



GEORGIA LOCAL ELECTIONS

JUNE 15 AND JULY 12, 2014

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INTERNATIONAL REPUBLICAN INSTITUTE

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Georgia Local Elections Report

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EXECUTIVE SUMMARY

During the June 15 local elections, the Georgian Dream Coalition (GDC) won four of 12 mayoral seats and 46 of 59 *gamgebeli* (local administrator) seats outright, along with 1,438 of 2,088 *sakrebulo* positions (69 percent). In eight mayoral runoffs the GDC candidate faced opponents from the United National Movement (UNM) in four cities, Alliance of Patriots (AoP) in two cities, and the Green Party and Georgian Party in one city each. In voting for proportional seats, 17 parties won seats on various *sakrebulos*, and five parties (GDC, UNM, United Opposition, AoP, Labour) gained the requisite three percent of the nationwide vote in order to qualify for public funding for the 2016-2018 election cycle.

The first round of elections was efficient and generally well-organized. Despite changes to the election law and procedures for voter identification, local election officials generally were knowledgeable about their responsibilities and carried out their duties efficiently. Relatively few Election Day violations were reported.

These elections saw significant changes to the election law and a greater say for voters in who represents them. In response to a greater demand for democracy, these elections allowed, for the first time, citizens outside Tbilisi to elect their mayors and heads of municipal districts. As a result of the changes to the election law, the vast majority of municipal officials are now directly elected by Georgian voters. Other changes to the election law saw the introduction of a 50-percent threshold for mayors and *gamgebelis* to be elected in a first round. The threshold for parties to be elected to local councils was lowered to four percent of the total vote; and changes were also made to the voter identification procedures which improved the voting process.

Despite the overall positives, there were several shortcomings that should be addressed by the Georgian Parliament and the [Central Election Commission](#) (CEC) before the next election cycle begins in 2016. These problems include continued pre-election polarization and violence, perceived Election Day interference by party activists, increased numbers of voided ballots and incorrect ballot counts, and the need for more detailed training for election commissioners. Despite these shortcomings and the fact that some violations of the electoral process did occur, such incidences were neither systemic nor indicative of the overall quality of the election, nor did they unduly compromise the integrity of the vote.

Recommendations

- *Address Pre-Election Violence and Disruption:* While the pre-election period was relatively calm there were various incidents of violence, disruption of opposition campaign events and claims of pressure by local officials on opposition candidates to withdraw.
 - The government should respond quickly to all allegations of violence, regardless of the complainant or alleged perpetrator, and thoroughly investigate all claims that are found to have merit;

- Any meritorious claims against any individual, regardless of government position or party affiliation, should be prosecuted to the fullest extent permissible under the law in order to effectively discourage further violations.
- *Institute Further Election Code Reform:* Continuous reforms to the Election Code have generally resulted in a legal regime that is much more equitable than in prior years. However, there are still some changes that would prove beneficial to the overall competitiveness of the electoral environment:
 - Independent candidates should be allowed to run for mayor and *gamgebeli* in addition to majoritarian *sakrebulo* seats.
 - Party candidates who are running for mayor or *gamgebeli*, or for a majoritarian *sakrebulo* seat, should also be allowed to be included on the party list, as is the case for parliamentary candidates.
 - The ability to form cross-party factions within a *sakrebulo* should be reinstated as previously any three members were able to form a voting bloc, however, recent changes to the Election Code have limited that privilege to three members of the same party;¹
 - The distribution of party-list votes ought to be altered to better reflect the actual vote tallies, instead of giving a near-supermajority to the top vote winner, this was a key complaint of the GDC when they were in the minority and yet they did not change the status quo when they had the opportunity;²
- *Create Polling Station Buffer Zone:* While it is technically legal for party activists to be present outside polling stations, their presence was perceived by many in the opposition as an attempt to intimidate or coerce voters. It would be prudent for the CEC to establish a perimeter around the buildings which contain polling stations, inside of which party activists would not be permitted. This would serve to create an actual violation which could then be reported, and would better preserve the sanctity of the “voter’s walk.”
- *Modify Ballot Design:* The International Society for Fair Elections and Democracy (ISFED), a domestic nongovernmental organization (NGO), cited a large number of precinct election commissions (PEC) with different final tallies for each contest

¹ A *sakrebulo* faction is a group of at least three members. Being part of a faction, members gain certain rights such as places on committees and extra debate time.

