

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Recommendation 291 (2010)<sup>1</sup> Municipal elections in Georgia (30 May 2010)

The Congress of Local and Regional Authorities of the Council of Europe refers to:

*a.* the Committee of Ministers' Statutory Resolution (2000)<sup>1</sup> on the Congress of Local and Regional Authorities of Europe;

*b.* the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Georgia on 8 December 2004.

2. The Congress underlines its specific role in the observation of local and regional elections in Council of Europe member countries.

3. The Congress notes with satisfaction the efforts undertaken by Georgia in respect of the technical preparation and the administration of the municipal elections of 30 May 2010. It welcomes in particular the role of the Central Election Commission (CEC) and other related bodies with regard to the verification of voters' lists, which was carried out in a professional, transparent and inclusive manner.

4. The election campaign was characterised by a competitive atmosphere and lively, issue-based debates. Election day as such was generally well organised and calm.

5. With regard to legal provisions, the Unified Election Code (UEC) was substantially amended in December 2009, after a phase of thorough reform. In particular, the Congress is pleased with the fact that – for the first time – the direct election of the mayor of Tbilisi was introduced.

6. The Congress is aware of the improvements and progress, over recent years, regarding the political and economic stability of the country.

7. Nevertheless, the Congress regrets to note that shortcomings remain in respect of the legal framework, both concerning electoral processes and local self-government in Georgia.

8. Also, the Congress believes that legal and procedural deficiencies, in general, and undesirable developments in the run-up to the elections, as well as technical problems and background disturbances on election day could continue to undermine the confidence of the voters in the electoral process and thus put in danger the progress which has been made.

9. Taking into account the previous comments, the Congress invites the Georgian authorities to take all necessary steps to:

*a.* make all legislation that affects electoral processes more specific (notably the Election Code of Georgia but also the Organic Law on Local Self-Government);

*b.* in line with recommendations by the European Commission for Democracy through Law (Venice Commission) and the Organization for Security and Co-operation in Europe (OSCE) Copenhagen Document, allow for independent candidates to run in local and regional elections;

*c.* in line with recommendations by the Venice Commission, review overly stringent restrictions on the active and passive suffrage rights of citizens (concerning the voting rights of persons in a penitentiary institution and also residency requirements to run for office in local elections);

*d.* review legal provisions and enhance awareness-raising campaigns in order to avoid administrative resources – financial, technical and human – being misused for campaign purposes;

*e.* strengthen the effectiveness of the Inter-Agency Task Force for Free and Fair Elections (IATF) in the run-up to the elections (with regard to tangible results in the investigation of violations and concrete consequences for offenders, and in respect of a more proactive information policy);

*f.* implement training programmes for the improvement of the knowledge and skills of election officials (in particular to avoid future overlong counting of the votes);

*g.* amend legal and procedural shortcomings in the complaints and appeals process (in particular, to be more specific about deadlines and procedures and to avoid inadequate response to complaints);

*h.* introduce proportionate measures for ensuring transparency in campaign and party financing and support capacity-building measures for political parties;

*i.* develop long-term programmes for voter education, in particular with regard to national minorities, with the aim of creating inclusiveness in regions where there are significant numbers of people from national minorities;

*j.* create initiatives to encourage young people, women and representatives of national minorities to engage more actively in politics and to be candidates of the future;

*k.* proceed with collaboration programmes in the interest of enhancing political dialogue between the government and the opposition.

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1. Debated and adopted by the Congress on 27 October 2010, 2nd Sitting (see Document [CG\(19\)8](#), explanatory memorandum), rapporteur: G. Krug, Germany (R, SOC).