

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 264 (2009)¹ Observation of the elections to the Supreme Council of the Autonomous Republic of Adjara (Georgia) (3 November 2008)

1. The Congress of Local and Regional Authorities of the Council of Europe referring to:

a. the Committee of Ministers' Statutory Resolution Res(2007)6 on the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto, in particular its Article 2, paragraph 4, entrusting the Congress with the preparation of reports and recommendations following the observation of local and/or regional elections;

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 and entered into force in that country on 1 April 2005;

c. its previous reports on elections monitored in Georgia and specifically in its Autonomous Republic of Adjara;²

d. its report on the elections to the Supreme Council of Adjara, held on 3 November 2008, detailing the findings of the Congress observation mission.

2. Recalls its role in monitoring local and regional elections, based on the premise that local and regional elections in accordance with international electoral standards are essential to ensure good governance at local and regional level.

3. Underlines that several recommendations by the Congress following the 2001 and 2004 Adjara elections had been implemented in compliance with Council of Europe and other international standards for democratic elections. However, a further consolidation of the democratic processes is necessary to solve all remaining inadequacies.

4. Invites the authorities of the Autonomous Republic of Adjara (Georgia) to:

a. ensure that the Supreme Election Commission has at its disposal:

i. adequate technical equipment for the organisation of elections, including for the transmission of results from the precinct election commissions;

ii. financial and human resources to carry out proper and all-inclusive training programmes for all election officials;

iii. policy and means to enable transparent decision making and a follow-up to administrative violations;

b. review the verification measures taken in 2008, by:

i. ensuring that the ink marking of voters is carried out in an effective and professional manner;

ii. abolishing the practice of surveillance cameras in polling stations or, failing this, by applying this policy as consistently as possible;

iii. taking all steps to ensure proper voter identification;

c. use clearly distinguishable ballot papers, in the case of parallel ballots;

d. take all reasonable measures to ensure that polling stations have adequate access for voters with disabilities.

5. The Congress reiterates the need to strengthen local democracy and develop regional democracy where it can be of benefit. There is a particular need to review the status of Adjara, especially as regards the appointment of its head of government by the central government.

6. *It recommends that the Committee of Ministers* takes note of the present recommendation and its explanatory memorandum, and transmits it to the relevant bodies of the inter-governmental sector, the European Commission for Democracy through Law (Venice Commission), the Directorate General of Democracy and Political Affairs and the Commissioner for Human Rights.

7. *It also invites the Parliamentary Assembly of the Council of Europe* to take account of this recommendation in its procedure for monitoring Georgia's commitments and undertakings.

8. The Congress renews its readiness to support and assist the Adjara and Georgian central authorities in their efforts to consolidate local and regional democracy in conformity with Georgian commitments in respect of international electoral standards and the European Charter of Local Self-Government.

1. Debated and approved by the Chamber of Regions on 4 March 2009 and adopted by the Congress on 5 March 2009, 3rd Sitting (see Document CPR(16)2REP, explanatory memorandum, rapporteur: G. Krug (Germany, R, SOC)).

2. Report on the regional elections and the elections for Head of Republic held in the autonomous region of Adjara (Georgia): CG/BUR(8)97 (2001); Report on local elections in Georgia (2 June 2002): CG/BUR(9)17; Report on the regional elections in Adjara (20 June 2004): CG/BUR(11)40; and Report on the local elections in Georgia (5 October 2006): CG(13)32.