



NATIONAL  
DEMOCRATIC  
INSTITUTE  
FOR INTERNATIONAL AFFAIRS

## **STATEMENT OF THE NDI INTERNATIONAL OBSERVATION MISSION TO GEORGIA'S OCTOBER 8, 2016 PARLIAMENTARY ELECTIONS**

*Tbilisi, October 9, 2016*

### **SUMMARY**

On a day that started smoothly but ended with isolated cases of violence, the vast majority of Georgian voters, poll workers, party activists, and candidates demonstrated their commitment to democracy by participating peacefully in the October 8 parliamentary elections. Following a vibrant and competitive campaign, citizens were able to cast their votes freely and, in most places, counting proceeded in a calm and orderly manner. In some electoral precincts, however, counting was disrupted or terminated by unruly and, in some cases, violent crowds. Violence has no place in any election. Although this detracted from the democratic contributions of the many Georgians who had voted and administered polling stations in good faith earlier in the day, it did not appear to substantially interfere with the ability of most Georgians to express their will through the elections.

It will now be incumbent upon all government officials, election administrators, parties, candidates, and NGOs to allay tensions. All sides should refrain from further violence. Election results confirmed as valid by credible observers, such as through the parallel vote tabulation (PVT) conducted by nonpartisan citizen observer group the International Society for Fair Elections and Democracy (ISFED), should be accepted. Political parties should document any grievances and complaints and seek redress through established legal complaint mechanisms. The CEC should immediately address the irregularities in and disruption of the counting process to determine the necessity of recounts or reruns, particularly in those majoritarian races where the outcome could be affected. Adjudication bodies should investigate and address legitimate problems expeditiously and impartially. Meanwhile, forward-looking leaders within all of Georgia's political parties should convene to start building consensus on a constructive path onward.

Georgia now heads toward run-off elections later this month, followed by local and presidential elections over the coming two years. The conduct of those processes will depend on accepting valid results and resolving disputes from October 8 peacefully. Regardless of the new parliament's final composition, its leaders will need to reach out to other parties within and outside the legislature in order to govern effectively and ensure that all citizens, including those who voted for other parties, feel represented.

## **BACKGROUND**

This preliminary statement is offered by the National Democratic Institute (NDI) election observer delegation to Georgia's October 8, 2016 parliamentary elections. The delegation included observers from 11 countries and was led by Sam Gejdenson, former U.S. representative from Connecticut; Ted Kaufman, former U.S. senator from Delaware; Janusz Onyszkiewicz, former vice president of the European Parliament and Polish minister of defense; Annemie Neyts-Uyttebroeck, Belgian minister of state and a former member of the European Parliament; Laura Jewett, NDI regional director for Eurasia; and Laura Thornton, director of NDI's office in Georgia.

The delegation does not seek to render final conclusions on the October 8 parliamentary elections at this time. The official tabulation process and announcement of results were not complete as of midday on October 9; run-off elections will likely be held in many majoritarian districts; and any complaints that may be lodged will have to be properly resolved. This statement is therefore preliminary in nature. The Institute will continue to monitor the electoral process through the run-offs and will issue reports as appropriate. NDI does not seek to interfere in electoral processes and recognizes that it is the people of Georgia who will ultimately determine the credibility and legitimacy of their elections.

## **POLITICAL CONTEXT**

Georgia is rightly credited with many democratic achievements. Pluralism is an established feature of the political and civic landscape. Fundamental freedoms of expression, assembly, and association are largely respected. The media environment, while politicized, is the most free and diverse in the region. Civil society organizations play an active role in political life. Competitive multiparty elections are now routine. Basic democratic institutions are in place and functioning. Georgia's success in eliminating petty corruption is held up as an international model. Georgia has signed an Association Agreement with the European Union and is on track for a liberalized visa regime with its Western neighbors. Critically, Georgian citizens overwhelmingly support a democratic future for their country.

