



2017 Local Self-Government Elections: Evaluation of the Pre-Election Environment

The pre-election period of the 21 October 2017 local self-government elections officially began on August 22 and lasted two months. The pre-election period was mostly peaceful and political parties were noticeably active. The election campaign was especially active among mayoral candidates in Tbilisi. Major candidates for the office of Tbilisi Mayor were known to public before the official election campaign began and their campaign periods were lengthier. Throughout the campaign period the ruling party's dominance was evident, as demonstrated by a significant imbalance in party donations and campaign expenditures. Although incidents of violence were not widespread, as the Election Day approached instances of intimidation/harassment significantly increased. The trend of misuse of administrative resources in favor of the ruling party remains a problem. In some cases, interference with pre-election campaigning and illegal participation in campaigning were observed, including by civil servants and members of electoral commissions. No major instances of vote buying were reported.

Legislative Changes: The campaign period for the local self-government elections was preceded by the Constitutional Reform, as well as changes in electoral and local self-government legislative frameworks. Intense public and political debates about legislative changes and difference of opinion increased visibility of opposition parties in the pre-election period. Despite much criticism, the authorities made decisions about fundamentally important issues hastily, without consensus and consideration of different positions. Civil society organizations evaluated this as the government attempts to concentrate political power. Women's political participation remains a problem for the 2017 elections.

Violence and Physical Confrontation: Massive incidents of violence and physical confrontation have not taken place during the pre-election period. An exception was an assault with a firearm against the ruling party's majoritarian candidate and his accompanying individuals on October 19, at night, nearby the Georgian Dream office in Kizilajlo village of Marneuli. Such incident must be categorically condemned and requires timely, effective and transparent investigation by the law enforcement authorities. Whether or not the crime was politically motivated, such grave incidents during the pre-election period damage the electoral environment. Investigative authorities must effectively investigate other cases of violence and physical confrontation and inform public about status of such investigations.

Intimidation/Harassment on Political Grounds: Despite the mostly peaceful pre-election period, as the Election Day drew near cases of intimidation/harassment or threats on alleged political grounds became frequent. 40 instances of intimidation/harassment and dismissal from work on alleged political grounds ended up in ISFED's pre-election interim reports. Most of these incidents involve attempts to threaten opposition party candidates and activists, in an effort to force them into withdrawing their candidacies or abandoning political activities. In a few districts individuals registered as electoral subjects withdrew their candidacies likely as a result of intimidation.¹ Acts of harassment and intimidation in municipalities where current Gamgebelis have lost support of the ruling party and are competing against

candidates nominated by the Georgian Dream are especially alarming. In a number of instances, civil servants and teachers were demanded to work in favor of the ruling party. Only isolated cases of politically motivated dismissal from work were detected, however supporters of opposition or independent candidates reported that they or their family members were threatened with termination of employment. In some cases investigation has been launched into alleged acts of intimidation but results of the investigation remain unknown. A number of instances were left without a legal response – for instance, law enforcement authorities did not look into media reports about Tbilisi kindergarten principals being instructed to collect supporter lists for the Georgian Dream. **Misuse of Administrative Resources:** In comparison to the 2016 parliamentary election, misuse of administrative resources were not broadly evident. However, mobilization of civil servants for the ruling party’s campaign events was a trend. Use of means of communication at the disposal of administrative agencies in favor of the ruling party was also noticeable. Although there were almost no reports of vote buying, large-scale changes in municipal budgets before the electoral period and increase of social and infrastructural expenditures gave an impression of exploiting budget resources to entice voters.

Campaigning in Social Networks: The pre-election period was accompanied by an intensive campaign using social media. This included an organized campaign of disinformation against opposition candidates for the office of Tbilisi Mayor, with the use of different Facebook pages that spread mainly false and discrediting information through sponsored posts. Monitoring of the pre-election campaign also revealed numerous instances of illegal campaigning by civil servants during work hours using their personal Facebook pages. Unfortunately, the electoral administration failed to take effective actions in response to any of these instances.

The Electoral Administration: The process of composition of precinct electoral commissions (PECs) was flawed in a number of district electoral commissions (DECs). Similar to the 2016 parliamentary elections, opposition representatives talked about the so-called “pre-made lists” that DEC members were using for selection of precinct-level commissioners. In some cases, such “pre-made lists” were nearly identical to the lists of individuals selected by DECs. The monitoring identified conflicts of interest in

commissions at both district and precinct level involving family members of some commissioners competing in the elections in the same electoral district. Similar to the 2016 elections, the complaints process is marked by the trend of unreasonably narrow interpretation of the Election Code by the electoral administration as well as courts, which often leads to rejection of complaints filed over violations of the electoral legislation. Further, most decisions about electoral disputes are based on a low standard of proof. Such practice by the electoral administration and the judicial authorities limits effective response to electoral violations and their prevention in the future, while in some cases it indirectly encourages violations of electoral legislation.

The Inter-Agency Commission: During the pre-election period the inter-agency commission held a number of meetings and issued recommendations. Its work demonstrated once more that the commission is an important platform for exchange of information, however it lacks effective mechanisms for responding to violations. The commission should be transformed from a platform for hearing complaints and exchanging information into an effective agency.

Political Party Financing and Monitoring: A clear imbalance in party donations and campaign expenditures was evident in during the pre-election period. Through October 2, the ruling party spent GEL 4,939,306 on advertising, while expenditures made by other political parties were far less. Donations received by the Georgian Dream from June 1 through October 1 were 12 times larger than the total donations received by all other qualified subjects. 80% of total donations were made by 643 natural persons, the rest was made by 32 legal persons out of which 31 donated to the Georgian Dream. 15 out of 31 companies that donated to the ruling party were awarded state contracts in 2017 through a simplified procurement, totaling GEL 2,145,022, while they donated GEL 1,021,793 in favor of the party. According to the Transparency International – Georgia, some of the natural persons that donated in favor of the ruling party were affiliated with 70 legal entities that were awarded at least a single state contract through a simplified public procurement in 2017. From June 1 to October 1, 2017, **the State Audit Office (SAO)** sent out requests for examining revenues of 544 natural persons, including 31 persons that were summoned for examination. 13 of those are donors of European Georgia and 18

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donated to the Georgian Dream. None of these donors were subjected to a fine. The SAO failed to publish complete information about party financing in a proactive manner. Replacement of the Deputy General Auditor in charge of party financing oversight three weeks before the elections was also a problem.

Media Environment: Media environment was diverse during the pre-election period. No instances of assault or intimidation against reporters were found. Although politicization of broadcasters remains a problem, most TV broadcasters actively covered the local self-government elections and all national TV channels hosted debates. Constituents were able to learn about a range of election issues from different broadcasters but TV channels failed to ensure impartial reporting about all candidates.

Observer Organizations: Throughout the pre-election period instances of intimidation of observers and interference with their activities did not happen. However, studies and reports published by monitoring organizations during the election period were criticized severely and often aggressively by representatives of the ruling party and the authorities.

¹ According to official information, in different districts, 196 candidates for the office of Sakrebulo Membership and 21 mayoral candidates were removed from registration within the timeframe prescribed by the law for withdrawing candidacies.

<http://cesko.ge/res/docs/Majoritarebimoxsnili10.10.2017GEO.pdf>;

<http://cesko.ge/res/docs/MerebiEng201710.10.2017.pdf>