

INTERNATIONAL ELECTION OBSERVATION MISSION Georgia – Presidential Election, 28 October 2018

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The election was competitive and professionally administered. Candidates were able to campaign freely and voters had a genuine choice, although there were instances of misuse of administrative resources, and senior state officials from the ruling party were involved in the campaign. Substantial imbalance in donations and excessively high spending limits further contributed to an unlevel playing field. While public broadcasters provided all candidates a platform to present their views, the sharp polarization of the private media, negative campaigning and harsh rhetoric, and lack of analytical reporting limited voters' ability to make a fully informed choice. Legal changes that increased the representation of the ruling party at all election administration levels and the insufficient transparency in the selection of non-partisan members undermined the perception of impartiality. Nevertheless, election day generally proceeded in a professional, orderly and transparent manner, despite some procedural issues during counting, as well as many citizen observers and media acting on behalf of political parties and party supporters potentially influencing voters outside polling stations.

The legal framework provides an adequate basis for the conduct of democratic elections. The 2017 and 2018 amendments to the election code introduced a number of technical improvements. However, certain shortcomings remain and recent amendments were a missed opportunity to engage broadly and address a number of other prior ODIHR and Council of Europe recommendations or eliminate gaps and inconsistencies.

Elections were managed professionally by three levels of administration, led by the Central Election Commission (CEC) who enjoyed the confidence of most electoral stakeholders and made concerted efforts to increase the competence of lower-level commissions. In the absence of adequate regulation by the CEC, the selection of non-partisan lower-level commission members lacked consistency and transparency.

Over 3.5 million citizens were registered to vote. Authorities made commendable efforts to improve the accuracy of the voter list and election commissions gave voters ample opportunity to verify their information. Most stakeholders expressed confidence in the accuracy of the voter lists.

The candidate registration process was transparent and inclusive. In total, 25 candidates were registered, 16 from political parties and 9 independent. However, credible indications that databases of voter data were available for purchase and the absence of an effective mechanism for checking the authenticity of support signatures diminished the genuineness of the nomination process. The campaign showed that a significant number of candidates registered for the purpose of using their public funding and free airtime to support other contestants giving them an unfair advantage.

While fundamental freedoms were generally respected and contestants were able to campaign freely, ODIHR EOM observed several disruptions of campaign events and multiple instances of vandalised party offices or campaign materials. The campaign was dominated by controversial topics polarizing

public opinion, negative campaigning and harsh rhetoric between the ruling and one of the opposition parties. Concerns were raised about the collection of personal data of voters and the pressure this practice imposes. Instances of the misuse of administrative resources were observed. Further the involvement of senior state officials from the ruling party in the campaign was not always in line with the law and blurred the line between the state and the party.

Party and campaign finance legislation lacks uniformity, and recent legislative amendments did not address longstanding ODIHR and Council of Europe's Group of States against Corruption (GRECO) recommendations. The law provides for private funding for all candidates and public funding for those nominated by parties. The lack of regulation for obtaining loans for campaign expenses and reporting on the use of these funds potentially contributes to the imbalance of the playing field. The State Audit Office verified and promptly published reports before the election. However, despite increased efforts, the lack of clear deadlines for addressing violations and the institution's insufficient resources raised concerns about the effectiveness of campaign finance oversight. Substantial imbalance in donations and excessively high spending limits did not contribute to a level playing field.

Insufficient issue-oriented debate, shallow coverage of the campaign and the lack of analytical reporting by sharply polarized media limited the possibility for voters to make a fully informed choice. While the law provides free airtime only for certain party-nominated candidates, both public national broadcasters decided to provide all candidates the same amount of free airtime and hosted numerous debates that gave them a platform to present their views. The media regulator did not always display a transparent and impartial approach when intervening in the campaign. Media monitoring results showed clear bias in the coverage by many private media.

Overall, complaints and appeals were handled by election administration and courts in an open and transparent manner within legal deadlines. The complexity of the electoral dispute resolution system, the limited right to file complaints and appeal certain decisions, as well as the lack of sufficient legal reasoning in decisions, limited the effective resolution of disputes, at odds with international commitments and standards. Various ODIHR EOM interlocutors expressed a lack of confidence in the effectiveness of the complaint adjudication system.

The Election Code provides for observation of the entire election process by citizen and international organizations, as well as representatives of election contestants, and the accreditation process was inclusive and professionally managed. During the pre-election period citizen observer groups faced intense verbal attacks on their work and representatives by high ranking members of the ruling party and senior public officials. Still, the observation efforts of established citizen observer organizations contributed to the transparency of the process.

Election day generally proceeded in a professional, orderly and transparent manner. However, the frequent presence of a large number of party supporters, often with lists of voters, noting who was coming to vote raised concerns about the ability of voters to vote free from pressure and fear of retribution. Voting was assessed positively, although those citizen observers and media who acted on behalf of political parties negatively impacted the process. The assessment of counting was less positive due to procedural problems, some cases of interference and an increase in tensions.

PRELIMINARY FINDINGS

Background

On 28 October Georgia held its last direct presidential election. Constitutional amendments in 2017 introduced an indirect election of the president from 2024 and substantially reduced the powers of the newly elected president, concluding the shift from a presidential to a parliamentary system initiated in 2010.¹ The adoption of these amendments was contentious and the decision did not enjoy a broad consensus.²

The last parliamentary elections in 2016 resulted in a constitutional majority for the ruling party, the Georgian Dream (GD), which won 115 of the 150 seats. After the election, the leading parliamentary opposition, the United National Movement (UNM), split with 21 of its 27 members of parliament leaving and establishing the European Georgia – Movement for Liberty (EG). The 2017 local elections further consolidated the position of the ruling party, with 62 of 64 mayoral seats and a majority in 63 of 64 local councils. Shortly before this election, in June 2018, the Prime Minister resigned and a new government was appointed in July.³

The election took place against a backdrop of social turbulence resulting from a series of street protests and marches that took place in May and June 2018. While some were fueled by the perception of bias in adjudication of two cases involving the killing of minors, others were related to the alleged mishandling of arrests during an anti-drug campaign. To counter these demonstrations, anti-LGBT and self-declared fascist marches were organized. Furthermore, allegations of corruption and other illegal activities by various former high-level officials dominated media coverage before the elections and impacted the political debate.⁴

Legal Framework

The legal framework⁵ provides an adequate basis for the conduct of democratic elections, despite certain shortcomings. The Election Code was last amended in 2017 and July 2018 without broad political consensus, introducing a number of mainly technical changes.⁶ Partially addressing previous ODIHR recommendations, the amendments prohibited the collection of voters' personal data on election day, expanded observer rights outside of the electoral period, introduced a more permanent solution for the inclusion of voters without an officially registered address, and prohibited the withdrawal of candidates in the event of a second round.