At the same time, the country is on the front lines of a broader struggle in the region to defend the right of sovereign countries to determine their own futures, including choosing a European path. The Russian Federation continues to occupy 20 percent of Georgian territory while exerting pressure through trade relations, propaganda, infusions of money, and threats. Georgians have thus far held fast to their commitments to independence and democracy. Yet these principles are tested at each political crossroad. Georgia's course is important well beyond its borders. If its democratic future is thwarted, the impact on the broader region would be profound.

Domestically, Georgians are concerned about a weak economy and high unemployment. This dissatisfaction affects faith in political institutions, which are still establishing themselves in an evolving environment and struggling to deliver. NDI surveys show that most Georgians do not think the political parties are making changes that matter to them. Their confidence in the parliament and many government ministries and leaders is low. They feel neglected by their elected representatives, particularly at the national level. Many voters were undecided about how

to cast their ballots up until the start of the campaign, and express a degree of dissatisfaction with the political choices before them.

These elections matter because the process by which they are conducted sends a signal -- most importantly to Georgian citizens, but also to the international community -- about the health of the country's democracy. They will also set the tone for local and presidential elections that will follow in 2017 and 2018, respectively. In addition, the results will determine the composition of Georgia's parliament, which will in turn determine the next government. The new legislature and executive will face the critical tasks of re-engaging citizens in politics and meeting their expectations for democratic reforms and economic growth, resisting external threats, and moving forward on a European path.

## **ELECTION DAY**

The 150-member parliament will be seated for a four-year term under a mixed majoritarian-proportional system. Seventy-seven members will be allocated from party lists in a national proportional system with a 5 percent threshold for representation; 73 will be allocated from single-mandate constituencies with a 50 percent threshold. Six electoral blocs and 19 parties, for a total of 25 "electoral subjects," participated in the proportional election. The Central Election Commission (CEC) registered 816 majoritarian candidates, 143 of them women and 53 independents.

Georgian voters went to the polls in a mostly calm and orderly process, and polling officials for the most part worked diligently over long hours to organize and execute proper election procedures. Throughout the day, NDI observed a process that included minor violations, but appeared to progress smoothly. At 51.63 percent, voter turnout was lower than in the previous three parliamentary elections (61.31 percent for the 2012, 53.39 percent in 2008, and 63.39 percent in 2004). Several of the smaller polling stations experienced overcrowding, contributing to moments of confusion; however, polling officials worked to control crowds throughout the day.

The opening of polling stations began on-time at 8:00am in the majority of NDI-observed polling stations, with only minor procedural incidents, some of which contributed to late openings and impacted the start of voting. According to ISFED's PVT, more than 95 percent of polling stations across the country opened on time. NDI delegates found that opening procedures were followed properly in the vast majority of polling stations, a finding corroborated by ISFED. NDI's delegates did not face any impediments to their observation of opening processes.

As voting proceeded throughout the day, NDI's observers noted that the general environment inside polling stations was peaceful and orderly. The secrecy of the vote was protected in the majority of polling stations where NDI observed, and in cases where violations occurred and other observers pointed them out, they were corrected. ISFED's findings substantiate these observations. NDI observers noted that voters in minority population areas were actively participating in the electoral process. They also noted that language barriers continue to be an issue in some regions. The CEC reported that 1,115 polling stations were accessible to people with disabilities, and magnifying sheets and tactile frames were available in every station for people with impaired vision. These accommodations represent welcome improvements from

previous elections.

In the areas outside of many polling stations, however, the situation appeared more tense and there were isolated incidents of violence and the potential for voter intimidation. In multiple regions across the country, delegates observed organized groups of men present outside of polling stations, sometimes crowding entrances, making it difficult for voters to pass through on their way in to vote. Toward the end of election day in Marneuli, a crowd of people clashed outside of a polling station as they tried to enter. The group threw stones at the building where the polling station was located, while police tried to control the crowd. According to ISFED, acts of harassment and intimidation were limited: they were reported in only 1 percent of polling stations through the voting process and, except in one case, did not have material impact on the process.

