

## Chamber of Local Authorities

**27th SESSION**  
**Strasbourg, 14-16 October 2014**

**CPL(27)5FINAL**  
15 October 2014

### **Observation of local elections in Georgia (15 June 2014)**

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#### *Summary*

Upon invitation by the Minister of Foreign Affairs of Georgia, the Congress deployed a 22-member delegation to observe the local elections held on 15 June 2014. On 28 and 29 May, a pre-electoral delegation visited the country to assess the situation in Georgia prior to the vote. On Election Day, 11 teams – including 6 participants from the EU Committee of the Regions – visited more than 150 polling stations in different regions throughout the country.

The Congress was satisfied that – despite local incidents and individual irregularities – the elections were carried out in an overall calm and peaceful manner which was an issue at stake due to a controversial pre-electoral campaign in a heated atmosphere including aggressive rhetoric and violent actions. Further progress was achieved in respect of the technical side of polling in Georgia, largely owing to the professional performance of the Central Election Commission under difficult circumstances. The Congress received also positive acknowledgements concerning media freedom, access of the political contestants to the media, openness of the electorate and the absence of pressure on voters. The issues which deserve further improvement include the composition of electoral commissions, the nomination of independent candidates and the counting procedures. With regard to the general electoral atmosphere, the Congress urged both the government and the opposition to contribute to a policy of zero-tolerance towards electoral violence.

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<sup>1</sup> Chamber of Local Authorities / R: Chamber of Regions  
EPP/CCE: European People's Party Group in the Congress  
SOC: Socialist Group  
ILDG: Independent Liberal and Democratic Group  
ECR: European Conservatives and Reformists Group  
NR: Members not belonging to a political group of the Congress

## **OBSERVATION OF LOCAL ELECTIONS IN GEORGIA (15 JUNE 2014)**

### **RECOMMENDATION 360 (2014)<sup>2</sup>**

1. Following the invitation by the Minister of Foreign Affairs of Georgia to observe the local elections held in the country on 15 June 2014, the Congress of Local and Regional Authorities refers to:

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

b. Congress Resolution 306(2010)REV on Observation of local and regional elections – strategy and rules of the Congress;

c. Congress Resolution 353(2013)REV on Congress post-monitoring and post-observation of elections: developing political dialogue.

2. It reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance, and observation of political participation at territorial level is a key element in the Congress' role as guardian of democracy at local and regional level.

3. The Congress welcomes the fact that – further to a controversial campaign in a heated atmosphere – the local elections held on 15 June 2014 were carried out in an overall calm and peaceful manner and were generally well run, despite local incidents and individual irregularities.

4. It is pleased to note that the electoral environment, in particular with regard to the working conditions for journalists covering the campaign and the possibility for voters to cast their ballot without the exertion of influence or pressure, has improved compared to previous elections.

5. It also acknowledges the efforts made by the Georgian authorities to prevent electoral fraud by the introduction of a new system of verification of voters' identity including digital photos on the voters' list.

6. The Congress welcomes, in particular, the fact that Mayors and *Gamgebelis* (town managers) are now directly elected in Georgia and that by the 50% plus one vote-threshold the heads of local executive bodies were elected by the majority of citizens who used their right to vote. This contributes to the accountability of local representatives and to a competitive electoral environment and is in line with Congress recommendations.

7. The Congress highlights the fact that further improvements can be made in respect of the electoral legislation and the practical side of electoral management and therefore invites the Georgian authorities to:

a. revise the composition of precinct and district election commissions to ensure a more equal representation of parties in power and in opposition;

b. allow for independent candidates to run in the elections through the right of initiative groups to nominate candidates for mayor/*gamgebeli*;

c. strengthen the confidence-building role and the effectiveness of the Inter Agency Task Force for Free and Fair Elections (IATF) through monitoring of the implementation of recommendations made by IATF and increasing party neutrality at the managerial level of the institution;

d. step up training programmes for members of precinct and district election commissions, in order to improve the electoral documentation and the counting procedures.

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2. Debated and approved by the Chamber of Local Authorities on 14 October 2014 and adopted by the Congress on 15 October 2014, 2<sup>nd</sup> sitting (see Document CPL(27)5FINAL, explanatory memorandum), rapporteur: Jos WIENEN, Netherlands (L, EPP-CCE).

8. In addition, the Congress encourages the Georgian authorities to revise specific legal provisions including residence requirements for passive voting rights at local level, equality of the vote and no-confidence procedures against the directly elected mayors and *gamgebelis*.

9. With regard to future elections, pro-active policies should be conceived by the authorities to avoid aggressive rhetoric, violent action and pressure being applied to candidates during the campaign.

# **OBSERVATION OF LOCAL ELECTIONS IN GEORGIA (15 JUNE 2014)**

## **EXPLANATORY MEMORANDUM**

### **Introduction**

1. Following an invitation by the Minister of Foreign Affairs of Georgia, Dr. Maia PANJIKIDZE, of 11 March 2014, the Congress decided to observe the local elections held on 15 June 2014. Jos WIENEN (Netherlands, L, EPP-CCE) was appointed head of delegation and rapporteur.

2. The electoral mission took place from 12 to 16 June 2014 and comprised 22 members from 15 European countries including six participants from the EU Committee of the Regions. On Election Day, 11 Congress teams were deployed to more than 150 polling stations in seven regions of the country. Already on 28 and 29 May, a pre-electoral delegation composed of three Congress members and 1 member of the EU Committee of the Regions visited the country to assess the pre-electoral environment. The details of the delegation, programmes and deployment areas appear in the appendices.

The following report focuses specifically on issues arising out of exchanges we held with Congress' interlocutors in the context of the local elections in Georgia held on 15 June 2014 and on observations made by the members of the delegation on Election Day.

The Congress wishes to thank all of those who met the delegation for their open and constructive dialogue. It thanks the Georgian authorities for their support in preparing this mission. Special thanks go to the Head of the Council of Europe Office in Tbilisi, Caterina BOLOGNESE, and her team for their valuable support and fruitful co-operation.

### **1. Political context**

3. Georgia declared secession from the Soviet Union in 1991, after a referendum overwhelmingly supporting independence. It is a unitary state based on representative democracy. Due to constitutional amendments passed in 2010 and 2013, the powers of the President were considerably reduced in favour of the Prime Minister and the Parliament. Georgia comprises of a unicameral 150-seat Parliament, elected by a mixed system, half by proportional and half by majoritarian vote for a four-year-term. The President is elected by popular vote to serve a five-year-term, renewable once.

4. At the last general elections were held in October 2012, the Georgian Dream Coalition (Republican Party of Georgia, Our Georgia – Free Democrats, National Forum, Conservative Party of Georgia, Industry Will Save Georgia, Green Party of Georgia) won 85 seats (55%) against the United National Movement Party (65 seats, 40,3%). Other parties achieved 4,7%. Both the parliamentary elections in 2012 and the presidential vote in 2013 (Giorgi Margvelashvili, Georgian Dream Coalition, was elected President of Georgia on 27 October last year) have led to a peaceful transfer of power in Georgia which was internationally acknowledged as a positive sign for the democratisation process. However, polarisation between political parties, notably between the Georgian Dream Coalition currently in power, and the previous governmental party United National Movement (UNM), led by the former President Mikheil Sakashvili, continues to be an intrinsic feature of the political landscape in Georgia.

