



Georgia Election Watch



Georgia will hold parliamentary elections on October 31, 2020. The National Democratic Institute issued a report assessing the pre-election environment on August 19. This update bulletin is based on analysis conducted by a team of eight international election experts who, paired with assistants based in Georgia, are tracking the work of the electoral administration, campaign environment, gender and inclusion, media and disinformation, and the impact of covid-19. They are virtually interviewing key stakeholders, including representatives of the Georgian government, political parties and candidates, the election administration, media, civil society, and domestic and international observer organizations. The Institute will monitor the overall election process until its conclusion and may offer further analysis and recommendations before issuing a comprehensive assessment shortly after the elections. NDI appreciates the support of the United States Agency for International Development (USAID) and National Endowment for Democracy (NED), which make possible the Institute's ongoing election analysis.

BULLETIN #1

ELECTION ADMINISTRATION AND CAMPAIGN ENVIRONMENT

AUGUST 20 – OCTOBER 8, 2020

ELECTORAL FRAMEWORK AND ADMINISTRATION

On October 31, Georgians will elect a new parliament under a mixed electoral system with 120 proportional and 30 majoritarian seats. As of October 8, the CEC is considering the proportional candidate list registrations of 49 political parties and two electoral blocs. Analysis of the number of majoritarian candidates was not available at time of publication.

On September 3, the Parliament established criminal liability for voter intimidation or coercion through amendments to the criminal and election codes, which is a positive step. Some NDI interlocutors stressed that impartial enforcement

of these new rules will be the key test of their relevance.

So far, the Central Election Commission (CEC) has conducted electoral preparations efficiently and on schedule, despite late changes to election-related laws. The CEC also consistently demonstrated efforts towards inclusion and transparency, organizing discussion with election stakeholders on various pertinent issues, such as the special measures to prevent the spread of covid-19 on election day, and issuing regular updates about its work and the electoral process. However, opposition parties and many CSOs continue to voice concerns about the imbalanced composition of the election commissions at all levels.

By October 8, the CEC had registered 72 local observer groups. Interlocutors positively assess the observer scene's vibrancy, but many raise concerns about some observer organizations that purport to be nonpartisan that are in fact connected to political parties, or are intent on obstructing the work of the election administration. They expressed concern that these groups may undermine the credibility of genuinely nonpartisan efforts.

The CEC reported that new rules intended to prevent party-appointed commissioners in the last general elections from serving as nonpartisan (or "professional") commissioners for the 2020 elections led to the disqualification of 892 candidates during the selection process. However, opposition representatives assert that the rules still allow candidates with past experience as party-appointed members or with evident political affiliations to serve as nonpartisan members. For example, commissioners appointed by parties in past elections but who did not serve in the most recent election (i.e. 'skipped' an election) can still serve as nonpartisan commissioners for the 2020 parliamentary elections. A lack of candidates for nonpartisan positions and the absence of interviews further fuel concerns over bias in appointments. In this context, nonpartisan commissioner appointments to lower level commissions sparked protest actions that turned violent in at least three districts.

Additionally, civil society and opposition parties continue to question the government's willingness to enforce provisions countering abuse of administrative resources, voter intimidation, and vote buying. Allegations of abuse most frequently involve public servants campaigning for the ruling Georgian Dream (GD) party's candidates, pressure on public employees or social assistance recipients to support the ruling party, or the distribution of state-funded benefits in ways that could be misconstrued as campaign activities. GD denies these reports as unsubstantiated or claims direct assistance is necessary to combat the economic hardship caused by the covid-19 pandemic.

The Interagency Commission for Free and Fair Elections (IACFFE) held four sessions since NDI's last report to discuss the misuse of administrative resources and violations of the law by public servants. CSOs noted that the discussions were more constructive compared to those during previous elections. Civil society and opposition

representatives raised concerns that weak enforcement and the absence of key electoral contestants reduce the IACFFE's ability to resolve disputes and build confidence in the electoral process. Many political parties, such as the United National Movement (UNM) and European Georgia, are boycotting sessions because they believe their previous experiences with the body lacked genuine discussion and adequate responses from participating agencies.

CAMPAIGN ENVIRONMENT

Campaigns officially got underway on September 1, and appear to be only modestly impacted by covid-19 so far. Despite an increasing infection rate, parties and candidates hold public meetings, albeit smaller compared to previous years and mostly outdoors. Most parties combine traditional campaigning, such as door-to-door canvassing and distributing printed materials, with social or traditional media outreach, where possible or affordable. Concerns remain that further worsening of the epidemiological situation may impact campaigns and election day turnout.

