tension was a domestic dispute, which turned into a more acute and large-scale confrontation. The conflict ended with the reconciliation of the disputing parties with the involvement of local secular and religious leaders.⁴¹

Abuse of Administrative Resources

During the monitoring of the pre-election campaign, several issues were identified that we would like to focus on.

The candidates nominated by the ruling Georgian Dream party, who are also mayors and members of the municipal councils, conduct daily meetings with the population daily, get acquainted with current projects funded through the central or local self-government budgets, open sports fields, rehabilitate parks, roads, and hold consultation meetings with the voters. Consequently, these individuals are, in fact, campaigning in their official capacities, which increase the risks of using budget-funded projects for pre-election agitation.

Under current law, elected officials, such as mayors and municipal council members, are not required to resign if nominated⁴², but this makes it difficult for them to fulfill their professional obligations and separate their work-related activities from campaign activities⁴³. It also blurs the line between party and government activities.

The current legislation prohibits the implementation of projects/programs that have not been previously included in the relevant budget from the 60th day before and including Election Day, except when funds for the projects/programs have been allocated at least 60 days before Election Day⁴⁴.

³⁹ Population of the village Damala in Aspindza municipality populated by ethnic Armenians refrains from establishing contacts with the opposition parties.

⁴⁰ Abatkhevi and Tskaltbila villages of Akhaltsikhe municipality.

⁴¹ <https://www.facebook.com/PMMG.ORG/posts/4353044541412760>

⁴² Article 136 of the Election Code of Georgia

⁴³ One of such instances was the Mayor of Tbilisi, Kakha Kaladze, giving property ownership documents to 36 IDP families for a symbolic price (GEL 1) <https://1tv.ge/news/tbilisi-merma-gldanis-raionshi-mckhovreb-36-ojaks-sakutrebis-damadasturebeli-mowmobebi-gadasca/>

⁴⁴ Section 3 of Article 49 of the Election Code of Georgia

The monitoring revealed that the municipal councils made changes to the budget mainly in June-July, these changes were aimed at infrastructure and social projects⁴⁵. **The increase in local budgets in the period leading up to the official start of the election campaign has been an established practice over the years and the purpose of which may be to create a legal basis for election-motivated spending.**

From the 60th day before and including Election Day, it is prohibited to increase the number of welfare/social benefits, except for benefits the increase of which was provided for by the legislation of Georgia at least 60 days before Election Day.

The monitoring revealed that before the official start of the election campaign, new state programs were initiated, the launch of which coincided with the official period of the election campaign. Hence, the announcement of these initiatives does not constitute a violation of the election law. However, these programs and initiatives may be motivated by election spending or an attempt to influence on the election process. As a result, by using the budgetary resources, the ruling party is in an advantageous position compared to other entities participating in the elections:

- On July 26, the Minister of Environmental protection and Agriculture Levan Davitashvili made a statement regarding the receipt of applications for the Agricultural Machinery Co-financing Program from September 1⁴⁶. The cost of the agricultural mechanization program is 50 million GEL.
- The Prime Minister made a statement on June 25 regarding the initiation of a mortgage co-financing program for families, which will start on September 1 and envisages state co-financing of 5% to 8% of mortgage loans for the first and second child, and 8% for third and each subsequent child.⁴⁷
- On August 30, according to the decision of the Government of Georgia, up to 300 IDP families will be given accommodation at a symbolic price. These actual property owners will be entitled to legalize both residential and ancillary property⁴⁸.
- Statement of the Prime Minister on August 9, 2021, regarding the increase of salaries of public servants from January 2022. Also the Prime Minister's statement on doubling salaries in the case of mayors.⁴⁹
- Another initiative voiced during the non-election period is related to the initiative to remove/waive/pardon administrative or criminal violations committed during the pandemic period. The initiative provided for the release of about 245 thousand citizens and 344 legal entities from criminal liability and administrative penalties. In particular, a fine of

⁴⁵ For instance, appropriations for NNLEs in Akhaltsikhe increased twofold in July. As of 30 July 2021 changes, budget increased by GEL 1,058,400 and of that amount, GEL 70,000 was distributed on municipal NNLEs, including on salaries for people employed in those NNLEs. In July 2021, Marneuli budget increased by GEL 622,000 and of that amount GEL 400,000 was envisaged for the social assistance.