5. The last local elections held in May 2010, according to observations made by OSCE/ODIHR and a delegation from the Congress, were marked by progress towards meeting European standards despite systemic irregularities and deficiencies in the legal framework. Concerning the first direct elections of the Mayor of Tbilisi, the Central Election Commission (CEC) of Georgia confirmed on 15 June 2010 the victory of the candidate of the United National Movement Giorgi Ugulava who drew 55.2% of the vote. Mandates in the Tbilisi Sakrebulo (Council) were divided as follows: UNM 14

(52.5%), Alliance for Georgia 5 (17.9%), Christian Democratic Movement 3 (12.05%), National Council 2 (8.2%), Industry Will Save Georgia 1 (6.2%). Turnout was nationwide 49% and in Tbilisi 46.7%.

## 2. Administrative structure at local and regional level

6. Administratively, Georgia is divided into nine regions (Guria, Imereti, Kakheti, Kvemo Kartli, Mtskheta-Mtianeti, Racha-Lechkhumi/ Kvemo-Svaneti, Samegrelo/ Zemo-Svaneti, Samtskhe-Javakheti and Shida-Kartli and two autonomous republics (Abkhazia and Ajaria).

7. On 5 February 2014, the Georgian Parliament approved the new “Local Self-Government Code” which also had an impact on the local elections held on 15 June. By this new law, the status of “self-governing city” has been granted, in addition to Tbilisi (Capital City), Rustavi (industrial city adjacent to Tbilisi), Kutaisi (city hosting the Parliament), Batumi (Black Sea city) and Poti (Black Sea port), to the following entities: Telavi, Ozurgeti, Zugdidi, Ambrolauri, Gori, Mtskheta and Akhaltsikhe. Previously, these seven new self-governing cities formed municipalities with their surrounding villages.

8. This brings the total of self-governing cities in Georgia to 12 and the number of *Sakrebulo*s (Councils) elected on 15 June 2014 from 64 to 71: 59 municipalities (towns, villages, settlements) elected their “Sakrebulo” (Councils) and “Gadgebelis” (Town Managers) and 12 self-governing cities elected their “Sakrebulo” (Councils) and “City Mayors”.

9. In general, municipalities in Georgia are composed of three organs: the Council (“Sakrebulo”), the City Hall (“Gadgeoba”) and the Mayor or Town Manager (“Gadgebeli”). The Council has legislative powers (including issues such as the budget, property and land resources, local taxes, territorial planning, construction permissions but also new competences, according to the new Code, in respect of improvements of the water supply system and the development of infrastructures for persons with disabilities, children and the elderly). Its members are directly elected for a 4-year term. The City Hall is in charge of executive functions and the implementation of the decisions taken by the Council. It is headed by the Mayor (the Town Manager) and is composed of deputies and other members.

10. In total, 2088 members of “Sakrebulo” (Councils) were elected on 15 June 2014 according to a mixed system: self-governing cities with a population of more than 75,000 voters have “Sakrebulo” comprising 25 members (15 members from the proportional list and 10 majoritarian members). Self-governing cities with a population of less than 75,000 voters have “Sakrebulo” comprising 15 members (10 proportional and 5 majoritarian). The Tbilisi city “Sakrebulo” comprises 50 seats evenly divided between the proportional party-list system (on the whole territory of Tbilisi) and the majoritarian system (on the territory of a single-mandate majoritarian election district). In the 59 municipalities (towns, villages, settlements) the “Sakrebulo” are composed of 15 members elected through the proportional system and one member elected through the majoritarian electoral system from each community and city on the corresponding territory.

11. In the past, with the exception of the Mayor of the Capital City Tbilisi, mayors have been elected in by the “Sakrebulo” (Council). Following the changes to the Electoral Code of Georgia adopted on 7 March 2014, all “City Mayors” and “Gadgebelis” (Town Managers) are directly elected by the population of the territory. The candidate who obtains more than 50 percent of the votes wins the election. At first stage, a City Mayor or Town Manager (“Gadgebeli”) will be elected for three years, as from 2017 she/he will be elected for four years. At the same time, the threshold for the proportional party lists was lowered from 5 to 4 percent. The fact that now all City Mayors and Town Managers are directly elected in Georgia, is in line with Congress’ recommendations and has been welcome by the delegation.

12. Despite the fact that after the 2010 local elections, the Congress – together with OSCE/ODIHR and other observers – recommended that Georgia permit independent candidates to compete in local elections, the new amendments do not allow them to be candidate for City Mayor or “Gadgebeli” posts. Only candidates nominated either by political parties or election blocs are able to compete for these posts. Independent candidates nominated by so-called “community initiative groups” can run only for majoritarian seats in “Sakrebulo” (Councils). The fact that the new “Local Self-Government Code” gives the power to the Councils to declare (by 2/3 of its members) a non-confidence vote on a Mayor or Town Manager, has been critically commented by Congress’ interlocutors.

13. Current challenges at the grassroots' level include the concrete implementation of the local administration reform. According to Congress' interlocutors in the Ministry of Regional Development and Infrastructure of Georgia, the major aim was to ensure efficient planning and stronger mayors. At the same time, standards were to be implemented to improve the skills and capacities of local civil servants in the different territorial entities. This was of particular importance for sectors such as public procurement or reporting. In order to professionalise the performance of civil servants at local level, training programmes and systematic competitions will be introduced. The transfer of competences and budgetary means has to be accompanied by a transfer of knowledge to the local level, said the Congress's interlocutors. Therefore, training standards will be developed at central level (by the Centre for Effective Governance System and Territorial Arrangement Reform) and training programmes will be co-financed from the state budget, donor money and decentralised budgets of the municipalities (1% of the municipalities' budgets).

14. On 29 May 2014, the Georgian Parliament revoked in its third and final reading a controversial legislative clause envisaging blanket suspension of all public servants in the local self-governance bodies after the local elections of 15 June. Proposed by the Georgian Dream Coalition, this clause was added to the reform bill on local self-government in early February. According to this clause, all public servants of local self-government bodies should have been suspended after the forthcoming local elections and continue to serve "ad interim" pending on finding vacant posts through competitions later on. This plan was challenged before the Constitutional Court by a local NGO and employees of the Tbilisi City municipality and has caused concern and disturbances at local level.

15. While local actors, notably the National Association of Local Authorities of Georgia (NALAG), reported to the Congress that they were not sufficiently consulted during the drafting process of the new "Local Self-Government Code", the representatives of the Ministry of Regional Development and Infrastructure described these works as transparent and inclusive.