Representatives from all major political parties, several non-partisan citizen observer groups, and international observation missions were present at polling stations across the country. The CEC and DEC's accredited 49,092 party and candidate observers; 5368 media representatives from 84 outlets; and almost 3000 nonpartisan monitors from 111 Georgian civic organizations. In addition, 1190 international observers from 54 groups received accreditation. Citizen observation of the process is an important democratic practice and can provide critical oversight, safeguard the vote, and build confidence in processes. NDI delegates observed a few incidents of observers, primarily party proxies, interfering in processes that were lawfully the responsibility of election officials.

NDI delegates observed that while counting processes followed necessary procedures, in many polling stations, officials were assisted by partisan observers. Some NDI observers also reported that officials lacked experience or adequate training, which caused delays. As the evening progressed, the situation deteriorated in some areas. In several precincts, the counting process was disrupted or terminated by outside activists, including the storming of polling stations, damaging of ballot boxes and private property, and assaults on international observers. Clashes occurred at some polling stations, spurred in part by the release of conflicting exit polls, and a demonstration was held outside the CEC overnight. In this context, ISFED has lodged complaints in three precincts in Zugdidi, requesting annulment of the results, but concludes that these incidents do not substantially interfere with voters' expression of their will nationally. Delays in the CEC announcement of preliminary results -- which according to the Georgian Young Lawyer's Association (GYLA) is a violation of legal procedure -- cessation of the live-stream of the vote count, and problems with accessing the Commission's website did not contribute to building confidence in the process. NDI will continue monitoring these developments and their impact on the electoral environment.

Preliminary proportional party-list results from the CEC indicate that, with just over 70 percent of results reported as of midday on October 9, Georgian Dream had received 49.65 percent of the vote, United National Movement received 26.63 percent, while other parties fell below the 5 percent threshold. However, the Patriots' Alliance could surpass the threshold as results continue to come in. ISFED's PVT tracked closely with these figures, showing GD between 48 to 50 percent and UNM between 25 and 27 percent. Patriots' Alliance and Free Democrats were close to the threshold in the PVT, but it remains too close to call whether they had crossed it. The outcome of the majoritarian races, which have still not been announced, will further affect the

composition of parliament.

The CEC is still tabulating results from majoritarian districts. It is probable that no candidate will receive more than 50 percent of the vote in many districts, requiring run-off elections to determine the winner. These will likely be held on October 30. Many Georgians stressed to the delegation that October 8 marked only the beginning of the parliamentary elections, not the end. Parties and candidates that have grievances should document them and pursue peaceful redress through electoral complaint mechanisms. The legal review should be conducted independently of political pressure, impartially, and in a timely manner, with effective redress provided where the need is demonstrated in accordance with generally accepted due process standards. These procedures could affect the number of run-off elections or possibly lead to some number of re-elections; however, at this stage it is not possible to determine the number, if any, of electoral complaints. NDI will continue to monitor these issues.

In addition, police and prosecutors will need to vigorously review alleged incidents of intimidation of voters, disruption of vote tabulation, and violence. Bringing violators to justice through due processes of law will be important to protect the integrity of the October 8 polls and to build and maintain public confidence in electoral integrity going forward. Citizens should be expected to carefully monitor those developments.

## **PRE-ELECTION ENVIRONMENT**

The delegation found that the basic elements for a credible process were in place before election day. It is notable that most of the NGO, political party, and diplomatic and international representatives with whom the delegation met, with the exception of those from the United National Movement (UNM), characterized the pre-election environment as improved since the previous parliamentary elections in 2012. This was a persistent refrain, pointing to improved confidence in electoral processes.

UNM representatives, for their part, assess that the environment has worsened, describing the imprisonment of their representatives, unpunished acts of violence and shootings, and an uneven playing field. These contrasting views reflect, in part, the vastly different perspectives and experiences of the two major parties. The ongoing rivalry between some elements within the governing Georgian Dream (GD) party and some elements within UNM takes oxygen from the political atmosphere by dominating the debate and distracting from the pressing policy issues that Georgian voters would like to see addressed.

Four key issues of concern stood out in the pre-election period: incidents of violence and intimidation, including illegal surveillance; low confidence in the impartial and timely acceptance and resolution of complaints and violations; disparities in campaign financing; and misuse of administrative resources. The delegation also noted concerns about some aspects of the electoral framework and administration, parties' campaigns, and the under-representation of women and minorities. These issues, to the extent they remain unresolved, may have contributed to the tensions that erupted on the evening of October 8.

