

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## Local Observer Organizations Assess Activities of Inter-Agency Task Force

The Inter-Agency Task Force for Free and Fair Elections (IATF) was established on 13 April 2010. According to the authorities, IATF was formed in order to facilitate the conduct of the 30 May local elections in as transparent and fair an environment as possible by enhancing coordination between different agencies. IATF was also instructed to engage in active and constructive collaboration with the local and international observer organizations, diplomatic missions and other parties involved in the electoral process.

IATF was originally established before the 2008 early presidential election and continued to operate in the run-up to the 2008 early parliamentary elections.

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The IATF established in 2010 comprises high-ranking officials from the Interior Ministry, the Foreign Affairs Ministry, the Justice Ministry, the Regional Development and Infrastructure Ministry, and the National Security Council. The inclusion of these high-level representatives has been among the most positive traits of the group. By doing so, the government ensured the group's greater efficiency, while also demonstrating, once again, that it considered the conduct of the 30 May elections in a free and fair environment to be particularly important.

IATF met the local observer organizations on several occasions before the local elections and discussed the irregularities they had recorded in detail. It also provided quite extensive, written responses to the pre-election reports published by Transparency International Georgia on 29 March and 11 May and by the Georgian Young Lawyers Association on 23 April and 22 May (the responses were also released via internet). This was an improvement upon the previous elections since IATF did not produce any written responses to the reports of observer organizations.

Another step forward was the fact that IATF members and other high-ranking officials (including the prime minister) made public statements, urging public servants and the individuals responsible for administering the elections to respect the law.

Unfortunately, despite the positive trends noted above, the work of IATF has not produced tangible results so far: investigation of the majority of recorded violations has not started or is being delayed, and the offenders have not been punished. As of 15 June, only one incident has drawn adequate reactions (an acting director of a school in Khulo Municipality was fired for conducting a campaign event in the school) from the IATF. Numerous other allegations recorded between early April and 30 May are still being investigated. The inquiry into the notorious case of intimidation of opposition candidates in Mestia has not been completed yet either, even though there are statements of the victims and witnesses, as well as a secret video recording. Not a single witness has been interrogated a month on from the institution of criminal proceedings.

It has been said on multiple occasions that the 30 May elections were considered to be a test of Georgia's democratic aspirations. The actions taken in relation to the violations recorded by the observer organizations, and the Mestia incident in particular, will be an important test of whether the government efforts to improve the electoral environment by eliminating irregularities are genuine.

The answers provided by IATF to the observer organizations' criticism regarding the use of state funds for the election campaign were also unsatisfactory. The answers misinterpreted the information provided in the reports of the observer organizations in

some cases and were incorrect in others. As a result, there was an impression that IATF was concerned with finding justification for the irregularities (even if it was a wrong one) rather than highlighting them and preventing their occurrence in the future.

Ultimately, IATF cannot be said to have attained its stated goal completely. Because of belated and at times inadequate reaction, it failed to create a pre-election environment free of violence. Unfortunately, it was not able to facilitate the establishment of equal conditions for the parties and candidates contesting the elections either.

In order to strengthen the effectiveness of IATF:

1. IATF must actively oversee the investigation of violations. This process must be completed in a timely manner and the offenders must be punished adequately. Taking into consideration that the IATF is composed of the high-level government representatives, it ought to have all the leverages necessary for the timely investigation.
2. IATF needs to remain as objective as possible when responding to the reports of observer organizations and aim to examine every single issue in depth and assess it accordingly.
3. IATF must communicate with the citizens actively and provide them continuously with information about the conducted and the planned work. It is advisable that minutes of the meetings between IATF, the observer organizations and other interested parties be produced in order to inform the public as to how the meetings were conducted, what kind of information the observer organizations supplied IATF with and how IATF responded. This will make it possible for the public to follow and evaluate the activities of IATF.