⁴⁶ <https://mepa.gov.ge/Ge/News/Details/20456>

⁴⁷ http://gov.ge/index.php?lang_id=-&sec_id=288&info_id=79720

⁴⁸ http://gov.ge/index.php?lang_id=GEO&sec_id=556&info_id=80223

⁴⁹ <https://formulanews.ge/News/54908?fbclid=IwAR2CqKy5TXCz70hUuYp1oID3gSgucgCEcnLwu0qAsNJE2Oi8bPm8eMr4-7I>

approximately GEL 76 million was imposed for violating the rules of isolation, quarantine, and wearing a face mask.⁵⁰

- On April 26, 2021, the Prime Minister of Georgia Irakli Gharibashvili made a statement regarding the large-scale countrywide rehabilitation/renewal and the implementation of infrastructure projects in 63 municipalities. The Prime Minister said that the cost of the first phase of the regional renewal project was GEL 500 million, which envisages the creation of about 15,000 new jobs. The start of this work was announced in June. According to the Prime Minister, the projects envisaged by the program would be implemented by the Municipal Development Fund of the Ministry of Regional Development and Infrastructure and the municipalities themselves.

Pre-election Campaign Financing and Political Advertising

On August 22, Mtavari TV aired a broadcast stating that the ruling team, through State Security Service, had conducted a business racketeering in Samtskhe-Javakheti in August, receiving more than 700,000 GEL in donations⁵¹.

The same information is reported by the local media. According to their source, the meetings of the donors with the governor were attended by the employees of the Investigation Service of the Ministry of Finance and the State Security Services in Samtskhe-Javakheti. Those who attended the meetings were searched and their belongings were confiscated, they were checked with a detector to ensure that they would not record the meeting.⁵²

From August 2 to 16, 87 people across Samtskhe-Javakheti donated a total of GEL 661,000 to the Georgian Dream. 39 of them are from Akhaltsikhe municipality, 20 from Ninotsminda, 15 from Akhalkalaki, 7 from Adigeni, 4 from Borjomi, and 2 from Aspindza.

The PMMG LTO was able to interview two of the donors, Pavle Batmanashvili and Givi Tatalashvili. In a conversation with the observer, these individuals stated that they were supporters of the party, so they voluntarily donated these funds to the party. The number of donations made from a specific geographical area and the timing of the donation raise questions about the donations made. Therefore, it is important for both the Audit Office and the law enforcement agencies to take interest in this issue.

⁵⁰ <https://www.interpressnews.ge/ka/article/662450-pizikuri-da-iuridiuri-pirebi-romlebic-shezgudvebis-gamo-dajarimdnen-jarimebisgan-gatavisupldebian>

⁵¹ <https://mtavari.tv/news/54172-dareketebuli-biznesi-otsnebam-bolo-or-kvirashi?fbclid=IwAR3gNYnTWdKIRAovb1Pwcp8qSYvyOvWASpT26gka3iJnLN2iuYiDqbWW5e0>

⁵² <https://sknews.ge/ka/news/33494>

Refusal to run Political Ads

On August 25, Imedi TV refused to air a pre-election political advertisement for European Georgia, naming the hateful content of the clip as the main reason for refusal.⁵³ "The country is ruled by incompetent, corrupt, and treacherous people," the ad stated.

The video is part of the European Georgia's "Social Guard" campaign, in which the party offers the hotline and relevant assistance to all people who will be targeted by government threats or socio-political and economic pressures during the pre-election period.⁵⁴

The TV station stated the reason behind refusal was hate content of the video. According to the Imedi TV, they will not air any video, submitted by any party, which contains hate speech.

The TV station's refusal to air the advertisements may contain signs of interference in the content of a political party's advertisement.

Hindering of Election Observation

On August 29, Multinational Georgia's long-term observer was prevented from conducting observation work while trying to enter Bolnisi District Election Commission. Although the observer had both observer and personal ID cards with him, the security guards who guarded the building stopped him and asked for a special permit to enter the DEC building. They advised the observer to wait for the district chairperson to issue a permit to the observer so that the observer could enter the District Election Commission premise. As the DEC chairperson was not present in the building, the observer requested to speak with the DEC secretary, but the observer was told that due to the absence of the DEC chairperson, the observer would not be able to talk to him and would also be unable to give him any meaningful information.