## ***Electoral Framework***

Several amendments to the electoral framework were adopted in 2015 and early 2016, the most significant of which redrew the boundaries of single member constituencies and increased the threshold for the majoritarian mandates from 30 to 50 percent. Both of these changes responded to observer recommendations from previous elections and represented positive steps. The redrawing of the districts was a significant step forward in equalizing votes. However, NGOs, parties, and international organizations raised concerns about the transparency, impartiality, and participatory nature of some aspects of the boundary delimitation process. The most contentious electoral framework issue relates to longstanding proposals to transition from a mixed to a fully proportional system. Although political parties and NGOs have identified areas for improvement of the electoral framework -- which should be a high priority for the new parliament -- the delegation concluded that, given sufficient political will, the overall framework could provide for credible elections.

## ***Electoral Administration***

Most political parties and NGOs expressed overall confidence in the competence and integrity of the CEC. The election was administered by a three-tiered election administration comprised of the CEC, 73 district election commissions (DECs), and 3,634 precinct election commissions (PECs). Each commission is composed of 13 members, of which seven are appointed by political parties and six are “professional” members elected by the next higher level commission (or, in the case of the CEC, by parliament). Questions were raised about the impartiality and qualifications of some newly appointed professional district and precinct election commissioners, who are meant to be nonpartisan, yet had party roles in their recent backgrounds. Similarly, questions arose about the transparency, independence, and impartiality of some DEC processes for selecting professional PEC members. Specifically, many parties and NGOs complained that the PEC selection processes in some districts seemed to be based on lists of predetermined winners rather than open elections among all nominated candidates.<sup>1</sup> These incidents did not appear to violate laws, but they have raised questions about the impartiality of electoral administration bodies and could be used to discredit their work.

The CEC undertook extensive efforts to give voters opportunities to confirm their registrations in the voters list, including through innovative new channels. Election administrators and other interlocutors acknowledged that the large numbers of citizens who live outside of the country but remain registered in Georgia present challenges to maintaining accurate lists. Nonetheless, opinion polls indicate that confidence in the lists has improved significantly over past elections.

## ***Political Parties***

The Georgian political party system is pluralistic and competitive. This marks one of Georgia’s signature achievements. It is notable that the outcome of the elections were unpredictable up to election day itself. Some Georgian parties are divided internally between those who treat politics

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<sup>1</sup> International Society for Fair Elections and Democracy, “[Pre-Election Monitoring of October 8 2016 Parliamentary Elections Third Interim Report](#),” September 1, 2016 and “[Statement of ISFED about Ongoing Competition for Selection of Electoral Commission Members](#),” August 21, 2016.

as a struggle in which the objective is to destroy opponents and those who see it as a competition of ideas and programs, with citizens (rather than opponents) as the primary focal point. The candidate lists of parties often reflected this division, combining “new faces” alongside more conservative candidates, but without necessarily consistent agendas, campaign approaches, and policy positions. The two leading parties also have charismatic former leaders who continue to exert influence, sometimes seemingly at cross-purposes with the parties’ main messaging. Public opinion research suggests that those parties that adopt more responsive and issue-focused strategies will gain the most support over time.

Opinion polls show that Georgians care most about employment, poverty, and the economy. Several parties laid out detailed electoral programs, but much of the campaign rhetoric focused more on vilification of opponents than on policy proposals. Further, some campaigns engaged in hate speech targeted at Turks, Muslims, and sexual minorities. Televised debates were held on national and regional channels, and several media outlets agreed that there had been more opportunities for party discourse than in previous campaigns. It was unfortunate, however, that the head of the GD party declined to participate in televised debates, which in turn prompted other party leaders to withdraw, depriving voters of an important opportunity to educate themselves about their electoral choices.