Recent amendments were, however, a missed opportunity to address a number of other prior ODIHR and Venice Commission recommendations, including those on the right to stand, campaign and

¹ The newly elected president will represent the country abroad, make certain appointments in judiciary and hold the power of legislative veto. In addition, the president serves as a commander-in-chief and appoints the commander of defense forces.

² Parties and civil society organizations did not agree with the amendments. In protest, the parliamentary opposition parties boycotted the vote on 26 September 2017 and the amendments were adopted on 13 October 2017 only after the parliamentary majority overrode the president's veto. See also the Council of Europe's Venice Commission [Opinion on the Draft Revised Constitution](#), [Opinion on the Draft Revised Constitution as Adopted by the Parliament on 23 June 2017](#) and [Opinion on the Draft Constitutional Amendments Adopted on 15 December 2017](#).

³ In his resignation address, the Prime Minister cited disagreements over economic and other fundamental issues with the chairman of the ruling party as a reason for his decision.

⁴ On 5 October, the Ministry of Internal Affairs and the Prosecutor's Office issued statements on the progress of the investigation into alleged corruption, indicating that the evidence provided is not authentic. Since then, one national television station has published documentation on other cases of illegal activity and the Prosecutor's office has countered such claims. The authenticity of submitted evidence has been disputed.

⁵ The election is primarily regulated by the 1995 Constitution, the 2011 Election Code, the 1997 Law on Political Unions of Citizens, and decrees and ordinances of the Central Election Commission (CEC).

⁶ The UNM boycotted, and other opposition was largely absent from the voting. The CEC proposal to simplify counting procedures, in line with ODIHR recommendations, was not supported.

campaign finance regulations, electoral dispute resolution, and free airtime allocation rules.⁷ Moreover, the legal framework contains a number of gaps and inconsistencies.⁸

The 2017 Constitutional amendments extended the presidential term to six years for this term only.⁹ To be elected in the first round, a candidate must receive more than 50 per cent of the valid votes cast. Otherwise, a second round between the two candidates with the highest number of votes is held two weeks after the official announcement of results. The candidate who receives the most votes in the second round is elected.

Election Administration

Elections were managed professionally by three levels of administration: the CEC, 73 district election commissions (DECs) and 3,637 precinct election commissions (PECs).¹⁰ The election was not organized in Abkhazia and South Ossetia. The 2017 amendments to the Election Code decreased the number of commissioners at all levels from 13 to 12 and changed the formula for the composition of commissions. The latter resulted in an increased representation of the ruling party at all levels, which is entitled to nominate three of the six political party appointed commission members.¹¹ Although proportional political representation in electoral commissions is in line with Council of Europe standards, the new rules detracted from the public perception of the impartiality of commissions, which is provided for in the law, as well as international standards and good practice.¹²

In addition to party appointees, DECs and PECs include six members selected by the CEC and DEC respectively. To address previous concerns and ODIHR recommendations, the CEC recommended that DECs take into consideration previous election experience and participation in trainings and refrain from selecting applicants with multiple disciplinary sanctions in the last two years.¹³ Despite these efforts, many ODIHR EOM interlocutors still alleged political affiliation of some members and nepotism in the selection process. In addition, the procedure for non-partisan PEC member recruitment was not sufficiently regulated by a CEC decision, and the process of selection was inconsistent and lacked transparency.¹⁴ Further, in the vast majority of cases, non-partisan PEC members were elected

⁷ In paragraph 25 of the [1999 OSCE Istanbul Document](#), all OSCE participating States committed to follow-up on ODIHR's election assessments and recommendations.

⁸ These include a number of inconsistencies in campaign finance regulations, unclear regulation of campaign activities between the call of the election and the start of the official campaign, and allocation of funding for paid advertisement for the presidential election.

⁹ The subsequent presidential terms will be 5 years.

¹⁰ In addition, 10 special PECs were created in penitentiary institutions and one in an inpatient establishment, 55 PECs were established in 39 countries for out-of-country voting, two polling stations in Afghanistan served for voting of Georgian military forces there. In four countries the number of applications for PEC members was insufficient, so the CEC has cancelled voting arrangements there.

¹¹ Previously the seven political parties that received the largest amounts of state funding were entitled to nominate one commissioner each. Currently political parties with parliamentary factions enjoy the right to nominate the number of commissioners based on the number of votes received in the parliamentary elections. GD is entitled to three representatives, UNM, EG, and Alliance of Patriots of Georgia to one each.

¹² Under Article 8.21 of Election Code an election commission member is not the representative of his/her appointer/voter. An election commission member shall be independent in his/her activities and shall act only according to the Constitution of Georgia, law, and respective subordinate acts. Paragraph 20 of the [1996 CCPR General Comment 25 to the ICCPR](#) emphasizes the need to conduct the electoral process "fairly, impartially and in line with established laws compatible with the Covenant". Guideline II.3.1 of the [2002 Venice Commission Code of Good Practice in Electoral Matters](#) stresses that "Equality may be construed strictly or on a proportional basis" and that "an impartial body must be in charge of applying electoral law".

¹³ According to the CEC, more than 84 per cent of the elected PEC members had previous election experience; around one third participated in election official training programmes.

¹⁴ In an effort to enhance transparency of the process, some DEC members appointed by opposition parties initiated interviews with applicants which many did not attend because they were not mandatory. Information on applicants'

to PEC leadership positions. In all 312 PECs where party-nominated members were elected as chairpersons, they were nominated by the GD.