⁵³ <https://netgazeti.ge/news/560663/>

⁵⁴

Instances of Dismissal from Work

Akhalsikhe

On August 25, Giorgi Gakharia's party held a briefing for the family members of Levan Tatoshvili, the party coordinator in Samtskhe-Javakheti, who got the requests to resign from their positions from Besik Amiranashvili, the governor of Samtskhe-Javakheti⁵⁵. Levan Tatoshvili's mother, Marina Abuladze, worked as a lawyer at the Akhalsikhe Kindergartens Association, while his aunt, Tamar Abuladze, was the head of the Akhalsikhe municipal council's administration. The same day, the media reported about the dismissal of Tamar Abuladze.⁵⁶ According to Levan Tatoshvili, Samtskhe-Javakheti Governor Besik Amiranashvili summoned his aunt and mother to his office on 24 August 2021, at 5 pm and demanded that they both resign because Levan Tatoshvili's affiliation with the opposition party.

The observer of PMMG tried to verify the mentioned information with both Marine Abuladze and Tamar Abuladze. Tamar Abuladze - The former head of the Akhalsikhe City Council did not want to speak with the observers, while her sister, Levan Tatoshvili's mother Marina Abuladze, who was a lawyer for the Akhalsikhe Gardens Association confirmed the information to the observer. According to her, if they had not resigned, then they would still be fired on the grounds of reorganization.

The observer of the organization tried to verify the information with the governor, the chairman of the city council and the head of the kindergarten association, but to no avail.

Akhalkalaki

In July and August, about 10 employees of Akhalkalaki Municipality were fired based on personal resignation letter. In the opinion of those dismissed based on personal statements/resignation statements, they were not trustworthy and acceptable employees for the ruling party in the run up to the elections. According to these people, the mistrust was mainly caused by their close relationships with Enzel Mkoyan⁵⁷ and his family members, and in two case - due to the connection of the family member of the dismissed person with the United National Movement. According to these individuals, since they would be fired no matter what, they preferred to leave the service themselves via resignation statements.

Garegin Kalivonjian and Aikanush Agamalian resigned based on personal statements. **Karegin Kalivonkian** - worked at the infrastructure department and **Aikanush Agamalian**

⁵⁵ <https://sknews.ge/ka/news/33520?fbclid=IwAR056B6hMD-WmdVqo7PVVgB2JvV-SJfY0FTjm4eR12rr3lHcT29ovjML9OI>

⁵⁶ <https://sknews.ge/ka/news/33515?fbclid=IwAR332BDRkrMbTvFW6M9Bf7WIaypdVU7fl4cpf8nQsOMCjsrPQVPLcDQEfDQ>

⁵⁷ Enzel Mkoyan is an influential local who was an MP from the ranks of the Union of Citizens of Georgia, United National Movement and the Georgian Dream in different times (2003-2020).

worked as a teacher of decorative arts at Akhalkalaki Art School. Both are friends with Enzel Mkoyan's family members.

Khachatur Aleksanyan, the head of the legal department of the municipality, whose father **Nelson Aleksanyan** is the leader of the United National Movement, resigned based on a personal statement. According to Khachatur Aleksanyan, he was asked to resign due to his father's political activities.

Stefan (Valera) Ezoyan the head of the municipal administration also resigned based on a personal statement. Administration named his retirement age as the official reason for his dismissal.

Arshak Minasyan, the head of the supervision department, resigned based on a personal statement.

Anaida Khrikian, the mother of Arthur Mkoyan, one of the leaders of the United National Movement, who worked as a teacher at the Akhalkalaki Music School, resigned based on a personal statement. She was asked by the school principal to leave the service voluntarily. The principal named a small number of schoolchildren as the reason.

