



FOR IMMEDIATE RELEASE

July 27, 2018

For more information, contact:

In Georgia: Diana Chachua, dchachua@ndi.org, 577 779639

In the United States: Jerry Hartz, jhartz@ndi.org, +1 202 728-5500

AS PRESIDENTIAL ELECTION APPROACHES, UNCERTAINTY ABOUT RELEVANCE; PERSISTENCE OF LONG STANDING CHALLENGES

TBILISI – Heading into Georgia’s last direct presidential election in October 2018, a pre-election assessment delegation of the National Democratic Institute (NDI) found an atmosphere of uncertainty about its relevance. The election date still has not been set; the ruling Georgian Dream (GD) party has not yet determined whether it will field a candidate; the current president has not decided whether or not he will run; parties are divided about the importance of this election given the limitations of the office, sending a message of ambivalence to the public. While some argued the elections were irrelevant, others asserted that even with reduced responsibilities, the president still has an important public mandate to represent citizens and shape national discussions. Further, opposition leaders noted he or she has the potential to serve as an additional check on government and introduce more pluralistic public debate.

“The presidential election is an opportunity for candidates and parties to outline a compelling vision in order to energize a public that has become disenchanted with their political leaders,” said NDI. “It will be important to tie the functions of the office to the daily issues people care about, particularly the economy, without making promises that go beyond scope of the president’s responsibilities.”

Georgia’s legislative framework is broadly in line with international standards and conducive to the conduct of democratic elections. Longstanding issues, however, that pre-date the current government, remain unresolved. These challenges can be grouped into two main and intertwined areas: resources and intimidation. The resource challenge involves uneven campaign donations and alleged abuse of state resources, both advantaging the ruling party. Alleged intimidation by various state agencies and unresolved acts of violence, albeit rare, send a message of impunity and introduce an element of fear in the environment. There is no consensus between the ruling party and opposition on the extent of these concerns.

Additional challenges have legal and procedural solutions, such as changes in the composition of the election administration, clarification of procedures regarding counting and reconciling ballots, and complaints adjudication.

In its statement, this delegation offered a number of recommendations that can be addressed *ahead* of the upcoming election. These include, among others:

- The president should set an election date as soon as possible to ensure relevant regulations around campaigning can be applied and parties and candidates can commence their official campaigns.
- Government leadership should clearly communicate to all civil servants and the public that abuse of administrative resources will not be tolerated, and that violators will face prosecution.
- Prosecutors and judges should ensure impartial, timely resolution of the cases of violence during the 2016 and 2017 elections to help deter such violations in the future and send a positive message to the public.
- Finally, although not seen as a critical issue at this time, both opposition and ruling parties agree that Georgia is subject to a steady flow of disinformation and attacks on its democracy. Georgian civil society organizations and government authorities should continue efforts to counter these threats.

While this delegation believes the recommended legislative and technical adjustments can address some of the problems raised in the election process, the most serious obstacles to the 2018 election cannot be addressed through laws and procedures. As stated, the issues of resources, particularly alleged abuses of state resources, and intimidation of voters and candidates, require political will to resolve. Proactive leadership at all levels of government is required. Mechanisms for oversight, particularly of state security services, enforcement, and sanctioning need to be implemented. Breaking this cycle of abuse will have a measurable effect on building public trust in elections and bolstering Georgia's democracy, and present an important opportunity for this government.

The delegation would like to stress that it does not seek to interfere in Georgia's election process and recognizes that, ultimately, it will be the people of Georgia who will determine the credibility of their elections and the country's democratic development. The delegation therefore offers this pre-election statement in the spirit of supporting and strengthening democratic institutions and processes in Georgia.

ABOUT THE DELEGATION

The mission, which visited Georgia from July 23 to July 27, consisted of Per Eklund, former EU ambassador to Georgia; Karl Inderfurth, former U.S. assistant secretary of state and NDI board member; Christine Todd Whitman, former governor of New Jersey; Marija Babic, independent electoral expert; Laura Thornton, NDI global associate and senior director in Georgia; and Melissa Muscio, NDI program director for Georgia, Turkey, and Central Asia.

The delegation met with prospective candidates, government and political party leaders from across the political spectrum; electoral authorities; civil society organizations; media representatives; and representatives of the international and diplomatic communities. In September, NDI will deploy a team of long-term analysts. This will be supplemented by an international election day observation delegation. NDI collaborates closely with Georgian citizen monitoring organizations, such as International Society for Fair Elections and Democracy

(ISFED), Transparency International - Georgia (TI), Georgian Young Lawyers Association (GYLA), and Public Movement Multinational Georgia (PMMG). The NDI mission is funded by the U.S. Agency for International Development.

NDI is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government. The Institute has been working in the country since 1994 to support the development of the parliament, political parties and civil society. For more information about NDI and its programs, please visit www.ndi.org.

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