### 3. Electoral management

#### 3.1. Legal framework and electoral system

16. All in all, local self-government elections in Georgia are governed by the following legal texts: the Constitution of Georgia, the Election Code of Georgia, the Law on Political Unions of Citizens, the Central Election Commission Regulations, the Criminal Code of Georgia, the Code of Administrative Offenses of Georgia and the Local Self-Government Code of Georgia. The latter combines several legislative acts that previously have regulated self-governance in Georgia.<sup>3</sup>

17. In March and April 2014, the Georgian Parliament adopted an election-related package of law amendments with effect on the local elections held on 15 June. Key changes to the Organic Law of Georgia /Election Code of Georgia include different changes described above (direct election and minimal threshold of 50% in the first round of voting for the election of Mayors and Gambgebelis, decrease of threshold for gaining a seat in the Sakrebulo from 5 to 4% etc.). The overall system of electing the Sakrebulo remained unchanged and members of these Councils were elected according to the proportional and the majoritarian system.

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3 • Constitution of Georgia : [http://www.parliament.ge/files/68\\_1944\\_951190\\_CONSTIT\\_27\\_12.06.pdf](http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf)  
 • Election Code of Georgia : <http://sao.ge/files/kanonmdebloba/kodeqsi/August%202012-Election-Code-of-Georgia-EN-codified.pdf>  
 • Law on Political Unions of Citizens : <http://sao.ge/files/kanonmdebloba/PUC.pdf>  
 • Central Election Commission Regulations : <http://www.cesko.ge/uploads/other/17/17750.pdf> (Decree N20/2012 June 21) + <http://www.cesko.ge/uploads/other/17/17751.pdf> (Decree N23/2012 July 13) + Accreditation of Media representatives : <http://www.cesko.ge/en/municipal-elections-2014/observers-and-media/accreditation-of-media-representatives2.page>  
 • Criminal Code of Georgia : [http://humanrights.ge/files/code\\_criminal\\_genpart.pdf](http://humanrights.ge/files/code_criminal_genpart.pdf)  
 • Code of Administrative Offenses of Georgia : [http://humanrights.ge/files/code\\_admin\\_offenses\\_tableofcontents.pdf](http://humanrights.ge/files/code_admin_offenses_tableofcontents.pdf)  
 • Local Self-Government Code of Georgia : <http://waste.gov.ge/admin/editor/uploads/files/Organic%20Law%20FinalEng.pdf> + New Local Self-Government Code : Overview of the main novelties : <http://tigeorgia.electricembers.net/en/blog/new-local-self-government-code-overview-main-novelties?page=3>  
 • 2013 Project of Organic Law of Georgia Local Self-Government Code : <http://www.civil.ge/files/files/2013/LocalSelfGovernance-bill.pdf>

### 3.2. Electoral administration bodies

18. The three-tier organisation of electoral bodies for the conduct of local elections on 15 June included the Central Election Commission (CEC), 73 District Election Commissions (DECs) and 3,617 Precinct Election Commissions (PECs). There were 20 special precincts established in penitentiary institutions, medical facilities etc. The CEC is the country's permanent supreme election management body responsible for ensuring the preparation and conduct of presidential, parliamentary and municipal elections, referenda and plebiscites. The maximum number of members of commissions at all levels is 13 in Georgia.

19. The CEC is composed of its chairperson and of 12 members. Seven members of the CEC are appointed by political parties (more specifically, by those who receive funds from the state budget) and five members are elected by the Parliament upon nomination by the President of Georgia. The CEC chairperson (currently Ms Tamar ZHVANIA) is elected, upon nomination by the President of Georgia, by the CEC members appointed by the parties (or by the Parliament of Georgia if the nomination of these CEC members has failed). Also the District Election Commissions (DECs) constitute permanent (territorial) bodies of election administration and consist of 13 members: five members are elected for a 5 year term by majority vote of the total number of members of the CEC. Following the call of elections, seven members of the DEC are appointed by parties (those who are receiving state funds) and one member is appointed by majority vote of the total number of CEC members, for the period until the announcement of the final results of the respective elections. Precinct Election Commissions (PECs) are also composed of 13 members: six of them are elected by majority vote of the total number of the respective DEC; seven members are appointed by parties (those who are receiving state funds). Election precincts shall be set up for not less than 20 and no more than 1 500 voters.

20. In practice it has shown that this complex formula still favours the incumbent forces on electoral commissions in Georgia and among the seven members of Precinct Election Commissions nominated by political parties, six were belonging to the Georgian Dream coalition (consisting of six parties) and only one belonged to the largest opposition party. Furthermore, out of the 14 parties qualified to receive state funding only the first seven, receiving the most funding, have the right to nominate members to electoral commissions (this is the same situation at all tiers of electoral administration). The Congress delegation found that this situation constitutes an electoral disequilibrium and should be addressed by the Georgian authorities.

21. Complaints and appeals are regulated in the Election Code of Georgia and ensure an expeditious dispute resolution process requiring appeals and decisions at different levels within one to three calendar days. Complaints regarding violations of polling procedures have to be filed at Precinct Election Commissions (PECs) on the E-Day. Such complaints have to be resolved immediately by the PEC. Complaints related to the counting process are to be forwarded to the District Election Commission (DEC) within three days. The complaint must be registered and addressed within one day of registration by the DEC. Decisions taken at DEC-level may be appealed to the relevant court (at district level) or to the Central Election Commission (CEC). Decisions of the court may be appealed within one day of its delivery to the Court of Appeals (whose decisions are final). Criminal cases – such as vote-buying – are dealt with by the criminal courts.

22. The total number of application/complaints submitted to the CEC in the context of the local elections held on 15 June 2014 amounts to 81. Appeals to the DEC, the CEC and ultimately to the courts should be dealt within 24 days following E-Day. For more detailed information, applicants can visit the Appeals Registry on the website of the Central Election Commission of Georgia.<sup>4</sup> In addition, many complaints have been submitted and remarks in the electoral logbooks have been made by different observer organisations during the Election Day, directly at PEC-level.

### 3.3. The Inter Agency Task Force for Free and Fair Elections (IATF)

23. The IATF is a state commission currently chaired by the Minister of Justice and composed of representatives of several government agencies with the specific mandate to “prevent and respond to violations of election legislation of Georgia by public servants.” Originally, the IATF was created as an *ad hoc*-forum by the President of Georgia in January 2008, on the occasion of early presidential

<sup>4</sup> <http://www.cesko.ge/en>

elections. In the run-up to the local elections held on 30 May 2010, the IATF was mandated to facilitate the conduct of these elections in a transparent and fair environment and to enhance co-ordination between different agencies, local and international observer organisations, diplomatic missions and other parties involved in the electoral process. In its recommendations following the observation of the 2010 local elections, the Congress suggested to strengthen the effectiveness of the Inter Agency Task Force for Free and Fair Elections in order to achieve tangible results in preventing electoral violations.

24. In 2011, the IATF was codified as a standing agency with the power to recommend remedial action to government and political parties. In August 2013, the IATF was transferred from the auspices of the National Security Council to the Ministry of Justice. It comprises 12 members including senior officials from various ministries and state agencies. Unequivocally, the IATF has an important role, particularly during the pre-election period, to ensure a fair, free and peaceful campaign environment. However, it has been criticised by NGO observer organisations that there is no procedure in place to monitor the implementation of recommendations made by the IATF (it has no sanctioning power or adjudicatory function) in response to violations of the electoral legislation. With regard to the Chair of the IATF – currently held by the Minister of Justice – the Congress delegation believes that – taking into account the polarised political background in Georgia – maximum party neutrality could optimise the confidence-building role of this body.