Currently three CEC members are women, including the chairperson. According to the CEC, women constitute almost 64 per cent of DEC members and over 73 per cent in PECs; they account for 36 per cent of DEC chairpersons and almost 64 per cent of PEC chairpersons. National minorities were relatively well represented in PECs and DECs in ethnic Armenian areas, but only in PECs in ethnic Azeri areas.¹⁵

The work of the election administration was generally transparent. The CEC held regular sessions open to accredited observers and media. In line with the previous ODIHR recommendation to enhance transparency, minutes of the CEC and DECs sessions, decrees, ordinances and decisions on complaints were publicly available on the CEC website. While the CEC generally enjoyed stakeholder confidence, some opposition contestants and citizen observers cast doubts on the ability of lower-level election commissions to act impartially due to the selection process and their composition. With the aim to enhance trust in the election administration, the CEC instituted a Code of Ethics signed by members of all levels of election administration.¹⁶

The CEC training center enhanced the training methodology and focused on the individual competencies of lower-level commission members and leadership. DEC and PEC trainings observed by the ODIHR EOM were informative, interactive, and included practical exercises on voting and counting procedures, in line with previous ODIHR recommendations.¹⁷ The CEC provided comprehensive voter information through meetings with voters, videos and print materials. Manuals and voter education materials were available in minority languages.

Voter Registration

Citizens who are 18 years of age by election day have the right to vote, except those serving a prison term of more than five years. Citizens who are declared beneficiaries of support by a court decision have the voting right unless they are placed in an inpatient facility. The blanket denial of voting rights of persons recognized by a court to be beneficiaries of support and placed in inpatient care on grounds of mental disability is at odds with international standards.¹⁸

Georgia has a passive voter registration system. The CEC is responsible for compiling voter lists based on the state register of citizens provided by the Public Service Development Agency (PSDA) and other institutions. Voters with a valid identification document or passport are included in the voter register

experience, past performance and participation in trainings was not available for observers before and during selection. After the selection process the information was published on the CEC website only regarding the selected PEC members. Out of 28 complaints claiming problems in the PEC recruitment process, 22 were rejected, 4 partially satisfied, and 2 satisfied.

¹⁵ According to the CEC estimates, in ethnic Armenian areas, Armenians account for around 47 per cent of DEC and 68 per cent of PEC members, in ethnic Azeri areas Azeris are absent from DECs, but account for 30 per cent in PECs.

¹⁶ According to the CEC, on 17 October the Code of Ethics was signed by members of all DECs and PECs, aiming to ensure impartiality and independence of the election officials when performing their functions.

¹⁷ Trainings were conducted in several stages, generally well attended, and evaluated as very effective by all ODIHR EOM observers.

¹⁸ Article 12 of the UN [Convention on the Rights of Persons with Disabilities](#) obliges states to “recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life”. Moreover, the right to stand falls under the scope of the European Convention of Human Rights (ECHR), and the European Court of Human Rights (ECtHR) has rejected any blanket ban on the right to stand for elections based on mental capabilities (see *Alajos Kiss v. Hungary*, application no. 38832/06, 20 May 2010).

based on their permanent registration, actual (temporary) address or previous registered address.¹⁹ Most stakeholders expressed confidence in the accuracy of the voter lists.

The PSDA made commendable efforts to improve the quality of the voter list by removing deceased voters and providing opportunities for voters to receive photos or valid documents for free. Further, some 196,844 internally displaced persons (IDPs) were included in the voter list for this election at their current places of residence, and those with terminated or no official IDP status were notified and given the opportunity to register.

Voters were given ample opportunity to verify data on the voter list and request corrections. The ODIHR EOM long-term observers (LTOs) observed the preliminary voter lists to be properly posted for public scrutiny at polling stations. Voters were also able to check their data at the DEC, online and through some 10,000 payment terminals around the country. According to the CEC, 988 voters requested corrections. In line with the law, the CEC provided five political parties with a digital copy of the voter list upon their request. On 27 October, the CEC announced that 3,518,877 voters were registered.

Candidate Registration

The Constitution and the Election Code grant the right to stand in the presidential election to citizens of Georgia who are over 35 years of age, have the right to vote, do not have dual citizenship, and have resided in Georgia for at least five years in total, the last three years consecutively. These residency requirements are disproportionate and at odds with international standards.²⁰

Political parties as well as initiative groups of at least five voters were entitled to nominate presidential candidates by submitting support signatures.²¹ The CEC verified the personal data of voters who signed the lists in the presence of candidate representatives and rejected all entries where the data did not match. Credible indications that databases with personal data of voters were available for purchase and the absence of an effective mechanism for checking the authenticity of support signatures diminished the genuineness of the candidate nomination process.²²

In an inclusive and transparent process, the CEC registered 25 candidates, including 2 women.²³ None of the candidates represented a national minority. Twenty-one nominees were rejected for various reasons.²⁴ Several political parties and prospective contestants, including the incumbent President, refused to participate in this election, pointing to the limited presidential mandate. The ruling party decided to support an independent candidate, reasoning that the president should be a non-partisan figure. The parliamentary opposition, EG and UNM, each nominated their own candidate. Nine

¹⁹ Following recent amendments, the voter is automatically included in the voter list if his/her actual or previous address is in the PSDA records. In absence of such, voters had the opportunity to inform the PSDA on their actual address and take a digital photo until 7 October.

²⁰ Paragraph 15 of [General Comment No. 25 \(1996\) to Article 25 of the International Covenant on Civil and Political Rights \(ICCPR\)](#) by the UN Human Rights Committee states that "persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation". See also guideline I 1.1.c iv of the [Venice Commission Code of Good Practice in Electoral Matters](#) which states that "the requisite period of residence should not exceed six months".

²¹ The Election Code gives the right to nominate presidential candidates to political parties registered with the CEC for participation in the parliamentary or local elections. Positively, the CEC expanded this right to political parties whose registration was cancelled due to various reasons, which contributed to the inclusivity of the process. Both parties and initiative groups had to submit supporting signatures of at least 0.75 per cent of registered voters. The CEC established it to be 25,923 voters.

²² The CEC can only reject an entry based on the authenticity of the signature if the voter in question confirms in writing that he/she did not sign in support of the candidate.

²³ Among all candidates 19 were nominated by political parties and 6 by initiative groups.

²⁴ Nineteen initiative groups did not submit the lists of support signatures, one initiative group did not correct errors in the documents, and one political party was not registered with the Ministry of Justice.

candidates appear to have registered for the purpose of using public funding and free airtime to campaign for other candidates (see *Media* section).