Political parties all voiced their commitment to preventing violence and defusing tension during the campaign. Several efforts were made toward cross-party coordination on campaign standards. Members of Parliament from six parties voted in June to adopt a code of conduct that urged parties to comply with laws, refrain from using hate speech or instigating violence, and cooperate with local and international election observers. In September, five parties signed a GD-initiated memorandum in which signatories agreed to keep a distance from rival parties’ events. It was regrettable that UNM declined to participate in these efforts. In addition, 11 parties participated in an anti-violence advertising campaign initiated by the Ministry of Justice. While these pledges did not always translate into action, they were welcome steps.

### ***Violence and Intimidation***

Most of the pre-election period proceeded calmly. However, concerns about the possibilities for violence and intimidation were cited as top concerns in almost every delegation meeting, indicating a high level of tension. Several notable incidents of election-related violence did occur. These included, among others, the explosion of a UNM MP’s car in downtown Tbilisi on October 4; an October 2 shooting incident at an independent candidate’s campaign event, in which two members of the candidate’s team were injured; an assault in Didinedzi village on Oct 1 in which GD and UNM activists were injured; and attacks on UNM leaders and activists outside of a polling station during May by-elections in Kortskheli village. The Inter-Agency Commission on Free and Fair Elections (IACFF) reported that 26 cases of beatings were under investigation by the Prosecutor’s Office during the pre-election period. ISFED reported 12 cases of violence during the period July 1 to October 1.<sup>2</sup>

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<sup>2</sup> The International Society for Fair Elections and Democracy, “[ISFED: Violations of the Electoral Legislation Became Frequent](#),” October 3, 2016; “[Instances of Harassment/Intimidation and Campaign Interference in ISFED’s Third Interim Report](#),” September 9, 2016; “[Vote Buying and Misuse of Administrative Resources in the Pre-Election Campaign ISFED 2nd Report](#),” August 23, 2016; and “[Instances of Harassment/Intimidation, Violence and Vote](#)

Illegally-obtained recordings of politicians, media representatives, and other public figures have marred the political climate in Georgia over the past year and into the campaign. Compromising surveillance videos released on the internet created a hostile and intimidating environment for candidates, particularly women. Numerous recordings, of dubious authenticity, of alleged conversations among opposition leaders and supporters appeared prior to and during the campaign and were distributed by members of the government and governing party, with the apparent aim of discrediting the opposition. Monitoring groups have urged the government to investigate these cases and adopt necessary legislative reforms on illegal wiretapping.<sup>3</sup>

Other serious occurrences were also reported, such as detentions and arrests of campaign leaders, office break-ins, verbal assaults, and complaints about intimidation by local government and state security agency representatives.

Any level of intimidation -- even the perception or anticipation of such threats -- can have an adverse effect on an election environment and needs to be addressed with the full weight of government authority and the cooperation of all stakeholders.

### ***Law Enforcement and Resolution of Violations and Complaints***

Confidence in the electoral process was hampered by perceptions of inconsistent law enforcement and adjudication. Political parties and NGOs expressed concerns that the police, prosecutors, and courts could not always be relied upon to serve as a check on abuses of power or to respond in a timely, impartial, and effective manner. Frequently cited examples included the delays in prosecuting the alleged perpetrators of campaign-related violence in Kortskheli in May, even though assailants in apparently less serious crimes were prosecuted swiftly and severely; and irregularities in the judicial proceedings surrounding an ownership dispute at the Rustavi 2 television station, proceedings which most Georgians, according to recent polls, see as politically-motivated. These cases, while not directly related to the parliamentary elections, loomed large over the process. In addition, multiple opposition parties and NGOs asserted that responses to election-related complaints and violations were being stalled.

The delegation also noted some positive developments over the course of the campaign. Parties reported that law enforcement personnel were deployed effectively to campaign events when municipal authorities were notified about planned activities. The IACFF issued recommendations urging parties to refrain from appearing at opponents' activities or interfering with their campaign materials. Ministerial Order No. 512 issued on September 8, 2016 provided for the consolidation of various police forces into territorial groups in each region, allowing for better coordination, and also required law enforcement bodies to conduct monitoring and risk assessment of potentially violent situations. On September 20, the Ministry of Internal Affairs (MIA) and the CEC signed a memorandum of understanding focused on ensuring that voting would take place in a safe and free environment. The MIA and CEC also provided electoral security training to law enforcement personnel for the first time in Georgia's history.