### **3.4. Voter registration and the voters' list**

25. An important element of the electoral reform was the introduction of new voter verification system by the Ministry of Justice of Georgia (“One Voter – One Vote-project”) on Election Day, with pictures of the voters and the gender to be included on the voters' list. Major problems with regard to the voters' list during previous elections were the risks of duplications (the same voters were incorporated to the list several times by different registration parameters) and fraud (according to Congress' interlocutors, several thousands of fake identification cards were confiscated which were used for the falsification of previous elections). On 15 June 2014, for the first time in a Georgian election, a photo and the designation of the voter's gender appeared next to his/her name on the list. This allowed Precinct Election Commission officials, observers and party proxies to visually verify the identity of the voter. If a photo did not match, the PEC official was responsible for launching a procedure including the involvement of the Public Service Development Agency (PSDA) for verification and – if necessary – the police for further verification.

26. The question of voters who were registered without an address, voters who had been de-registered in their places of residence and individuals whose registration was declared void by the Public Service Development Agency remained problematic during these elections. These individuals had to apply to the PSDA before 28 May 2014 and register in their place of residence in order to be entitled to vote on 15 June. Some 12.000 citizens used this opportunity, including 3 353 who had been registered without an address and 7 757 who had been de-registered. The CEC finished processing the voter data supplied by the PSDA on 9 June and indicated a total number of voters of 3 429.748 (roughly 100 000 voters less compared to the 2013 Presidential elections).

### **3.5. Registration of parties and candidates**

27. Any Georgian citizen of 25 years or older who is registered to vote and has permanently resided in Georgia for at least five years and lived in Georgia for at least two years prior to the announcement of the elections (14 April 2014), is eligible to run for Mayor of a self-governing city or Gamgebeli (Town Manager) of a municipality. Mayors and Gamgebelis must be nominated by political parties or electoral blocs, nomination by individuals or initiative groups is not possible. This is in contrast to every other elected office in the Georgian political system and has been criticised and appealed by NGOs in Georgia as being also in contradiction to the 1990 OSCE Copenhagen Document<sup>5</sup> which calls for respecting the right of citizens to seek political or public office, individually or as party representative. The Congress delegation subscribes to this opinion.

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5 1990 OSCE Copenhagen Document : <http://www.osce.org/odihr/elections/14304?download=true>

28. While women in Georgia comprise 59% of the electorate, only 11 percent of elected politicians are female candidates. In the 2010 municipal elections, of the 1 695 “Sakrebulo” (Councils) seats only 169 were won by female politicians. Of the 14 mayoral candidates in the first round elections in Tbilisi on 15 June, only two were women. For the remaining 11 “self-governing cities”, eight out of 73 mayoral candidates (11%) were women. With regard to gender balance of candidates for “Gamgebeli” (Town Manager) the situation was as follows: ten out of 261 candidates were women (less than four percent). Despite measures taken by the authorities to increase awareness of women participation in politics (e.g. financial incentives for parties presenting more female candidates on their lists, for the first time detailed information provided by the Central Election Commission on women’s participation in local elections) there is still room for further improvement.

29. Contrary to the overall positive assessment of the work of the Central Election Commission (CEC), some shadow was cast on this performance by the fact that the Commission interpreted Article 167 of the Electoral Code (requiring candidates for Mayor or Gamgebeli to have permanently resided in Georgia over the past two years before calling the elections) in an inconsistent manner, to the disadvantage of opposition candidates and to the advantage of the ruling coalition.<sup>6</sup>

30. In total, more than 16 000 candidates contested for the seats in 71 municipalities, the posts of Mayor in 12 self-governing cities and Gamgebeli (Town Manager) in 59 self-governing municipalities. The Congress delegation welcomed that now all mayors and town managers are directly elected as beneficial to the further strengthening of local self-government and as a contribution to the accountability of local elected representatives.

### **3.6. Observers**

31. According to the Central Election Commission CEC), in total 45 300 representatives of election subjects (“proxies”) as well as local, international and media organisations observed the local elections held in Georgia on 15 June 2014. More than 16.000 local and 560 international observers were registered by the electoral administration. More than 1 500 journalists were accredited to cover E-Day. Registered observers have the right to be present at the polling station at any time during E-Day and observe all stages of the voting process.

32. It is important to mention the high level of active and constructive involvement of the Georgian civil society in the electoral processes as monitors, advocates and voter education activists. Organisations such as Transparency International Georgia, GYLA (Georgian Young Lawyers’ Association), PMMG (Public Movement Multinational Georgia) or HRIDC (Human Rights Center) deployed long-term observers during the pre-electoral phase and between them also thousands of short-term observers in precincts throughout the country on E-Day. ISFED (International Society for Fair Elections and Democracy) conducted a nation-wide parallel vote tabulation (PVT) including the Tbilisi mayoral race. IFES (International Foundation for Electoral Systems) compiled Frequently Asked Questions (FAQs) to help better understand the voting process.

## **4. Campaign and media environment**

### **4.1. Financing**

33. In total, 24 political parties/electoral blocs were registered for the local elections held on 15 June 2014. In Tbilisi, 14 candidates were registered to run for the Office of Mayor of the capital city. According to the Election Code of Georgia, election subjects that have passed the 3% threshold in the general elections of the Local Self-Government Representative Bodies – Sakrebulo (this is calculated

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<sup>6</sup> The Monitoring Report of the Human Rights Center (HRIDC) quotes the cases of UNM candidate Akmamed Imamkuliev whose registration was revoked because he did not meet the residence requirements set by the Georgian Election Code and of the Georgian Dream candidates Irakli Kakulia and Davit Jikia whose candidacies were not revoked on the basis of the Tax Code which states that a person is believed to be a resident of Georgia if he/she is present on the territory for at least 183 days during 12 calendar months (travelling abroad for medical treatment, business or education purposes is considered as factual presence on the Georgian territory). Mr. Imamkuliev appealed against the CEC decision before the Tbilisi City Court who decided to restore his registration; [http://www.humanrights.ge/admin/editor/uploads/pdf/inglisuri%20saboolo\\_1.pdf](http://www.humanrights.ge/admin/editor/uploads/pdf/inglisuri%20saboolo_1.pdf). In this context, the Congress delegation reminds of the Venice Commission’s Code of Good Practice in Electoral Matters which stipulates that residence requirement is a priori not incompatible with the principle of universal suffrage as far as local and regional elections are concerned but should – in principle – not exceed a few months.

on the basis of votes cast in the elections held under the proportional system throughout the country) are entitled to receive state funding (max. 500.000 GEL) to cover election campaign costs in both rounds of the *Sakrebulo/mayor/Gamgebeli* elections. Additional funding from the state budget is provided to cover the expenses for allocation of airtime for election advertisements for those parties who are eligible to receive funding based on the results of the last general elections.