Campaign Environment

The campaign period started on 29 August, 60 days prior to the election. While fundamental freedoms were generally respected during the campaign and contestants were able to campaign freely, the ODIHR EOM observed several disruptions of campaign events and multiple instances of vandalised party offices or campaign materials.²⁵ Isolated violent incidents took place and have been investigated.²⁶ Although the majority of candidates were involved in negotiating the Principles of Conduct, a declaration of commitments facilitated by the CEC, two candidates (Ms. Zourabichvili and Mr. Natelashvili) refused to sign the final agreement, citing its formalistic nature and the non-compliance with the principles by other candidates.²⁷

The campaign was dominated by controversial topics polarizing public opinion, negative campaigning and harsh accusations between GD and UNM.²⁸ During the 45 rallies observed by the ODIHR EOM, candidates often presented campaign promises but the absence of structured election programmes was noted. Gender issues did not feature prominently in the campaign.²⁹ National minority topics were covered only in the ethnic minority areas. Focused on pressing issues such as unemployment, healthcare, the increase of social benefits, or even local development projects, campaign messages often exceeded the redefined presidential mandate. The lack of issue-oriented debate and genuine candidate platforms diminished the voters' ability to make an informed choice.

In an attempt to prevent misuse of administrative resources, state authorities issued several instructions and conducted trainings to increase stakeholder awareness on the ban of such activities.³⁰ However, these efforts lacked enforcement and were formalistic. Multiple ODIHR EOM interlocutors raised concerns regarding the alleged misuse of administrative resources. Out of 32 complaints filed with the

²⁵ Campaign rallies of Ms. Salome Zourabichvili were disrupted by UNM party activists or non-identified individuals in Akhalkalaki, Gurjaani, Rustavi and Bolnisi (on 2, 4, 9 and 10 October respectively). Between 15 and 16 October, UNM party offices or campaign materials in various locations were vandalised in a manner that appeared to be systematic (e.g. in Vake, Khasuri, Bolnisi, Gardabani, Rustavi, Zugdidi, Khobi, Zestaponi, Ozurgeti, Tianeti, Kobuleti and Batumi).

²⁶ Four politically motivated incidents between GD and UNM party members were reported in Tianeti, Kutaisi, Tbilisi and Kaspi (15 and 19 September, 8 and 15 October respectively).

²⁷ Under the Principles, candidates committed to respect the rule of law and refrain from violence, abuse of administrative resources, voter intimidation, spreading fake news, hindering campaign activities and humiliating others.

²⁸ The most debated topics included the perception of national historical events, the draft law on cultivation of marijuana and alleged corruption scandals. The ODIHR EOM observed a number of negative TV ads about Ms. Zourabichvili and Mr. Vashadze, negative campaigning against the GD-backed candidate by representatives of the Georgian Orthodox Church, satirical posters about the UNM candidate posted around the capital and on social media. During UNM rallies in Mtskheta, Bolnisi and Kutaisi (on 7, 12 and 16 October respectively) the GD-backed candidate was harshly criticized and on 27 September the Chairperson of Parliament (GD) harshly criticized the UNM candidate.

²⁹ On a number of occasions, authorities and high-level officials alleged that the GD-backed candidate was subjected to gender-based attacks.

³⁰ The CEC signed a non-binding Memorandum of Understanding with civil society organizations, some political parties and published a manual on misuse of administrative resources. The Interagency Commission for Free and Fair Elections recommended to refrain from abuse of administrative resources also during the period before the official campaign and a governmental decree prescribed that all public servants be informed about existing legal restrictions.

DECs and the CEC concerning the issue, only 4 were satisfied,³¹ 23 rejected and 5 are still pending.³² The ODIHR EOM observed instances of high-ranking public officials using institutional webpages for the purpose of campaigning and the participation of public employees in campaign events during working hours.³³ While not prohibited by law, mayors, governors and members of parliament representing the GD accompanied the GD-backed candidate in most rallies observed by the ODIHR EOM.³⁴ All these activities blurred the line between the state and the party, at odds with OSCE commitments and Council of Europe good practice.³⁵

Many ODIHR EOM interlocutors reported that the ruling party relies on a mechanism of coordinators who, prior to election day, collected personal data of voters and commitments to vote for the GD-backed candidate. Some GD party members openly disclosed this practice and the ODIHR EOM received credible indications that public employees were asked to provide such lists as well.³⁶ Involving public sector subordinates in activities that may support the election of a candidate is prohibited by the Election Code as abuse of position. Despite the safeguards of secrecy of vote, these instances of pressure raised concern about public sector employees' ability to vote free of fear of retribution, as provided for by the OSCE commitments and other international standards.³⁷

As a result of significant differences in access to free airtime in the media and to state funding, campaign strategies of candidates varied substantially, from a fully-fledged campaign across the country to interacting with voters solely through Facebook. A number of candidates used their free airtime, state funding and quota of party representatives in polling stations to support other contestants. This practice

³¹ The Tkibuli and Ninotsminda DECs decided to draft an administrative protocol asking the Court to sanction the administrators of the municipal webpage (Tkibuli) and the municipal Facebook account (Ninotsminda) for posting campaign materials. Two complaints in each case were filed and all four satisfied.

³² The definition of misuse of administrative resources was expanded to include not only instances of campaigning on the official websites and social media accounts, but also private platforms if accessed through state-owned devices or state funded internet. The practice showed, however, that such instances are difficult to prove and sanction, and DECs accepted explanatory notes from public employees as grounds for rejecting the complaints without further investigation.

³³ Participation of public employees in campaign events during working hours was observed in Akhaltsike, Signaghi, Rustavi, Bolnisi, Tetrtskaro, Gori (on 2, 8, 9, 10, 11, 12 October respectively). Articles covering activities of the Chairperson of the Parliament and the Mayor of Tbilisi that contained features of election campaign were posted on the websites of the Parliament and the City Hall. Following a complaint by International Society for Fair Elections and Democracy (ISFED), the CEC narrowly interpreted the law and did not consider these actions as misuse of administrative resources, reasoning that restrictions on campaigning did not apply to political public officials. Such interpretation is in contradiction with the Election Code and sends a message of impunity undermining any awareness raising efforts.

³⁴ The Electoral Code bans campaigning by certain categories of public officials at all times, but it does not prohibit campaigning by political public officials, including ministers, members of Parliament, governors or elected officials of local self-government.

³⁵ Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) provides for “a clear separation between State and political parties”. Guideline II.B.1.1 of the [2016 OSCE/ODIHR and Venice Commission Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) states that “the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantage of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate.”

³⁶ In Samtskhe-Javakheti and Kvemo Kartli regions, several public employees reported having been asked to collect such lists by their superiors and felt pressured to vote for the ruling party candidate in order to maintain their jobs. In Tbilisi and Dedoplistskaro, a senior GD representative confirmed the collection of voters' lists by party supporters.