In April 2021, **Ashot Khanoyan**, Director of the Swimming Pool of Akhalkalaki Municipality was dismissed based on a personal statement. The official reason for the release was the failure of the water supply system and the long-term closure of the swimming pool due to the Covid-19 pandemic. According to Ashot Khanoyan, he was considered a supporter of Endzel Mkoyan, which was unacceptable for Samvel Manukyan, a majoritarian MP from the ruling party. He was therefore forced to write a resignation statement and was fired.

Dmanisi

On July 21, 2021, two employees of the Dmanisi City Hall Administrative Service, **Avtandil Okmelashvili** and **Zakhar Murmaladov**, were fired. Both of them claim that the mayor - Giorgi Tatuashvili – fired them on political grounds because they are supporters of the Georgian Dream. On August 1, according to a report aired on Imedi TV, the mayor of Dmanisi harassed employees who openly expressed sympathy for the Georgian Dream. According to **Badri Subari**, the first deputy mayor, the mayor has been not allowing him to attend the meetings for a year now because he is a supporter of the Georgian Dream. **Paata Kuriashvili**, the head of the City Hall service, also speaks about harassment on political grounds on the mayor's behalf.⁵⁸

After the observer of “Multinational Georgia” attempted to verify information, the position of the mayor of Dmanisi regarding the dismissal of Avtandil Okmelashvili and Zakhar Murmaladov became known. According to the mayor of Dmanisi, these persons were fired because they committed official violations. In particular, they had committed official workplace violations and despite warnings, continued their illegal work - this is the position of the mayor of Dmanisi.

⁵⁸ <https://imedinews.ge/ge/regioni/212588/imedis-kvira-dmanisi-meriis-kopil-tanamshromlebs-shekhvda-romlebits-atskhadeben-rom-merma-isini-ukanonod-gaatavisupla?fbclid=IwAR3-7mRQig-ulFaichITbW5BaERUbW4CDF5u1D0XPU-hXZb3VKk3uO9ZSwk>

Instances of pressure

Kvareli

According to Kvareli Municipality Council member Nino Khutsishvili⁵⁹, her family member started experiencing persecution after she expressed her support towards Giorgi Gakharia's party "For Georgia". According to Nino Khutsishvili, her brother - Levan Khutsishvili, who works as a specialist at Kvareli City Hall, was summoned to the police station for questioning on August 23. Levan Khutsishvili was told by the police, that a complaint had been submitted against him, where, according to the police, the complainant indicated that Levan Khutsishvili was writing abusive comments about him on the social network. Nino Khutsishvili said that the police had decided to arrest her brother. On August 26, Levan Khutsishvili was hospitalized with a heart attack, whatever the family associates with the pressure

Recommendations

In order to conduct the pre-election campaign in a better environment, it is important to take these recommendations into consideration:

- Political parties and candidates have to be actively engaged in the pre-election campaign, hold meetings with the voters and communicate their political programs. In districts with the compact settlements of the ethnic minorities, information has to be delivered in a language these minorities speak to make sure the voters are aware about the political platforms offered by the parties and have available alternatives to make an informed choice.
- It is important that the political actors, involved in the election campaign, refrain from use of hate speech and disinformation in the pre-election campaign, because this may worsen political polarization. This factors also contains the risks of encouragement of conformation and violence between the supporters of the different political parties.
- Law-enforcement bodies have to respond timely and effectively vis-à-vis any potentially unlawful fact identified during the pre-election process which is vital to hold elections in free and fair environment. Adequate responses should be given to the facts of pressure, intimidation and dismissal of work identified during the pre-election period to enable parties involved in the election process have pre-election campaign in equal conditions without any hindrance.

⁵⁹ Nino Khutsishvili is a chair of the Georgian Dream faction in Kvareli Municipality Council.

- The ruling party representatives have to refrain from use of projects funded through the local self-government bodies' budget for the purposes of election campaign. It is important that people employed in the organizations funded through the budget are not involved in campaigning against their will. For those mayors and municipal council members, who are nominated as candidates in the elections, it is important to make a distinction between them acting in their official capacity and participation in campaign events.
- Electoral campaign has to roll out more robust information campaign to contribute increased involvement of voters in the election processes, particularly in regions with the compact's settlements of the ethnic minorities. In addition, election administration has to ensure that information campaign is carried out in languages they speak.