Similar to years past, the financial resources of the campaigns vary significantly. According to the initial self-reported campaign finance data published by the State Audit Office, GD's income and expenditures to date are far greater than the individual revenues and expenses of UNM, EG, Lelo, Strategy Aghmashenebeli, and Alliance of Patriots in the same period.

To date, at least 40 political parties, including GD and key opposition parties, have signed the CEC's September 12 Code of Conduct, which calls on signatories to respect the rule of law and the will of voters, avoid discrimination and hate speech, promote a peaceful electoral environment and campaign on issues. Whether or how violations of the code will be sanctioned remains unclear.

However, allegations of physical violence, intimidation, and vote buying consistently emerge in conversations with various interlocutors. While several complaints are accompanied by detailed documentation, most are not sufficiently substantiated for independent verification. Interlocutors and the media have reported attacks on party members, activists, supporters, and journalists, including disrupted campaign and

election commission activities. Arrests have been made or investigations are ongoing in several cases, but some stakeholders report that victims are reluctant to pursue legal remedies out of a fear of retribution and distrust in the judiciary's independence, citing past evidence of delayed responses and inadequate sanctions. Violence and intimidation have no place in an election.

Redirecting attention towards meaningful policy debate will be essential in the coming weeks. It is

positive that all major parties developed policy platforms and published them on social media. Common themes include the economy, education, judicial reform, and Euro-Atlantic integration. They also call attention to issues specific to their bases of support and address issues relevant to traditionally underrepresented groups. While these are positive steps towards substantive debate, platforms have not yet featured prominently in campaigns and are virtually absent from television and newspaper media.

Recommendations

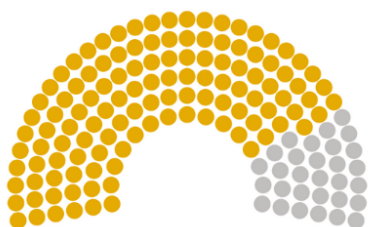


- Election and law enforcement authorities should swiftly investigate all instances of intimidation and electoral violence, as well as abuse of administrative resources and vote buying, and ensure that timely sanctioning of perpetrators serves to deter such violations in the immediate future.
- Political parties and candidates should abide by the law and the Code of Conduct and ensure their supporters do not interfere with the campaign activities of their opponents. Parties should develop internal sanctions and a culture of accountability for violations of conduct commitments.
- Parties should make all efforts possible to provide adequate evidence to substantiate claims of electoral violations, abuse of state resources, or pressure and intimidation, and follow available procedures for seeking redress.
- More concerted efforts are required to ensure a clear separation between party and state, particularly social assistance programs aimed at mitigating the pandemic's impact.
- The CEC, the IACFFE, together with other state actors, must continue to ensure that the implementation of recent legal amendments results in genuine public confidence in their work and the electoral process.
- Citizen observer organizations should adhere to the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations and all stakeholders should respect the purpose of genuine, impartial citizen observation.

2020 PARLIAMENTARY ELECTIONS IN GEORGIA

BY THE NUMBERS

NDI ELECTION WATCH BULLETIN #1



150 MPS
120 ELECTED PROPORTIONALLY
30 ELECTED IN SINGLE-MANDATE DISTRICTS



49 PARTIES
2 BLOCS
WITH PARTY LISTS UNDER CEC REVIEW (AS OF OCT 8)



1 IN EVERY 4
GENDER QUOTA FOR REPRESENTATION ON PARTY LISTS



3,511,338
REGISTERED VOTERS (AS OF OCT 1)



38
COUNTRIES WITH PRECINCTS FOR THE GEORGIAN DIASPORA



155,236
VOTERS IN THE LARGEST DISTRICT
44,110
VOTERS IN THE SMALLEST DISTRICT



1 CEC
76 DECS
3,657 PECS
43,814 PEC MEMBERS
21,926 ELECTED BY DECS
21,888 APPOINTED BY PARTIES

GEORGIAN DREAM - 10,950
UNM- 3,657
EUROPEAN GEORGIA - 3,656
ALLIANCE OF PATRIOTS - 3,625



72
DOMESTIC GROUPS REGISTERED TO OBSERVE ELECTIONS (AS OF OCT 8)

183 ELECTION-RELATED COMPLAINTS SUBMITTED AT ALL LEVELS (AS OF OCT 8)
25 INVESTIGATIONS INITIATED
2 FORWARDED TO THE STATE PROSECUTOR



40
PARTIES SIGNED THE CODE OF CONDUCT

SEPTEMBER PARTY DONATIONS (GEL):

6,495,650 GEORGIAN DREAM
1,312,590 LELO
1,172,837 STRATEGY AGHMASHENBELI

665,400 UNITED NATIONAL MOVEMENT

408,031 EUROPEAN GEORGIA