³⁷ Paragraph 7.7 of the [1990 OSCE Copenhagen Document](#) requires that campaigning “be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution”. Paragraph 19 of the [1996 CCPR General Comment 25 to the ICCPR](#) stipulates that “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.” See also Paragraph 209 of the [OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

further undermined the level playing field contrary to paragraph 7.6 of the 1990 OSCE Copenhagen Document and the Venice Commission Code of Good Practice in Electoral Matters.³⁸

Campaign Finance

The 2011 Election Code, the 1997 Law on Political Unions of Citizens (LPUC) and the 2008 Law on the State Audit Office regulate party and campaign finance.³⁹ Political finance legislation lacks uniformity, and recent legislative amendments did not address longstanding ODIHR and GRECO recommendations.⁴⁰

The law provides for both private and public funding.⁴¹ Independent candidates are not entitled to public funding. However, all candidates who pass a ten per cent threshold in the first round are entitled to have campaign expenditures reimbursed up to GEL 1,000,000 (approx. EUR 328,472).⁴² The campaign expenditure limits of 0.1 per cent of GDP for the previous year are high and do not contribute to minimizing undue advantage or ensuring a level playing field.

During the observation period, the GD-backed candidate received the vast majority of donations,⁴³ and was the only one to take a one million GEL loan for her campaign needs from a commercial bank linked to the GD chairman. Whereas monetary and in-kind donations are well-regulated and subject to strict reporting requirements, the process of obtaining loans and subsequent reporting on the use of such funds lacks sufficient safeguards and regulation at odds with international good practice.⁴⁴

The State Audit Office (SAO), mandated to exercise party and campaign finance oversight and respond to violations, has insufficient human resources to effectively monitor campaign finances. The majority of contestants complied with reporting requirements and submitted periodic financial reports starting from the announcement of the election and reported on donations within five days of receipt.⁴⁵ Although, contrary to international good practice, the law does not set deadlines for the SAO to scrutinize the reports, the SAO examined and published them promptly on its website to ensure greater transparency.⁴⁶

³⁸ Paragraph 7.6 of the [1990 OSCE Copenhagen Document](#) commits participating States to provide “the necessary legal guarantees to enable [electoral contestants] to compete with each other on a basis of equal treatment before the law and by the authorities.” Guideline I.2.3 of the [Venice Commission Code of Good Practice in Electoral Matters](#) states that “equality of opportunity must be guaranteed for parties and candidates alike. This entails a neutral attitude by state authorities ...”.

³⁹ These are further supplemented by the 2016 Decree of the Auditor General, last amended in 2018, partially addressing GRECO recommendations to define the basis for evaluating in-kind donations, including volunteering, to be declared at the market price of similar goods/ services.

⁴⁰ [The 2016 GRECO Addendum to the Second Compliance Report](#) indicated that the SAO and the CEC were jointly preparing amendments to the LPUC and the Election Code with the purpose of eliminating discrepancies and reasonably reducing cross-referencing between them. However, according to the SAO, their recommendations on improving the legislation were not considered by parliament.

⁴¹ Out of 19 parties who qualify for public funding (qualified subjects), 16 had candidates in this election.

⁴² EUR 1 equals approximately 3 Georgian Lari (GEL).

⁴³ The total amount of donations received by contestants is some GEL 5,233,120. Some 3,634,380 was donated to Ms. Zourabichvili, some GEL 617,945 to UNM, and some GEL 599,613 to EG.

⁴⁴ Paragraph 171 of the ODIHR and Venice Commission Guidelines on Political Party Regulation states that “legislation may allow parties and candidates to also take out loans to finance (part of) their campaign or activities. It is important that rules on transparency deal consistently with such resources”.

⁴⁵ According to reports, Ms. Zourabichvili spent some GEL 4,084,077, EG/David Bakradze spent some GEL 882,313, UNM/Grigol Vashadze 864,525 and Industry Saves Georgia/Otar Meunargia GEL 222,094. All other candidates collectively spent some GEL 1,1326,10. Three candidates reported no expenditures for the given period. Only those parties which officially nominated candidates have a legal obligation to report on income and expenditures for the presidential election.

⁴⁶ Paragraph 194 and 206 of the OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation states that “transparency is important because the public has the right to be informed. Voters must have access to the relevant

The SAO verified reports by monitoring the media, conducting field visits, and reacting on issues raised by political parties and civil society organizations. As a result, the SAO requested the Tbilisi city court's approval to investigate 300 donors on the sources of funds for their donations, most of whom had contributed to the GD-backed candidate, UNM and EG. Furthermore, the SAO received four complaints related to vote-buying, abuse of free air-time by other candidates, and changes in a local municipality budget close to the election.⁴⁷ It launched investigations into several cases based on its media monitoring.⁴⁸ No sanctions were imposed before election day. The absence of clear deadlines for addressing violations raised concerns about the effectiveness of enforcement of campaign finance rules.⁴⁹ Overall, a number of outstanding shortcomings in the regulatory system and limited human resources of the SAO diminished the transparency and integrity of the campaign finance system.⁵⁰

Media

The diverse media environment is sharply polarized along political lines and business interests. Television remains the primary source of political information, with two TV stations *Rustavi 2* and *Imedi* dominating the commercial media market. Online and social media are a distant second source. ODIHR EOM interlocutors stressed the unsustainable and fragile state of the media environment, in particular due to the shrinking advertisement market, the ongoing *Rustavi 2* ownership dispute, and an investigation into the alleged misuse of state funding by the *Palitra* media holding. Critical reporting was further limited after the closure of the national TV *Iberia* on 16 October due to the loss of advertisement revenue resulting from the seizure of its parent company's property.

The legal framework for the media in elections lacks clarity on key aspects, negatively impacts opportunities for advertising revenue and does not ensure broad access to free airtime. Specifically, the Election Code is not clear on campaigning outside the official campaign period and the absence of official clarifications prevented several contestants from placing ads.⁵¹ The Election Code requires national broadcasters to provide free airtime only to the sixteen candidates nominated by the political parties which qualify for state funding. This limited access to the media for other parties and independent candidates at odds with OSCE commitments.⁵² Although not clearly stipulated in the law, six parties, in addition to receiving free airtime, were provided by the CEC with additional state funding

information as to the financial support given to political parties in order to hold them accountable. It requires the timely publication of financial reports in a format understandable for the general public".