² The final party list tallies according to the CEC were as follows:

1. Georgian Dream Coalition - 1,391 seats (67.6 percent) - Actual vote (50.83 percent)
2. United National Movement - 281 seats (13.7 percent) - Actual vote (22.4 percent)
3. United Opposition - 148 seats (7.2 percent) - Actual vote (10.23 percent)
4. Alliance of Patriots - 47 seats (2.3 percent) - Actual vote (4.71 percent)
5. Labour Party - 31 seats (1.5 percent) - Actual vote (3.45 percent)
6. Non-Parliamentary Opposition - 15 seats (0.7 percent) - Actual vote (2.25 percent)

After allocating votes cast for parties which did not reach the threshold (approx. 6.13 percent), only GDC gained seats. This method of allocating un-assigned votes was roundly decried by all opposition parties when UNM was in charge of the government. GDC had opportunities to address this imbalance following the 2012 parliamentary elections, and in advance of the local elections, yet failed to do so.

(mayor/*gamgebeli*, majoritarian, and proportional). With no clear evidence that these “missing” ballots were voted in other polling stations, the logical inference is that voters elected not to vote for a certain position and simply pocketed the unvoted paper. The CEC should consider policies which will:

- Create a unified ballot design, perhaps with perforated segments which can be separated during counting, so that voters only have to deposit a single piece of paper in the ballot box;
- Improve voter education programs and polling station signage so voters understand the importance of placing all materials in the provided envelope, regardless if they actually voted for the specific position or party.

IRI’s Election Assessment Mission

Under the terms of a cooperative agreement with the [United States Agency for International Development’s](#) (USAID) Office of Democracy and Governance, the [International Republican Institute](#) (IRI) deployed 10 teams of Election Day observers to assess and report on the election environment across Georgia on June 15, 2014 and July 12, 2014. IRI’s goal was to increase the transparency of the electoral process as well as the accountability of those responsible for conducting open and transparent elections in Georgia.

Prior to Election Day teams met with relevant electoral and government officials at all levels, political actors from parties fielding candidates, representatives of civil society organizations and other election stakeholders. With IRI’s local partners as facilitators, these meetings served to increase observers’ understanding of the various issues that had the potential to jeopardize electoral fairness or threaten to erode voter confidence.

IRI teams were deployed to the regions on June 13, 2014, in order to meet with local election officials and party leaders during the 48 hours prior to the first round Election Day. On Election Day, observers witnessed the openings of polling stations, and then spent the day visiting polling stations to view the voting process. Following each station, observation teams reported and logged their findings to help build a comprehensive database which informed this report. After the first round voting, the teams visited the district election commissions (DEC), and had further meetings with local officials and interested parties.

Teams for the July 12, 2014 runoff, deployed to the field on the morning of June 11, to meet with parties and government officials. After observing the polling station openings, and the voting process during the day, teams followed the ballot boxes to the DEC after ballot counting was completed at individual polling stations.

IRI is a signatory to the [Declaration of Principles for International Election Observers](#), endorsed by more than 40 leading international organizations. IRI would like to thank the Georgian government, election officials, political parties, civil society, international organizations, the diplomatic community, and USAID for the cooperation and assistance they provided to the Institute’s election monitoring mission.

The official results of the balloting are posted in full on the website of the [Central Election Commission of Georgia](#): the first round results may be viewed [here](#), and the second round results are available [here](#).

POLITICAL CONTEXT

Georgia has been in an ongoing political transition since the end of 2011, and the election cycle finally ended with these municipal elections. Much of the political activity over the previous six months revolved around preparations for the elections, including the implementation of local government reforms and the first round of local elections. The municipal elections were particularly important for the parties involved, as it offered an opportunity for the GDC to consolidate their gains from the parliamentary and presidential elections in 2012 and 2013; and it offered other parties the opportunity to gain seats at the local level and begin laying the ground work for the 2016 parliamentary elections, including the UNM and the coalition between Nino Burjanadze's Democratic Movement – United Georgia and the Christian Democratic Movement (United Opposition).