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[Buying in ISFED's 1st Interim Report](#), July 25, 2016.

<sup>3</sup> <http://www.isfed.ge/main/1138/eng/>

## ***Campaign Finance and the Role of Money in Politics***

A persistent concern in Georgian politics, under successive governments, has been the role of money. Many of those with whom NDI met raised questions about the sources, scope, and manner in which funds flowed to campaigns. According to the State Audit Office (SAO), GD received 66.3 percent (16.1 million Georgian *Lari*) of all donations to parties through September (a total of 24.3 million GEL). GD was followed by State for People (4.8 million GEL), Patriots' Alliance and UNM (1 million GEL each), and Free Democrats (421,690 GEL). All independent candidates combined received 1 million GEL in donations. Similarly, through September 20, GD had outspent all other parties and candidates combined (GD's expenditures were 13.4 million GEL compared to a total of 12 million GEL for all others). Opposition parties reported that businesses were reluctant to donate to them, due to fear of repercussions. A playing field this uneven is unlikely to support a healthy political system over the long run.

NGOs expressed the view that the State Audit Office (SAO) is well-managed, despite the constraints of a narrow mandate, challenging deadlines, and limited resources and access to evidence under the control of other government bodies.

## ***Misuse of Administrative Resources***

Transparency International Georgia (TI) and other NGOs concluded that the scale of abuses of administrative resources has decreased from previous elections.<sup>4</sup> The official launch of the election campaign period in June triggered legal and regulatory restrictions on the use of administrative resources, budget funds, or official posts during the pre-election period. These provisions also prohibit using communications and information services or equipment owned by state or local authorities for campaign purposes. Nonetheless, the delegation noted that the legal framework for distinguishing between state, party, and campaign resources has room for clarification, including the parameters for campaigning by government officials and civil servants and expenditures of State and local budgets during campaign periods. TI Georgia observed what it described as large-scale mobilization, allegedly by state security agency representatives, of state employees on behalf of GD campaign activities.<sup>5</sup>

The IACFF was established specifically to prevent and respond to reports of electoral violations by public servants. According to participants, IACFF meetings provided a forum for stakeholders to convene and share information. In the final days of the campaign, it responded to recommendations to provide a public record of cases submitted and their status, which until that point had not been publicly available. However, the commission lacks clear operating procedures and the authority to enforce its recommendations, causing frustration among some participants and detracting from its intended role as a confidence-building mechanism.

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<sup>4</sup> Transparency International Georgia, "[Misuse of Administrative Resources During Electoral Processes 2016](#)," September 30, 2016.

<sup>5</sup> Transparency International Georgia, "[Misuse of Administrative Resources During Electoral Processes 2016](#)," September 30, 2016.

## ***Media Environment***

The media environment in Georgia is free and diverse, if highly politicized. Most Georgians receive their election-related information from television. Voters have access to a range of TV stations airing news, political talk shows, and debates. All parties have access to paid air time and those that have passed a 3 percent threshold in previous parliamentary or local elections get allocations of free time, as well. These achievements deserve recognition and protection. However, legal cases surrounding the ownership of the Rustavi 2 television station have raised questions about the impartiality of the judicial process, with some alleging that they are politically-motivated efforts to influence the stations' editorial positions. Such political interference in the media landscape, if true, would represent a step backward for Georgia.

## ***Gender Equity***

Women are underrepresented in Georgian politics at all levels, including in the parliament. Currently, only 18 of 150 national legislators, or 12 percent, are women. While the final election results will not be known for several more weeks, it appears mathematically unlikely that the new parliament will reflect a significantly better balance. Parties and blocs that included at least three candidates of a different gender in every 10 names on proportional lists are eligible for a 30 percent increase in state funding, pending election results. The criteria were met by only seven of the 25 registered parties and blocs: Free Democrats; Patriots' Alliance; Democratic Movement-United Georgia; Republicans; Labour Party; Workers' Socialist Party; and Left Wing Alliance. Overall, only 37 percent of proportional candidates were women and, of these, the vast majority were placed below the top 20 names, making it less likely that they would win seats. Further, only 17 percent of majoritarian candidates are women. In 2012, by comparison, women comprised 31 percent of proportional and 14 percent of majoritarian candidacies.<sup>6</sup> Women candidates and activists reported to NDI that few women are involved in political party leadership. Even those political parties that nominated relatively more women candidates did not provide specialized assistance or training to those individuals.