⁴⁷ ISFED filed a complaint requesting the SAO to take action in the case of four qualified candidates abusing their free airtime to support the UNM candidate, and one qualified candidate abusing his free airtime to support the EG candidate. They argued that this should be considered as an illegal donation. The case is still pending.

⁴⁸ These referred to alleged vote-buying by Free Georgia/Kakha Kukava, and donations to Ms. Zourabichvili from doctors who, complainants alleged, received money from the GD for the purpose of donating.

⁴⁹ See Article 7.3 of the [2004 United Nations Convention against Corruption](#) which and paragraph 194 of the [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) highlight the importance of party and campaign finance transparency in protecting the rights of voters and to preventing corruption. See also paragraph 224 of the [Guidelines](#) that stresses the need for effective, enforceable and proportionate sanctions for campaign finance violations.

⁵⁰ Article 7.3 of [the 2003 UN Convention against Corruption](#) provides that states should "consider taking appropriate legislative and administrative measures... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties".

⁵¹ On 6 and 7 September the media regulator informed TV *Imedi* and GPB that they were allowed to air political advertisements as of 1 August. Furthermore, on 24 August it initiated sanctioning procedures against *Rustavi 2* for airing political advertisements on 15 and 16 August, without reporting on advertisement revenues. *Rustavi 2* argues that it had not missed the legal deadline for reporting. The Article 50.1 of the Election Code requires submitting such reports no later than 50 days before the polling (8 September in this case).

⁵² Paragraph 7.8 of the [1990 OSCE Copenhagen Document](#) requires the participating states to "provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process".

allocated exclusively for paid political advertisements.⁵³ A number of candidates used free airtime and paid advertisements to support other candidates. The lack of legal safeguards against this resulted in uneven access to free airtime.⁵⁴

The broadcast media largely complied with their legal obligation to allocate free airtime which was actively used by contestants.⁵⁵ In an inclusive decision that broadened access to media, both public broadcasters – the Georgian Public Broadcaster (GPB) and TV *Adjara* – decided to provide all candidates the same amount of free airtime. In addition, both broadcasters hosted numerous debates that provided all contestants with a platform to present their views. GPB also dedicated 10 minute interviews within its main news programme to all contestants.

The media regulator, the Georgian National Communication Commission (GNCC), did not always display a transparent and impartial approach in its media oversight during this election.⁵⁶ While the GNCC has initiated a number of sanctioning procedures during the campaign, the decisions or other communication with broadcasters were usually not adopted in public sessions and, as a rule, not published on their website. During the campaign the commission was hostile towards several NGOs questioning their qualifications and assessments.⁵⁷

Despite the legal framework putting the responsibility for the content of political advertisements on the contestants rather than media, on 25 September the GNCC requested the national broadcasters to remove three negative advertisements targeting the GD-backed candidate. In its opinion the ads were at odds with the Law on Broadcasting.⁵⁸ Although the GNCC later explained that their request had no legal power, most television stations chose to comply. Contrary to international good practice, most broadcasters regularly check the content of advertisements before airing them. The majority of them that met with the ODIHR EOM said this is to avoid being sanctioned by the GNCC.⁵⁹ On 9 October Free Georgia submitted a complaint to the GNCC when several TV stations refused to broadcast their ads even after the GNCC found these advertisements to be in line with the law. On 25 October the GNCC initiated sanctioning procedures against said broadcasters and the advertisements were not broadcasted on those TV stations before election day.

⁵³ The allotted funding was tied to the result in the previous parliamentary elections. EG and their coalition partner Movement for Free Georgia (MFG) received GEL 234,348 each, while UNM and their coalition partners Christian Conservative Party of Georgia and National Democratic Party received GEL 200,000 each. LP received GEL 147,390.

⁵⁴ The UNM candidate was promoted by free airtime of four other contestants, while three other candidates used their time to support the Free Georgia candidate. Industry Will Save Georgia supported the GD-backed candidate, while MFG supported EG.

⁵⁵ *Rustavi 2* has decided for the first time to increase the total amount of free time to 10-14 minutes per hour. Although in line with the Law on Broadcasting, such decision was criticized by the broadcast media regulator, for potentially damaging paid advertisement revenue of regional broadcasters.

⁵⁶ The GNCC has monitored major broadcasters and state-funded newspapers, and has released a report covering the first month of the campaign only on 18 October.

⁵⁷ On 14 September the GNCC chairperson while referring to the interim report of a local NGO, called their observers “ignorant monitors”. On 17 September, the GNCC has published a press-release calling the report by a local NGO “unqualified [...] discrediting the commission and misleading the public”.

⁵⁸ The GNCC letter opined that the advertisement labelling a candidate a ‘traitor’ was unethical, and the advertisement containing footage of a swearing candidate was obscene. Another advertisement, which featured a talk-show’s host posing a question to the candidate, was perceived to be breaching the rule that prohibits the participation of political talk-show hosts in campaign advertisements.

⁵⁹ The [2009 Joint Statement on Media and Elections by the UN Special Rapporteur on Freedom of Opinion and Expression and the OSCE Representative on Freedom of the Media](#) highlights that media “should also be exempted from liability for disseminating unlawful statements made directly by parties or candidates – whether in the context of live broadcasting or advertising – unless the statements have been ruled unlawful by a court or the statements constitute direct incitement to violence and the media outlet had an opportunity to prevent their dissemination”.

The ODIHR EOM media monitoring showed that contestants had numerous opportunities to present their views through multiple talk-shows, debates and extensive free advertisement. However, the lack of in-depth or analytical coverage of the campaign, especially on GPB-1, limited the information voters needed to make an informed choice.⁶⁰ Although the Electoral Code required the media to provide fair and impartial coverage of the campaign, the polarization of major media outlets required the viewer to consult several media outlets in order to form an opinion.