To a degree, opposition parties were successful. Though GDC won four mayoral races and 60 *gamgebelis* outright, eight mayoral races and 13 *gamgebelis* were sent to second-round runoffs. Five parties or coalitions (GDC, UNM, United Opposition, AoP and Labour) crossed the nationwide threshold to qualify for public funding and their constituent parties will all receive public funding for the next election cycle: Georgian Dream – Democratic Georgia, Conservatives, Industrials, Republicans, Free Democrats, National Forum, UNM, United Democratic Movement (formerly United Opposition), AoP and Labour.

Overall, opposition or independent candidates took 697 of 2,088 *sakrebulo* seats (33 percent); including several parties which failed to cross the nationwide threshold, but managed to gather enough votes to gain a regional presence, such as the Georgian Party in Gori.

Following this victory, the GDC now controls of all branches of government at all levels, and must now turn to the issue of governing. Local governments were the last level of governance where UNM held a majority. This means that in the time before the 2016-2018 election cycle, GDC will have to create their own policy record, and not rely on criticism of previous governments.

ELECTORAL SYSTEM AND INSTITUTIONS

The electoral framework for the 2014 local elections was largely based on the same framework implemented prior to the October 1, 2012 parliamentary elections, and slightly modified for the October 27, 2013 presidential election. Initially adopted by the UNM government, and against the will of a majority of opposition parties, the system has proven to be fairly egalitarian, and upon assuming power GDC only made minor modifications to the overall structure and process. Most notably, this was the first election since independence in which all mayors and regional administrators were elected by popular vote and not designated by presidential or executive appointment.

The most recent version of the law, adopted on March 7, 2014, divided the country into 12 self-governing cities (including Tbilisi) and 69 self-governing regions. Each of these cities would elect a mayor, and each region would elect a *gamgebeli* (local administrator). All 85 mayors and *gamgebelis* were required to cross a 50 percent threshold in order to avoid a second-round runoff. Members of city and regional *sakrebulo*s (councils) would be elected from a mixture of party lists and majoritarian districts. The number of majoritarian districts varied depending on the size of the region in question. Parties needed four percent of the vote in a region in order to gain party list seats in the relevant *sakrebulo*. Majoritarian *sakrebulo* seats were winner-take-all, and did not require the winner to pass a certain threshold.

Other revisions to the electoral code for this election included:

- Lowered the threshold for party list votes from five percent to four percent in all councils outside of Tbilisi (Tbilisi was already at four percent);
- Increased state funding for the 2016-2018 election cycle for parties passing three percent of the vote nationwide; and
- Increased the number of party-list seats on *sakrebulo*s from 10 to 15 in some areas where the number of voters was greater than 75,000.

For the first time during these elections the photos on voter identification cards were compared with photos on the voters list. This process was called “voter verification” and seemed to result in a marked decrease in complaints about double voting or voter identification-related fraud.

CAMPAIGN ENVIRONMENT

IRI found that the campaign period was generally competitive, however, opposition parties did note instances of pressure from local officials on candidates to withdraw and interference in some campaign events organized by opposition groups. More concerning were incidents of electoral violence and the government's delayed response. While these incidents were relatively few in number, opposition candidates must be able to freely campaign before voters for elections to be credible. Georgian officials should investigate these reports and hold those who are guilty of violence and intimidation accountable. It is IRI's hope that the government and opposition parties will address these concerns and prevent electoral violence in future elections.

Rather more concerning were the actions of the central government regarding current and former UNM officials during the campaign period. In the 90 days prior to the first round of elections, generally considered to be a crucial time period during which voters begin to make up their minds regarding their votes, charges were initiated against UNM lawmaker Roland Akhalaia (March 14); and former President Mikheil Saakashvili was summoned for questioning (March 22) before the Prime Minister called for a moratorium on prosecutions on April 14.

Despite this gesture, incidents of violence, including an attack on UNM party member Zurab Tchiaberashvili on May 27, were consistently downplayed by GDC officials and leaders on the grounds that they could do little to quell "negative emotions" amongst the public. With just days to go before the first round, the Prime Minister himself was outspoken about his desire to rid the country of UNM's political presence, and adamant that the country's move toward multi-party democracy should be done without UNM. Before the second round however, pressure was greatly increased: former Tbilisi Mayor Gigi Ugulava (the head of the UNM campaign effort), was detained on July and put in pre-trial detention; and former Defense Minister Bacho Akhalaia was remanded to pre-trial detention on new charges, despite his acquittal earlier in the year.