34. The total amount of money donated by each citizen of Georgia to a political party should not exceed 60.000 GEL per year. The total amount of money donated by a legal entity should not exceed 120.000 GEL. At the same time, Georgian law restricts campaign contributions from physical and legal entities of foreign countries, international organisations, state agencies or state organisations, legal entities of public law or enterprises with state shares, non-profit legal entities and religious organisations, stateless persons and from anonymous donors.

35. The State Audit Office of Georgia (SAOG) is responsible for overseeing the financing of the electoral campaign. In April 2014, a temporary commission composed of NGO representatives was set up at the SAOG in order to exchange and analyse information about possible violations of the regulations for party and campaign financing and to provide recommendations to the SAOG. All candidates contesting in the 2014 local elections were obliged to submit three financial reports to the SAOG covering the following periods: 14 April to 4 May, 5 to 25 May and 26 May to 15 June 2014. The State Audit Office of Georgia had also the mandate to adjudicate violations related to campaign finance. Further to an amendment of the law adopted in May 2012, only administrative courts can decide to sanction such cases based on the protocol of administrative violation filed by the SAOG to the relevant city or district court.

36. In the framework of party and campaign financing regulated by law, the Georgian authorities pay also attention to the issue of misuse of administrative resources during electoral campaigns. On 5 May 2014, a “Memorandum of Understanding”<sup>7</sup> setting standards on the use of administrative resources was signed by different stakeholders acknowledging – through the OSCE 1990 Copenhagen Document – “a clear separation between the State and political parties and that the State must provide political parties and organisations with the necessary legal guarantees to enable them to compete with each other on the basis of equal treatment before the law and the authorities” and referring to specific norms enshrined in the Election Code of Georgia.

37. Despite such awareness-raising activities for the prevention of misuse of administrative resources during electoral processes undertaken by the authorities, this issue remains to be addressed, in particular at local level. According to monitoring reports of local election observation institutions, there were some cases of social-infrastructure projects funded from the state budget just several days before the launch of the pre-election period. Although this is not to be considered as an official violation of law, such initiatives could be interpreted as attempts to influence the voters’ decision.

## 4.2. The campaign

38. Based on interviews with different interlocutors during both the pre-electoral and the main election observation mission of the Congress as well as according to assessments by long-term observers from non-governmental organisations, the campaign environment prior to the vote on 15 June 2014 was characterised by less instances of voter bribing and intimidation and detention of political activists than in previous times. Also, there were almost no cases of pressure on journalists, obstructions of their work or interferences by state agencies. All in all, the Congress received positive echoes with regard to free access of political contestants to the media and possibilities of the Georgian people to freely express their will at the ballot box. The pre-electoral environment, as a whole, was described by the majority of Congress’ interlocutors as better than during previous elections including a less violent general atmosphere - despite individual cases of harsh rhetoric and presumably retaliatory action or even politically-motivated violence.<sup>8</sup>

<sup>7</sup> Memorandum of Understanding on the Use of Administrative Resources in the June 15, 2014 Elections of Local Self-Government Representative and Executive Bodies, 5 May 2014 (unofficial translation)

<sup>8</sup> According to NGO observers, the severity of such individual cases of political violence seems to have increased; specific reference is made to the cases of Zurab Tchiaberashvili, member of the UNM political council, who was assaulted in a café in Tbilisi on 27 May, of UNM Member of Parliament Nugzar Tsiklauri who was beaten by several men who reportedly tried to kidnap him in March 2014; and to the brother of a former Ministry of Internal Affairs official in the UNM government, Davit Kodua, who was severely beaten; <https://www.ndi.org/files/Georgia-Election-Framework-Statement-English.pdf>

39. Contrary to this positive assessment, the Congress delegation received many reports about candidates from different opposition parties and electoral blocs who had decided to withdraw their candidacy – presumably because of pressure exerted on them. According to data published by the Central Election Commission on 1 June 2014, 385 candidates withdrew their candidatures in 62 election districts. According to an assessment report published by three non-governmental organisations (ISFED, GYLA and Transparency International Georgia) on 14 June 2014, some 50 candidates of six opposition parties in 15 districts of nine different regions had withdrawn from the elections as of 9 June, presumably as a result of pressure.<sup>9</sup>

40. In his statement presenting the preliminary conclusions of the Congress election observation mission on 16 June 2014 in Tbilisi, the Head of delegation Jos WIENEN made clear that – whatever the real number of such incidents may have been, each case was one too much and should be duly followed up by the Georgian authorities. He urged the authorities also to look also into cases of violence. In a press statement issued prior to the second round of local elections, on 8 July, the Head of the Congress delegation called on the political actors to refrain from degrading statements and acts of violence and urged both government and opposition to do their utmost to ensure a fair and democratic campaign.

#### **4.3. The media**

41. The rules regulating the role of the media during elections are governed by the CEC and media representatives have the right to observe the electoral process at all stages in a free and unhindered manner. According to these rules, no more than three representatives from one accredited media organisation can be present at an election precinct at the same time. One media organisation is entitled to conduct photo and video recording in one polling station once and for a maximum duration of 10 minutes. Pursuant to the Georgian Law on Broadcasting/Code of Conduct of Broadcasters, during the pre-electoral period, broadcasters must remain fair and impartial.

42. According to surveys carried out by non-governmental organisations involved in long-term observation, the Georgian media provided a quite balanced coverage of the campaign prior to Election Day. Contrary to the 2012 Parliamentary election campaign, there were almost no cases of pressure on journalists or obstructions of their work by state agencies, except several incidents in the regions where journalists were not allowed to attend candidates' events and to ask questions. According to the NGO media analysts, the pre-election coverage was mainly dedicated to factual reports about the daily activities of candidates. Critical questions or detailed analysis of party and candidates' programmes remained the exception to the rule. Concerning television, the main source of information in Georgia, the majority of the channels aired political talk shows – at least – on a weekly basis. With regard to transparency of media ownership and political control over media, there seems to be some improvement.

#### **5. Election Day**

43. On 15 June 2014, 11 Congress observation teams were deployed to different regions in Georgia and visited polling stations in municipalities including: Tbilisi, Kutaisi, Batumi, Gori, Mtsketha, Rustavi, Gardabani, Telavi, Marneuli, Bolnisi, Tetri Tskaro, Ninotsminda, Akhalkalaki, Dmanisi, Tsalka, Zugdidi and in many other towns and villages. All in all, The Congress observers were present in more than 150 voting places throughout the country.

44. Despite a controversial pre-electoral period including harsh rhetoric and violent actions, the observers of the Congress agreed that – with the exception of some incidents and individual irregularities - polling took place in an overall calm and peaceful manner and that animosity between the contenders was less perceptible than expected after the election campaign conducted in a, to some extent, heated atmosphere.

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<sup>9</sup> Most withdrawals were concentrated in the southern municipalities with predominantly minority populations which raised additional concern of intimidating citizens who have traditionally been facing disadvantages. In a statement of the Chairperson of the Interagency Task Force for Free and Fair Elections on 12 June 2014, the Minister of Justice specified that the Prosecutor's Office investigated 80 cases of alleged violence against election candidates. Out of these 80 cases, 76 subjects did not confirm the information on withdrawal of their candidacy because of political pressure and provided other grounds such as family-related issues, age etc. and other reasons.