In particular, TV *Imedi* in their prime time news displayed a clear bias in favour of the GD-backed candidate, while *Rustavi 2* clearly favoured the UNM and strongly criticized the Government, the GD and the GD-backed candidate.⁶¹ On *Rustavi 2* UNM received some 22 per cent of mainly neutral and positive coverage, while some 26 and 11 per cent of mainly negative and neutral coverage, respectively, was devoted to the GD and the GD-backed candidate. In contrast, TV *Imedi* devoted around half of their coverage to the GD and Ms. Zourabichvili (32 per cent, mainly neutral in tone and 14 per cent, mainly positive in tone), while UNM received some 15 per cent, all negative or neutral in tone.⁶²

The newscasts of TV *Iberia* mainly focused on the allegations of high-level corruption by government and high-ranking GD members targeting *Iberia's* parent company. TV *Pirveli* offered more neutral and factual coverage, mainly focused on the activities of the ruling party and the GD-backed candidate, who respectively received 25 and 9 per cent of mainly neutral coverage, while UNM received 14 per cent of such coverage. TV *Adjara* largely focused on regional events, providing only a limited, yet neutral space for campaign activities. It was the only TV station that offered their viewers a general comparison of the contestants' platforms. GPB-1 attempted to cover the contestants in a neutral manner, however, both GPB-1 and TV *Adjara* did not fully fulfil its public mandate due to superficial coverage of the activities of the contestants and party officials.⁶³

Complaints and Appeals

The legal framework for complaints and appeals remains complex and unnecessarily restrictive. Recent legislative amendments did not address longstanding ODIHR and Venice Commission recommendations to simplify the electoral dispute resolution system and broaden the rules on legal standing.⁶⁴ While registered contestants as well as accredited observer organizations can appeal in most cases, complaints by voters are limited to their non-inclusion in the voter's list contrary to paragraph 5.10 of the 1990 OSCE Copenhagen document, other international standards and good practice.⁶⁵

⁶⁰ ODIHR EOM commenced a quantitative and qualitative media monitoring of primetime coverage of six broadcasters (GPB-1, TV *Adjara*, *Rustavi 2*, TV *Imedi*, TV *Pirveli* and TV *Iberia*) on 24 September.

⁶¹ CEO of *Rustavi 2* Nika Gvaramia was actively campaigning against the GD and the GD-backed candidate on social media. In particular, on 5 October he promised to make sure that "traitor Salome loses, and then go after her supporters".

⁶² In particular, on 5 October TV *Imedi* aired within their newscast a 24 minute long live speech of the GD-backed candidate meeting voters, followed by a 5 minute speech of the Tbilisi mayor endorsing her.

⁶³ Article 16 of the Law on Broadcasting requires the Public Broadcasters to "provide the audience with timely and comprehensive information on important events taking place in Georgia".

⁶⁴ See paragraphs 111-112 of the [2011 ODIHR and Venice Commission Joint Opinion on the Draft Electoral Code of Georgia](#).

⁶⁵ Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that everyone shall have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity. Article 8 of the UN [Universal Declaration of Human Rights](#) states that "everybody has the right to an effective remedy ... for acts violating the fundamental rights..." See also Article 2.3(a) of the ICCPR which states that "any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity". Guideline II.3.3.3.f of the Venice Commission Code of Good Practice in Electoral Matters provides that "all candidates and all voters registered in the constituency concerned must be entitled to appeal".

The Election Code establishes an expeditious dispute resolution process for complaints and appeals against election commission decisions with one to two calendar days allotted for appeals and decisions. However, violations of the campaign regulations are handled under general administrative procedures by the CEC or DEC chairperson or their deputies within one month from the submission of a complaint. Positively, the DEC, the CEC and the courts addressed majority of such complaints before election day.⁶⁶ However, decisions of the CEC Chairperson not to seek sanctions for campaign violations are not subject to appeal, which limits the right to an effective remedy and is at odds with OSCE commitments and international standards regarding the right to effective remedy.⁶⁷

The online register of complaints maintained by the CEC enhanced the transparency of the complaint resolution process. To date, 420 complaints were submitted to election commissions and four cases were appealed to the court.⁶⁸ Most complaints alleged violations of campaign rules or the misuse of administrative resources, procedural violations in PECs and DEC, and the legality of the appointment of PEC members and their absence from polling stations. Of these complaints, 16 were decided in favor of the complainant and 21 were partially satisfied, some 143 are still pending.⁶⁹ Some 111 complaints were rejected either on technical grounds or due to lack of merits. While overall complaints and appeals were handled by the election administration and courts in a transparent manner and within legal deadlines, some decisions lacked sufficient legal reasoning. Various ODIHR EOM interlocutors expressed a lack of trust in the complaint adjudication system.

The Interagency Commission for Free and Fair Elections (IACFFE), mandated to ensure that public officials prevent and respond to election violations, reviewed 28 complaints and issued 3 non-binding recommendations aimed at preventing the misuse of administrative resources, including through social media.⁷⁰ Three civil society groups and several presidential candidates decided to stop attending IACFFE meetings, stating that it failed to adequately address violations and subjected their organizations to continuous criticism.⁷¹ While the IACFFE platform was a forum to raise public concerns and forward complaints to the relevant authorities, the discussion of complaints beyond its mandate and the perceived lack of impartiality hindered its effectiveness.

Citizen and International Observers

The Election Code adequately provides for observation by citizen and international organizations, as well as representatives of election contestants. It contains detailed provisions on their rights and responsibilities and grants access to all stages of the electoral process. Observer organizations are now allowed to check the voter list in between election periods, which partially addressed a previous ODIHR recommendation to expand observer rights. The CEC accredited 73 citizen observer organizations with 22,032 observers, 58 international observer organizations with 1,163 observers, and 1,957 journalists from 95 media outlets in an inclusive manner. Citizen observer organizations carried out long-term observation focusing on various aspects of the election process and deployed short-term observers on election day, contributing to the transparency of the election. However, in the election period, a

⁶⁶ The majority of these related to the misuse of administrative resources.

⁶⁷ DEC took such decisions in 28 cases, and the CEC in 10 cases, including those involving high-level officials. According to ODIHR EOM LTOs, some interlocutors lacked a clear understanding of complaints and appeals procedure, including on deadlines and the possibility to appeal decisions of the DEC not to issue administrative protocol.

⁶⁸ The courts upheld DEC and CEC decisions in three cases, and granted an appeal in one instance.

⁶⁹ Complaints satisfied by the DEC referred to minor procedural violations in the PECs.

⁷⁰ The IACFFE is composed of high-level officials, and all political parties and observers are entitled to be present and participate in the sessions. The majority of cases discussed related to abuse of administrative resources, including officials posting in social media, campaign violations, incidents of violence, unbalanced media coverage, and falsified signatures.

⁷¹ These were ISFED, the Georgian Young Lawyers Association (GYLA), and Transparency International.

deterioration of the dialogue between civil society and the government as well as the CEC was noted. Between August and October, several public officials and high-ranking members of the ruling party harshly criticized citizen observer groups for their statements.⁷² Citizen observers groups denounced such claims as a coordinated attack by the government.