IRI is concerned that this pervasive animosity toward the largest opposition party in the country was counterproductive to the goal of truly fair and open political dialogue, despite the fact that Election Day was well-administered and without major incident. While it may be that the anger toward UNM was justified after eight years of single-party rule, GDC's pre-election actions (which were at worst encouraged by the central authorities, and at best not condemned by the same authorities) did little to move the political dialogue forward toward an issue- and policy-based campaign period. Ultimately, and regardless of the party in power, IRI continues to insist that the urge to prevent the opposition from gaining a successful election result is antithetical to Georgia's stated democratic goals, and that this desire must be checked if Georgia is to continue its democratic path.

ELECTION DAY

On Election Day, IRI's assessment team consisting of IRI staff visited 130 polling stations and witnessed the voting process in all regions of the country. Prior to the elections, the assessment team met with representatives from major political parties in Georgia, the CEC, the State Audit Office, the Ministry of Justice, as well as the U.S. Embassy and USAID.

Both the first and second rounds were characterized by lower turnout according to the CEC (43.31 percent and 35.99 percent, respectively), and a generally calm and peaceful atmosphere nationwide. Despite this positive mood, there were notable exceptions:

- In Martvili, Samegrelo during the first round, two men were arrested after allegedly stealing ballot papers from polling station No. 16;
- In Anaklia, Samegrelo during the first round, a revote was called for polling station No. 32 after several local residents destroyed election documents and a ballot box, supposedly in protest over the authorities' failure to find a missing family member; and
- In Dzedziletiy, Imereti during the first round, several men were arrested for raiding polling station No. 22 and smashing the ballot box during closing procedures.

There were fewer negative events during the second round, and international observers generally deemed the opening, voting and counting procedures of both rounds to be transparent and generally in line with the electoral code. The following is a review of general observations and shortcomings from the opening, voting and closing processes, as witnessed by IRI.

Opening Procedures and Voting Processes

PECs where IRI observed the voting process were characterized as peaceful, orderly, and well-run. As turnout was significantly lower than previous elections, lines were typically not long, and voters were able to vote without difficulty. There were very few official complaints filed, and most were addressed to satisfaction within the polling station itself. When there was an occasion to file a complaint, the process was typically initiated by one of the independent NGOs present (ISFED, Georgian Young Lawyers Association (GYLA) or Transparency International), and not party observers, as was common in previous elections. All polling stations visited had international and domestic observer presence, the latter group generally representing GDC, UNM, United Opposition, AoP, and local NGOs (including ISFED, GYLA, Transparency International and various party-associated groups).

Closing Processes

IRI's observation team reported that closing and counting procedures also substantially complied with election code requirements. Voters in line at closing time were allowed to vote. The counting process generally proceeded smoothly and without distraction. There

were occasional disagreements over whether a ballot was spoiled or not, but these disputes were typically resolved quickly and by democratic vote.

There were no major or systemic violations, and IRI only observed isolated minor shortcomings on Election Day. Most of them were carry-over problems from the previous elections, due to the lack of major revisions to the procedural portions of the Election Code:

- *Party observers accredited as domestic observers:* While most domestic observation groups were professional and unbiased, there were still a noticeable number of local observers who had exhibited clear bias. The number of such groups was fewer than during the parliamentary election, and these observers generally were not disruptive of the process. However it has become somewhat of a disturbing hallmark of recent Georgian elections to have observers not displaying proper credentials, not knowing their affiliated organization and lacking knowledge of voting processes.

As in previous elections, many of the minor violations occurred outside of population centers. This trend indicates a need for better training of, and dissemination of better information to rural PEC commissioners in advance of the next election.

COMPLAINTS AND APPEALS PROCESS

The 2010 Electoral Code established a more streamlined complaints and appeals process consisting of the creation a standardized and simplified complaints submission form, clear deadlines for rulings and the finality of decisions made by two courts of appeal. On Election Day, PEC decisions could be appealed at either the DEC level or via the judiciary. A majority of complaints in 2014 were filed by electoral subjects and major domestic observer organizations.