45. In the majority of polling stations visited by Congress observers before the opening, the commissions were complete, the teams well prepared and familiar with the opening procedures, whereas the counting, in most of the places visited, turned out to be long and tedious and occasionally badly managed, partly because of over-bureaucratic interpretation of the rules, partly because of a lack of experience or skills of the commission leadership. Observers of non-governmental organisations also reported on problems in districts with ethnic minority population caused by insufficient Georgian language skills of commission members and they therefore recommend that electoral staff should know the state language well enough to effectively implement the electoral rules on E-Day.<sup>10</sup>

46. Observers of non-governmental organisations reported about activities of unauthorised persons (party representatives) inside the buildings and in the vicinity of some polling stations who - according to these observers - were instructed by their party to control the ongoing situation and to notify the party headquarters of the number of voters balloting for such or such candidate.<sup>11</sup> Also some Congress teams observed occasionally groups of people hanging around in the vicinity of the electoral buildings but this did not create the impression of controlled voting.

47. Polling stations were quite small, particularly in rural areas, and the majority of the places visited by the Congress teams were not accessible to physically impaired voters.<sup>12</sup> There were mobile ballot boxes prepared in all the polling stations (requests for such boxes were to be made two days prior to E-Day) as well as magnifying sheets for visually impaired persons.

## 6. Turnout and election results

48. According to the Central Election Commission (CEC), the final number of voters for the local elections held on 15 June 2014 amounted to 3 429 748. This number was based on the data received by the CEC from the State Services Development Agency and was reduced by some 40 000 voters compared to an announcement made in May 2014. The voter turnout was 43.31% (1 485.372 persons participated in the elections).

49. The highest turnout was in the region of Racha-Lechkhumi (61.2%). The lowest turnout was shown in Tbilisi with 37.3% of voter's participation. For the districts, Aspindza took the first place with a turnout of 68.95%, whereas Kutaisi is the last one with a turnout of 30.67%.

50. For the first time of Georgia's history, the CEC released specific information about women's participation in the elections. The data collected by the CEC shows that women were more active than men and constituted 50.2% of the total number of voters (745 615). The capital city Tbilisi is of particular significance with 55.94% of female voters. In Akhalkalaki, 56.29% of the voters were women.

51. By decision of the CEC, repeat voting through majoritarian system was conducted in 14 precincts of nine electoral districts throughout the country on 29 June 2014. The Congress did not observe this re-run but takes note of the conclusions of the Georgian election administration according to which this polling took place in an overall peaceful environment, without major violations (all procedural issues were addressed on the CEC website).<sup>13</sup> The turnout on 29 June was 36.63% (5.112). Voters were most active in election precincts of Khoni (76.69%), Tkibuli (47.50%) and Zugdidi (46.14%).

## 7. Second-round elections held on 12 July 2014

52. Run-off elections were held on 12 July in eight self-governing cities and 13 municipalities. The turnout was lower than for the first round, with an average of 36%. The majority of voters who participated in the second round elections were women who constituted 53.91 % of the total number of voters (in Tbilisi 57% were women).

10 Human Rights Center (HRIDC), Monitoring 2014 Local Self-Government Elections, [http://www.humanrights.ge/admin/editor/uploads/pdf/inglisuri%20saboloo\\_1.pdf](http://www.humanrights.ge/admin/editor/uploads/pdf/inglisuri%20saboloo_1.pdf)  
11 idem

12 According to the Chair of the Central Election Commission, during these elections 500 polling stations compared to previous elections were equipped for wheelchair users; in 2016 this equipment will be available nationwide.

13 CEC (The Central Election Commission), Newsletter, 7 June – 7 July 2014

53. The Congress delegation did not observe the second-round elections on 12 July but subscribes to the opinion of non-governmental organisations who underlined that the second-round of local elections set an important precedent in the electoral history of Georgia insofar as the necessity of run-off voting proved a competitive electoral environment was forming in the country and no party – including the ruling one – is guaranteed a victory in the first round. This is further progress towards genuinely democratic conditions.

54. It takes also note of the statement published by the Netherlands, United Kingdom and the United States on 13 July 2014, according to which this run-off voting was carried out in an overall calm environment, with relatively few violations reported among the over 1 525 electoral precincts.<sup>14</sup> The statement interrelates the mainly peaceful environment on polling day to the tense pre-election period due to legal proceedings against the former Mayor of Tbilisi Gigi Ugulava and requests the government to uphold the highest standards of due process and judicial independence free of political interference.

55. According to the Georgian Young Lawyer's Association (GYLA), during the run-off voting in Tbilisi and in the regions, a number of situations were observed where representatives of electoral subjects were present in the vicinity of polling stations in order to count the number of arriving voters. According to these observers, such party representatives provided also transportation for voters. GYLA points out that the counting of voters is not directly prohibited by law but might constitute a form of indirect control over the voters' will. In its press release of 13 July 2014, GYLA expresses hope that proper legislative amendments will be introduced to resolve this issue prior to the next elections.

## 7. Conclusions

56. These local elections were generally well run, technically professionally prepared, notably at the level of the Central Election Commission, and voting took place in an overall calm and peaceful atmosphere despite aggressive rhetoric and violent action during the pre-electoral period and local incidents and individual irregularities on E-Day.

57. The government's decision to establish the 50% plus one vote-threshold for the direct election of Mayors and Gamgeblis in the entire country ensures that the Heads of the local executive bodies were elected by the majority of citizens who use their right to vote and constitutes a major contribution to the further strengthening of democracy at the grassroots level and the accountability of local representatives in Georgia. The necessity of second-round elections in eight self-governing cities and 13 municipalities organised on 12 July 2014, proved that a competitive electoral environment is further evolving in Georgia contributing to the democratic system of checks and balances.

58. Compared to the Congress recommendations from 2010, improvements were made, in particular, in respect of awareness raising activities and prevention of misuse of administrative resources for campaign purposes and the process of monitoring party and campaign finances in order to achieve greater transparency. In addition, contestants could freely access the media, voters, in particular public service employees, were able to cast their ballot without pressure and there were almost no obstructions of the work of journalists. There are some, but not enough indications of more involvement of women in electoral processes. In addition, the government's programme to avoid duplications in the voters' list and fraud ("One Voter – One Vote-Project") can be positively assessed.

59. However, the Congress delegation identified areas where further progress can still be made which include:

- the composition of precinct and district election commissions to ensure more equal representation of parties in power and in opposition and more diverse leadership;
- the possibility for independent candidates to run in the elections through the right of initiative groups to nominate candidates for Mayor/Gamgebeli;
- the confidence-building role and the effectiveness of the Inter Agency Task Force for Free and Fair Elections (IATF);
- the training of members of precinct and district election commissions, in particular with regard to the counting procedures.

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<sup>14</sup> In a joint observation mission, 56 monitors of the Embassies of the United States, United Kingdom and the Netherlands travelled to 10 electoral districts and visited over 300 precincts.