Election Day

Polling stations observed generally opened on time, with slight delays observed in 37 cases in part due to the need to register the large number of candidate and party representatives as well as citizen observers.⁷³ IEOM observers assessed the opening positively in 152 of the 154 polling stations observed. Procedures were generally followed, but in several cases PEC members appointed by opposition parties refused to participate in the casting lots for the distribution of the functions, reportedly because they did not want to be assigned to follow the mobile ballot box, and thus were not given any function. Also PECs did not announce or properly record information on the number of voters and ballots in 21 and 27 openings, respectively.

Voting was evaluated positively in over 98 per cent of the observed polling stations. The few negative assessments were largely due to the interference in the work of the PECs by party and candidate representatives (29 cases) and citizen observers (17 cases), attempts to influence voters (32 cases) and instances of group voting (30 cases). IEOM observers noted that procedures were strictly adhered in over 97 per cent of polling stations observed.

Overcrowding was noted in over 6 per cent of polling stations. This limited the ability of observers to view the voting procedures in 3 per cent of polling stations. Still, transparency was assessed positively in 98 per cent of observations. In 27 per cent of polling stations observed, IEOM observers noted clear indications that citizen observers and media represented party interests.⁷⁴

Election day observations confirmed the practice of ‘coordinators’ collecting lists of voters who will support their candidate. In a number of instances, the individuals or groups in the vicinity of polling stations had lists of voters and appeared to be influencing voters whom to vote for and keeping track of who voted. This raised concerns about the ability of voters to vote free from pressure and fear of retribution.

Although the authorities had established a number of barrier free polling stations, IEOM observers noted that over 60 per cent of the polling stations observed are not enabling independent access for persons with disabilities. In areas where national minorities reside in large numbers, materials were present in minority languages in all but 11 out of 116 polling stations observed.

IEOM observers assessed the counting process positively in 104 out of 118 polling stations observed. The negative assessments typically related to PECs not following procedures or interference in the process. In 16 PECs representatives of the political contestants and citizen observers were directing the counting process. In 21 PECs observed unused ballots were not cancelled and 19 PECs did not enter figures in the display protocol before opening the ballot boxes, both important safeguards against manipulations during the count. Further, a number of legally prescribed procedural steps in the counting

⁷² In their comments the Chairperson of Parliament (on 2 October), the Minister of Justice (on 24 August), the CEC (on 21 August) and GNCC (on 14 and 17 September) Chairpersons and high-ranking members of the ruling party, criticized civil society organizations for lack of professionalism or methodology, politically motivated assessments or on personal grounds.

⁷³ The CEC registered 82,861 representatives of parties, candidates and initiative groups.

⁷⁴ Representing the interest of European Georgia or David Bakradze – in 30 per cent, UNM or Grigol Vashadze in 23 per cent, GD or Salome Zourabichvili in 25 per cent of polling stations observed during the voting.

were often omitted.⁷⁵ While permitted, ballot papers with additional marks were frequently deemed valid (42 cases).

PECs had difficulties in completing the results protocols (17 observations) and revised previously completed PEC protocols (8 observations). While copies of PEC protocols were provided to the IEOM observers, the PECs did not publicly display a signed copy of the results protocol in a third of polling stations observed, which limited transparency.

IEOM observers evaluated the process of tabulation as efficient, effective and orderly and positively assessed the process in 93 per cent of DECAs observed.⁷⁶ IEOM observers noted significant procedural errors or omissions in 7 DECAs. The intake of election materials and processing of PEC protocols was generally transparent. Tension and unrest was noted in 3 DECAs, and attempts to disrupt the process in 1 DEC.

Over 420 election day-related complaints were filed with the DECAs alleging a range of procedural violations in the distribution of the functions of PEC members, violations of voting/inking procedures, and campaigning in the vicinity of the polling stations. All of these cases are still pending consideration. The majority of the complaints were filed by the UNM, and citizen observer groups ISFED and GYLA. The Ministry of Interior registered 29 reports of alleged violations, including physical violence, personal attacks, and damage of election materials and launched an investigation into seven cases.⁷⁷

*The English version of this report is the only official document.
An unofficial translation is available in Georgian.*

MISSION INFORMATION & ACKNOWLEDGEMENTS

Tbilisi, 29 October 2018 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), the NATO Parliamentary Assembly of, and the European Parliament (EP). The assessment was made to determine whether the elections complied with OSCE commitments, Council of Europe standards, other international obligations and standards for democratic elections and with national legislation.

Kristian Vigenin was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Margareta Cederfelt headed the OSCE PA delegation. Andrej Hunko headed the PACE delegation. Laima Liucija Andrikiene, headed the European Parliament delegation. Rasa Jukneviene headed the NATO PA delegation. Ambassador Geert-Hinrich Ahrens is the Head of the ODIHR EOM, deployed from 19 September.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The

⁷⁵ Lots were not drawn to select counting supervisors from among citizen observers (22 cases) and party/candidate representatives to assist in the count (23 cases), the content of all ballot boxes were not mixed before the start of the count (4 cases) and the choice on every ballot was not loudly announced (11 cases).

⁷⁶ IEOM observed tabulation in all but two DECAs.

⁷⁷ These took place in Batumi, Marneuli, Sighnaghi, Kaspi, Samtredia and in Akhalkalaki.

final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its Winter Meeting in Vienna on 22 February 2019. The PACE will present its report at its 2019 plenary session in January 2019 in Strasbourg. The EP delegation will debrief the Committee on Foreign Affairs at one of its next meetings. NATO PA will present its report at its Annual Session in Halifax, Canada on 18 November 2018.

The ODIHR EOM includes 14 experts in the capital and 28 long-term observers deployed throughout the country. On election day, 400 observers from 40 countries were deployed, including 284 long-term and short-term observers deployed by ODIHR, as well as a 56-member delegation from the OSCE PA, 31-member delegation from PACE, 17-member delegation from NATO PA, and a 12-member delegation from EP. Opening was observed in 164 polling stations and voting was observed in 1,520 polling stations across the country. Counting was observed in 119 polling stations, and the tabulation in 71 DECes.

The observers wish to thank the authorities for their invitation to observe the elections, and the Central Election Commission and the Ministry of Foreign Affairs for the assistance. They also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

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