Unlike the 2012 parliamentary elections the post-election complaints and appeals process was much more calm, and without undue intimidation against election officials. According to the CEC, there were 814 complaints and appeals submitted in the election administrations (PEC, DEC and CEC level) and courts during the first round of election (June 15, 2014), including 672 complaints, 125 statements and 17 appeals to the court. During the second round of elections 167 complaints and appeals were submitted to the relevant institutions, including 159 complains, four statements and four appeals to the court. Most of them focused on procedural violations and disciplinary sanctions on commission members. The largest number of complaints and appeals were related to alleged violations of counting procedures due to the need for each PEC to fill out three summary protocols.

MINORITY AND WOMEN PARTICIPATION

Minority Participation

Georgia's constitution confers full political rights upon national minorities. Sixteen percent of Georgia's population consists of minority groups, with the largest being the Armenian (seven percent) and Azeri (six percent) communities. Historically, one of the most significant impediments to minority electoral participation has been language as minorities often do not speak Georgian. The CEC has taken several steps, as directed in the Election Code, to address this barrier and ensure the inclusion of minorities in the electoral process, including the translation of election material and ballots into minority languages, a voter education campaign conducted in Russian, Armenian and Azeri, the establishment of an election hotline available in minority languages, and training for election officials held in Armenian, Azeri and Russian. The CEC does not currently compile official statistics on minority candidacies or voter participation.

With the notable exception of the October 2012 parliamentary elections and the October 2013 presidential election, the minority regions have tended to break for the ruling party or incumbent, and the illusion of stability that an incumbent brings. This election proved to be a reversion to form, as minority regions voted overwhelmingly for GDC candidates.

Women's Participation

Men have traditionally played a dominant role in Georgian politics, and women continue to face challenges in participation. The CEC collected data on local women candidates and participation for the first time during this election cycle. A provision in the election code offered a 30 percent increase in public funding to political parties that included women candidates on 30 percent of their party-list. Despite the rather large financial incentive, the number of women elected to party-list seats is far below the percentage that would have been expected. The ruling coalition is largely to blame, as GDC was the only party in receipt of public funds which did not comply with the party-list initiative.

According to the CEC's official figures for candidates:

- 10 of 87 mayoral candidates nationwide were women (11.49 percent), none of whom advanced to the second round. No women were elected as mayor;
- 10 of 262 *gamgebeli* candidates were women (3.82 percent), two of whom advanced to the second round. One woman was elected as *gamgebeli*;
- 4,595 of 13,876 party list *sakrebulo* candidates were women (33.11 percent), 160 of whom were elected to *sakrebulos* (15.46 percent);
- 969 of 6,475 majoritarian *sakrebulo* candidates were women (14.97 percent), 85 of whom were elected to *sakrebulos* (8.11 percent).

The CEC also reported that:

- 53.7 percent of registered voters in the first round were women, 40 percent of whom cast ballots. Ballots cast by women accounted for 50.2 percent of all ballots.
- 55.2 percent of registered voters in the second round were women, 35 percent of whom cast ballots. Ballots cast by women accounted for 53.9 percent of all ballots.

During the election process, women's roles in election administration were conspicuous, as according to the CEC, women comprised 46.5 percent of DEC permanent members, 68.6 percent of DEC temporary commissioners, more than half of all party representatives, and two-thirds of PEC members. At the PEC level, 68.3 percent of commissioners nationwide were women (first round of elections), more than 7,500 of whom held leadership roles (PEC chairperson, deputy chairperson or secretary).

ABOUT IRI'S MISSION IN GEORGIA

IRI has worked in Georgia since 1999 supporting the development of a multi-party political system. With an office in Tbilisi, IRI maintains strong relations with all major political parties and support them as they develop their regional party structures. IRI also works with youth, women and other marginalized groups to help them develop policy awareness and strengthen their place in party structures. Additionally, IRI is a source of reputable, methodologically-sound, issue-based public opinion polling in the country. In recent years, IRI has focused on the development of internal party training capacities, training of women candidates and implementation of party youth debate programs. IRI also conducts international election observation missions, most recently for the 2012 parliamentary and 2013 presidential elections, and assessment missions for both rounds of the 2014 local elections.



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