60. In addition, there is room for reconsideration of certain legal provisions including residence requirements for passive voting rights at local level, equality of the vote and no-confidence procedures against the directly elected Mayors and Gamgeblis. As a consequence of these elections, it is noteworthy to observe how the Georgian authorities will prevent large-scale dismissal of local civil servants and conceive policies to avoid aggressive rhetoric and violent action during future election campaigns.

**APPENDIX I****PROGRAMME 11-16 JUNE 2014****Congress delegation****Members of the Congress**

Mr Jos WIENEN	EPP-CCE, L, Netherlands, Head of Delegation and Rapporteur
Ms Gaye DOGANOGLU	EPP-CCE, L, Turkey
Mrs Pearl PEDERGNANA	SOC, L, Switzerland
Ms Anna-Maria MAGYAR	EPP-CCE, R, Hungary
Mr Gintautas GEGUZINSKAS	EPP-CCE, R, Lithuania
Mr Emin YERITSYAN	EPP-CCE, L, Armenia
Ms Dusica DAVIDOVIC	SOC, R, Serbia
Mr Jean-Pierre LIOUVILLE	SOC, R, France
Mr Svetozar PUDARIC	SOC, R, Bosnia and Herzegovina
Mr Artan SHKEMBI	SOC, L, Albania
Mr Stewart DICKSON	ILDG, R, United Kingdom
Mr Leo AADEL	ILDG, R, Estonia
Ms Fleur BUTLER	ECR, L, United Kingdom
Ms Line VENNESLAND	ECR, L, Norway

**Members of the EU Committee of the Regions**

Mr Jacek PROTAS	EPP, Poland
Mr Andris JAUNSLĒINIS	ALDE, Latvia
Mr Jerzy ZAJAKALA	EA, Poland
Mr Adam BANASZAK	ECR, Poland
Mr Neil SWANNICK	PES, United Kingdom
Ms Céline CHATEAU	Committee of the Regions Secretariat

**Congress Secretariat**

Ms Renate ZIKMUND	Head of Division, Local and Regional Election Observation
Ms Carol-Anne HUGHES	Assistant, Local and Regional Election Observation

Arrival of the Congress delegation: 11 June 2014

**Thursday, 12 June 2014**

10:00 – 10:30	Welcome of the delegation and briefing of the day, Renate ZIKMUND, Head of the Congress Election Observation Division								
10:30 – 11:30	Background briefing with representatives of the diplomatic corps in Tbilisi (enlarged circle, according to countries represented on the delegation): <table> <tbody> <tr> <td>France</td> <td>Ambassador Renaud SALINS</td> </tr> <tr> <td>Poland</td> <td>Ambassador Andrzej CIESZKOWSKI,</td> </tr> <tr> <td>European Union</td> <td>Ambassador Philip DIMITROV</td> </tr> <tr> <td>Netherlands</td> <td>Ambassador Hans HORBACH</td> </tr> </tbody> </table>	France	Ambassador Renaud SALINS	Poland	Ambassador Andrzej CIESZKOWSKI,	European Union	Ambassador Philip DIMITROV	Netherlands	Ambassador Hans HORBACH
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Poland	Ambassador Andrzej CIESZKOWSKI,								
European Union	Ambassador Philip DIMITROV								
Netherlands	Ambassador Hans HORBACH								

	United States	Ambassador Richard NORLAND
	Turkey	Ambassador Levent GUMRUKCU
	United Kingdom	Political Officer Claire SCARRATT & Sophiko KATSARAVA
11:30 – 12:45	Background briefing with domestic NGOs:	
	ISFED	Nino LOMJARIA
	GYLA	Kakha KOZHORIDZE
	TI Georgia	Eka GIGAURI
	PMMG	Arnold STEPANIAN
	CDD	Keti CHACHAVA
	Human Rights Centre	Tamar AVALIANI, Head of Legal Unit
12:45 – 14:00	Lunch break (free time)	
14:00 – 14:30	Party financing: briefing with the State Audit Office - Zurab AZNAURASHVILI, Director of the Financial Monitoring Service of Political Parties	
14:30 – 15:00	Briefing on the situation concerning decentralisation in Georgia with: Executive Director of the National Association of Local Authorities of Georgia (NALAG), David MELUA	
15:15 – 15:45	Briefing on the situation concerning decentralisation in Georgia with: a representative of the Ministry of Regional Development and Infrastructure of Georgia, perhaps the Head of the Centre for Effective Governance System and Territorial Arrangement Reform (CEGSTAR), Mr Giorgi TOKLIKISHVILI	
16:00 – 17:00	Exchange of views with members of the Georgian Delegation to the Congress – Mr George UGULAVA – Head of Delegation, Mr Mamuka ABULADZE – Deputy Head of Delegation & Member of Rustavi Sakrebulo, Mrs Sevdia UGREKHELIDZE, Mr George TKEMALADZE – Member of Tbilisi Sakrebulo	
17:00 – 17:45	Briefing with representatives of international NGOs:	
	NDI	Luis NAVARRO
	IRI	Andrea KEERBS
	IFES	Nermin NISIC
18:00 – 19:00	Briefing with media representatives: Rustavi2 Imedi, Maestro and Georgian Public Broadcaster	

#### **Friday, 13 June 2014**

08:30 – 09:00	Briefing of the day, Renate ZIKMUND, Head of Congress Elections Observation Division	
09:15 – 10:15:	Meeting with the Chairperson of the Central Election Commission of Georgia (CEC) Ms Tamar ZHVANIA	
10:30 – 11:00:	Meeting with the Minister of Justice and Chairperson of the IATF (Inter-Agency Task Force for Free and Fair Elections) Ms Tea TSULUKIANI and Deputy Minister, Gocha LORTKIPANIDZE and the Chairperson of the State Services Development Agency, Ioseb BAGHATURIA	
11:15 – 11:40	Briefing with UNDP Media Monitoring Project Officer Elene ALADASHVILI	
11:45 – 12:45:	Free Time	
13:00 – 14:15:	Lunch break	

- 14:30 – 15:15: Briefing with the candidate for Mayor of Tbilisi, representatives of the governing Georgian Dream Coalition Davit NARMANIA and Campaign Spokesperson Giorgi GEGECHKORI
- 15:30 – 16:15: Briefing with the candidate for Mayor of Tbilisi, representatives of the UNM opposition party Nikoloz MELIA and UNM MP Giorgi KANDELAKI
- 16:30 – 17:15: Briefing with the candidate for Mayor of Tbilisi, representatives of the Election Bloc Democratic Movement United Georgia with the Christian Democratic Movement
- 17:30 – 18:15: Briefing with the candidate for Mayor of Tbilisi, Election Bloc New Rights and Free Georgia – Kakha KUKAVA

**Saturday, 14 June 2014**

- 07:45 approx. Deployment team for Batumi departs for airport (flight departs 09h30)
- 10:00 – 11:00: Internal briefing with drivers and interpreters for Election Day
- 14:00 approx. Deployment teams for Kutaisi depart by car
- 15:00 – 17:00: Briefings with NGOs in the regions