Women are well represented among voters, observers, and electoral administrators, demonstrating their commitment to and engagement in politics and elections. But, as with parties, they are underrepresented at the upper levels of election commissions: women account for 23 percent of CEC positions; 50 percent of DEC positions; and 69 percent of PEC posts. To the extent that women hold leadership positions within the PECs, they are far more likely to be secretaries than chairs or vice-chairs.

## ***Minority Inclusion***

Ethnic minority groups are also underrepresented at all levels. Six of the majoritarian districts have large ethnic minority populations. Sixty-six percent of the candidates running in these districts identify as ethnic minorities. However, NDI has identified only three ethnic minority candidates running outside of these six districts. The only identified minority represented in a party leadership role left the State for the People party during the campaign.

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<sup>6</sup> For additional information see NDI's [analysis of women's political participation in the 2016 parliamentary elections](#).

The CEC reported undertaking substantial commissioner-training and voter-education efforts to ensure that members of national minority groups were able to cast informed votes on election day. These steps are welcome. Representation of minorities on district election commissions was not proportionate to the percentage of minorities in the districts' populations. PEC composition appeared to be more balanced. The CEC provided trainings and materials to selected PECs in minority languages, but the training opportunities did not appear to meet the demand and need.

## **RECOMMENDATIONS**

In the spirit of international cooperation and on the basis of these pre-election and election-day observations, the NDI delegation respectfully offers the following recommendations:

### ***Before the majoritarian run-off elections:***

- Political party leaders and activists should respect the results of the elections, to the extent they are validated by credible Georgian and international election observers through PVT and observation reports. They should avoid speculation based on conflicting exit polls and individual incidents.
- The CEC should immediately address the irregularities in and disruption of the counting process in several districts and determine, where needed, the possibility of reruns particularly in those majoritarian races where the outcome could be affected.
- The CEC should respond to all legitimate grievances, engage in dialogue with all complainants, and ensure transparency of all its work to build confidence in the process.
- Party leaders should strenuously condemn any use of violence by their supporters, sanction the participants, and cooperate with authorities to investigate incidents.
- Parties and candidates with grievances about the conduct of the October 8 elections should document their complaints and lodge them with the appropriate body in order to peacefully seek redress.
- Legal bodies (administrative and judicial) receiving electoral complaints should act in timely, independent, and impartial manners and provide effective redress where warranted.
- To help defuse tension and prevent violence, the Ministry of Internal Affairs' order on electoral policing (number 512), which expires on October 10, should be immediately updated and renewed to encompass run-off elections later in the month.
- The CEC and Ministry of Internal Affairs should reinforce training on electoral security for law enforcement personnel and police should be prepared to deploy to areas and situations at high risk for violence to defuse tensions.
- Those who violate the law should be charged and prosecuted proportionately, consistently, and expeditiously to ensure a deterrent effect.
- The IACFF should establish procedures to facilitate more constructive meetings and should continue issuing periodic reports on the status of complaints taken under consideration. It should also consider a mechanism for rapid responses to disruptions or incidents of violence.
- Majoritarian candidates participating in the run-off elections should outline and communicate clear platforms explaining their positive vision for social and economic reform; take advantage of any opportunities to participate in moderated public debates; and refrain from speech and conduct that denigrates public confidence in the political

process.

- International donors should consider extending financial support of the work of credible nonpartisan citizen monitoring organizations to allow them to observe the run-off elections.
- Election observers should be mindful of the rights of voters and roles of election administrators and strive not to interfere in legitimate electoral processes.
- The CEC should consider developing criteria for accreditation of NGOs that would allow access to all credible groups that agree to internationally-recommended principles for observation, but mitigate overcrowding and unprofessionalism in polling stations.
- Party leaders should ensure the transparency of campaign financial transactions, renounce the acceptance or use of private, corporate, or foreign funds that violate Georgia's campaign finance requirements, and cooperate fully with the SAO.
- NGOs, journalists, and government agencies should monitor, to the extent possible, both reported and unreported flows of funding in the election campaign.

