

Statement

of the Council of Europe Parliamentary Assembly's pre- election delegation to Georgia

Tbilisi, 10 October 2003 – A five-member pre-election delegation¹ of the Parliamentary Assembly of the Council of Europe, representing all political groups of the Assembly, visited Georgia from 8 to 11 October 2003 to assess the overall political climate in the country ahead of the 2 November 2003 Parliamentary elections.

The delegation met, *inter alia*, the State Minister of Georgia, the Chairperson of the Parliament, the Minister of the Interior, the head of the Central Election Commission, representatives of political parties, the president of the Constitutional Court and Deputy Chairman of the Supreme Court, the Prosecutor General, members of the International Community in Georgia, such as OSCE/ODIHR, UNDP and NDI, as well as representatives of a cross-section of domestic NGOs and media.

Based on discussions it had, the delegation made the following conclusions and recommendations:

When Georgia joined the Council of Europe in 1999 expectations were high that elections would be conducted conform to internationally accepted democratic standards and inline with the obligations Georgia took upon itself as a member state of the Council of Europe. Sadly these expectations were not met and elections organised since Georgia's adhesion to the Council of Europe were marked by serious flaws and irregularities. The upcoming parliamentary elections therefore will be a critical test for Georgia's progress on the road of democracy and a cross roads for its credibility as a member state of the Council of Europe.

The delegation welcomed the fact that a significant number of parties are organising an active and vibrant election campaign. By all accounts these elections promise to be the most competitive parliamentary elections since independence, offering the voters a genuine choice on election day.

This will be the first elections organised on the basis of a central voters' registry and without the use of supplementary voters lists, which proved to be problematic during previous elections. This is an improvement with regards to previous elections. However the delegation has great concerns regarding the quality of this central voters list. Too many voters seem to be missing, appear more than one time on the list or have not been assigned to a polling station which could create confusion on election day. Moreover

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several organisations reported that the total number of voters on the list seems to be too high in comparison with previous elections. The delegation calls upon the authorities and the public to do their utmost to correct the voters' register before election day. Moreover the delegation finds it unacceptable that the voters lists in the Autonomous Republic of Adjara have not yet been published as required by law and calls upon the proper authorities to do so without any further delay.

The delegation is concerned that public confidence in the election process is very low and the belief that fraud and irregularities will take place very high. The delegation would like to stress that public confidence is essential for the success of the upcoming elections and the key to public confidence is total transparency of all steps of the election organisation, vote, vote count and vote tabulation. In this respect it was noted that, while vastly improved in comparison with previous elections, the composition of the election committees still excludes some parties that are competing in these elections. The delegation recommends therefore that proxies of all parties should be allowed to observe, express their views and have access to information in the meetings of the election committees on all levels. Proxies of independent candidates in the majoritarian races should have similar rights in the deliberations on district and precinct levels where they are candidate. Moreover, representatives of all parties and candidates should refrain from trying to spread public distrust in the election process as part of their campaign strategies.

The impartial observation by national and international election observers is another crucial instrument in raising public confidence in these elections. Election observers should therefore have free access to all polling stations in all regions where these elections take place including areas with a large number of IDPs, Azeri minority areas and the Autonomous Republic of Adjara

The delegation regrets the limited and late availability of funding for the Central Election Committee and as a result for the lower level election committees which increases their dependency on regional and local authorities. Few issues can be more important for tax payers than the possibility to elect the leadership of their country in a free and well organised manner. Tax payers' money should therefore be readily available for the proper organisation of these elections.

Election related fraud and violence have no place in a democratic society. The delegation is therefore seriously concerned about reports of campaign violence and attempts of voter intimidation and insists that the authorities, as well as the leadership of all political parties, publicly inform their members that violence, fraud and intimidation can not and will not be tolerated in these elections. Any reports of violence, fraud and intimidation should be investigated by the proper authorities and perpetrators should be prosecuted to the full extent of the law. There can be no return to the sense of impunity that was apparent during previous elections. In this respect it welcomed the announcement by the Minister of the Interior that he would publicly instruct the police forces, under the threat of sanctions, to remain neutral and protect the effective exercise of political rights of candidates and voters.

In its meeting with the chair of the Central Election Committee (CEC), Ms Nana Devdariani, the delegation made several concrete recommendations to help ensure the successful implementation of these elections. The delegation is particularly glad that Ms Devdariani supported the following recommendations and promised to propose them to the CEC:

- (1) a public campaign should be started without any delay to inform and invite voters to check the voter's list and demand corrections where necessary;

- (2) the number of protocols available at each precinct will be increased to 20 in order to ensure that all proxies and observers will be able to obtain a copy of the official vote count in the polling station where they are present;
- (3) district level protocols will not only contain the aggregate number of votes but also the results of each individual precinct in that district.

The delegation is convinced that the adoption of these measures by the CEC will substantially enhance the transparency of the election process.

The Parliamentary Assembly continues its support for democratic elections in Georgia. It will send a 30 member delegation to observe the elections on 2 November in close cooperation with the OSCE/ODIHR election observation mission as well as delegations from the European Parliament and the OSCE Parliamentary Assembly.