**Sunday, 15 June 2014**

- 07:30 approx. Teams deploy from Tbilisi
- 23:00 approx. Midnight briefing in the Hotel Marriott Courtyard, Tbilisi

**Monday, 16 June 2014**

- Various times **Departure of the Congress delegation**
- 11:30 – 12:30: Congress Press Conference and presentation of preliminary conclusions

**APPENDIX II****Deployment of teams**

	<b>Team</b>	<b>Language</b>	<b>Constituencies observed</b>
<b>1</b>	Jos WIENEN Renate ZIKMUND	EN	<b>GORI</b>
<b>2</b>	Leo AADEL Emin YERITSYAN	EN	<b>DMANISI , TSALKA</b>
<b>3</b>	Celine CHATEAU Jean-Pierre LIOUVILLE	FR	<b>KUTAISI</b>
<b>4</b>	Pearl PEDERGNANA Gintautas GEGUZINSKAS	EN	<b>KUTAISI, ZUGDIDI</b>
<b>5</b>	Doreen HUDDART Jacek PROTAS	EN	<b>TELAVI, KAKHETI</b>
<b>6</b>	Fleur BUTLER Adam BANASZAK	EN	<b>NINOTSMINDA, AKHALKALAKI</b>
<b>7</b>	Svetozar PUDARIC Dusica DAVIDOVIC	EN	<b>TBILISI</b>
<b>8</b>	Neil SWANNICK Line VENNESLAND	EN	<b>BATUMI, vote count TBILISI</b>
<b>9</b>	Artan SHKEMBI Anna MAGYAR	EN	<b>TBILISI</b>
<b>10</b>	Gaye DOGANOGLU Stewart DICKSON	EN	<b>MARNEULI, BOLNISI, TETRI TSKARO</b>
<b>11</b>	Carol-Anne HUGHES Jerzy ZAJAKALA	EN	<b>RUSTAVI, GARDABANI</b>

## APPENDIX III

### Press Releases

#### **Declaration by the Congress Rapporteurs on local and regional democracy in Georgia**

Press release - CG025(2014)

Strasbourg, 6 June 2014 – The rapporteurs of the Congress on local and regional democracy in Georgia, Nigel Mermagen (United Kingdom, ILDG) and Helena Pihlajasaari (Finland, SOC) reacted to the information that they received on the holding of “parliamentary” elections in the Tskhinvali region/South Ossetia (Georgia) on 8 June 2014.

"We recall that the Congress of Local and Regional Authorities of the Council of Europe recognises Georgia as a unitary state with local and regional structures. We wish to underline the lack of legitimacy of the 8 June election in the Tskhinvali region and express our full support to the Georgian authorities regarding the territorial integrity of Georgia."

We also recall that the Congress has given unwavering support to national authorities as regards the territorial integrity of the Council of Europe member States on several occasions

The Congress of Local and Regional Authorities of the Council of Europe has already been invited by the Georgian authorities to observe the local elections to be held on 15 June 2014. A pre-electoral observation mission was carried out on 28 and 29 May to assess the preparation of the local elections. A delegation will be deployed in the country from 11 to 16 June to observe the vote.

#### **Congress delegation to observe local elections in Georgia**

Press release - CG026(2014)

Strasbourg, 11 June 2014 - A delegation of the Congress of Local and Regional Authorities of the Council of Europe will observe the local elections in Georgia scheduled for 15 June 2014. Headed by Jos Wiene (The Netherlands, EPP/CCE), the delegation is composed of 22 members, including members of the EU Committee of the Regions.

A pre-electoral visit was carried out on 28 - 29 May 2014 to assess the campaign environment and the state of the preparations for the vote. In view of Election Day, the Head of the Congress delegation Jos Wiene encouraged the Georgian government to do its utmost to ensure fair campaigning in a peaceful and democratic environment during the remaining days before the vote next Sunday. "I took note of the Government's pledge to hold local elections of the highest democratic standards, to condemn any form of violence and to ensure the appropriate follow-up of each specific case of violation of the law. The competition between the political parties and candidates during election campaigns may be controversial, but should never be characterised by degrading or hateful discourse or action. A system of checks and balances is the basic precondition of a mature democratic landscape in which government and opposition both have their roles to play and should act responsibly towards those who are invited to make their decision on Election Day - the people", Mr Wiene said.

On 12 - 13 June, the delegation will meet with representatives of the government, including Tea Tsulukiani, Minister of Justice and Chairperson of the IATF (Inter-Agency Task Force for Free and Fair Elections), and representatives of the Ministry of Regional Development and Infrastructure of Georgia. The delegation will also meet with members of the Central Election Commission of Georgia (CEC), the State Services Development Agency as well as State Audit Office.

Exchanges of views are also planned with candidates for the post of Mayor of Tbilisi, members of the Georgian delegation to the Congress, as well as representatives of the Georgian local self-government association NALAG.

Finally, the delegation will meet with representatives of the diplomatic community, international and Georgian civil society and the media.

On 14 June the delegation will be deployed to different regions of the country to meet with local NGO representatives and domestic long-term observers, in preparation of the observation of the vote on 15 June.

**Local vote in Georgia: Council of Europe Congress calls for zero-tolerance strategy towards electoral violence before runoffs**

Press release - CG027(2014)

Tbilisi, 16 June 2014. - "We are all glad that yesterday's elections - despite the reports we have received about local incidents and individual irregularities - were carried out in an overall calm and peaceful manner. After a controversial campaign in a heated atmosphere including harsh rhetoric and violent actions, this was not to be taken for granted" stated Jos Wielen (Netherlands, EPP/CCE), Head of the Congress delegation to observe local elections in Georgia, at a press conference in Tbilisi today.

On 15 June, eleven Congress observation teams were deployed to different regions of Georgia and visited more than 150 polling stations. The delegation comprised 22 members from 15 European countries representing the Congress of Local and Regional Authorities of the Council of Europe and the EU Committee of the Regions.

At today's press conference to present preliminary conclusions, Mr Wielen pointed to further progress achieved in respect of the technical side of polling in Georgia and congratulated the Central Election Commission for its professional performance under difficult circumstances. He also mentioned improvements with regard to media freedom, access of the political contestants to the media and positive echoes about openness of the electorate and absence of pressure on voters.

"However, the electoral legislation has to be further improved. For example, the current system still favours the incumbent forces and is not conducive to smaller parties and independent candidates, in particular regarding the current composition of electoral commissions. We also believe that the counting procedures have to be reviewed", Mr Wielen added.

"Moreover, we received reports about candidates of opposition parties who withdrew from the proportional party lists, allegedly because of pressure exerted on them. We therefore urge the Georgian authorities to ensure due and transparent follow-up and legal proceedings. This holds also true for cases of violence which happened prior to these elections and yesterday", he underlined.

"Therefore, with regard to the runoffs which are to be expected in the coming weeks, a zero-tolerance policy has to be adopted towards electoral violence and degrading or hateful discourse. I urge all political actors, both from the government and the opposition, to contribute to this strategy", the Head of the Congress delegation concluded.

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