#### *Following the run-off majoritarian elections:*

- Parties should develop codes of conduct that have the buy-in of and participation from all leading parties.
- The parliament should resume an inclusive and transparent process to reach agreement on the electoral system.
- The pending bill on the introduction of mandatory gender quotas should be debated and brought to a vote.
- The parliament should consider appointing an ad hoc or permanent commission in charge of drawing electoral constituency boundaries.
- The CEC should consider clarifying the qualifications and selection procedures for professional district and precinct election commissioners, including standards for impartiality.
- Political parties should recruit, train, and support a greater number of women for the parliamentary and subsequent elections and further develop party infrastructure to support women and integrate issues of particular concern to women into party policy.

## **THE DELEGATION AND ITS WORK**

The 23-member NDI delegation arrived in Tbilisi on October 4 and held meetings with national political leaders, parliamentary candidates, election officials, senior government officials, representatives of nongovernmental organizations, the media, and the diplomatic community. On October 6, NDI observers deployed in teams to ten regions across Georgia where they met with local government, election, political, and civic leaders. On election day, NDI observed voting and counting processes in polling stations across the country. The observers reported regularly on developments around the country and returned to Tbilisi to share their findings.

This delegation builds on the work of a pre-election assessment, which issued a [statement of findings and recommendations](#) in June 2016, and a team of three long-term election analysts who, since August, have visited approximately 60 districts and conducted more than 350 meetings with government and election officials, candidates and political party representatives, civil society organizations, media representatives, and international and diplomatic missions in

Georgia. NDI has also observed campaign events, trainings of election officials, as well as sessions of the CEC and the IACFF. NDI will continue to observe developments through the run-off elections.

The delegation conducted its activities in accordance with Georgian law and the Declaration of Principles for International Election Observation, which has been endorsed by 52 intergovernmental and international nongovernmental organizations worldwide.

NDI wishes to express its appreciation to the National Endowment for Democracy (NED) and the United States Agency for International Development (USAID), which have funded the work of this delegation and, along with the Swedish International Development Cooperation Agency (SIDA), have supported NDI democracy assistance programs in Georgia. In addition to the international observation activities, NDI supported the election monitoring efforts of ISFED.

The NDI delegation consulted with international delegations, including the International Republican Institute (IRI) and the Organization for Security and Cooperation in Europe (OSCE), as well as Georgian nonpartisan citizen election monitoring organizations such as ISFED, TI, GYLA, and Public Movement - Multinational Georgia (PMMG).

The delegation is grateful for the cooperation it received from voters, election officials, candidates, political party leaders, domestic election observers, and other civic activists.

### **NDI Delegates**

Robin Carnahan, United States  
Per Eklund, Sweden  
Katherine Feenan, Canada  
Sam Gejdenson, United States  
Laura Jewett, United States  
Edward E. Kaufman, United States

Daniel Neville, Ireland  
Annemie Neyts-Uyttebroeck, Belgium  
Janusz Onyszkiewicz, Poland  
Florin Peonaru, Romania  
Nina Robbins, United States  
Natasha Rothchild, United States

Margo Squire, United States  
Dritan Taulla, Albania  
Laura Thornton, United States  
Kristina Vaiciunaite, Lithuania  
Grace Kennan Warnecke, United States  
Justin Wein, United States  
Ross Wilson, United States  
Casper Wuite, Netherlands  
Zev Yaroslavsky, United States  
Shalanda Young, United States  
Dragan Zelic, Croatia

NDI is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government. NDI has observed more than 200 elections in every region in the world, including numerous assessments in Georgia since 1992.

## **NDI CONTACT INFORMATION**

Laura Jewett, Regional Director for Eurasia, +1-202-758-7960

Laura Thornton, Director of NDI-Georgia, +995-599-566852