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Joint Preliminary Statement on the first round of the Parliamentary Elections in the Republic of Georgia on 8 October 2016

EPDE (09.10.2016) - The joint international election observation mission of the Norwegian Helsinki Committee (NHC), European Platform for Democratic Elections (EPDE), International Elections Study Center (IESC) and International Partnership for Human Rights (IPHR) and was established in Georgia on 12 September. On Election Day, the Mission deployed 36 international observers who visited more than 200 polling stations across the country. This preliminary statement summarizes our findings. Additionally, the statistical analysis provides an overview of the distribution of votes between the main parties and indicates some cases which could be worth further investigation. The Mission's final report will be published after the run-off election.

Georgia has a mixed electoral system. 73 seats parliament are elected by a majority vote in single-member constituencies, and another 77 seats are distributed according to a nationwide proportional representation system. The elections on 8 October constituted the first round of the Parliamentary Elections. A run-off election in the single-member constituencies where no candidate secured more than half of the votes will be held before 2 November.

The election code had been amended according to advise from the Council of Europe Venice Commission and a decision by Georgia's Constitutional Court in 2015. Under the current law, the size of the single-member constituencies cannot deviate by more than 15 percent from the average in terms of number of voters. While this improvement is welcome, the Mission regrets that other legislative initiatives have been rejected. In particular, the Parliament of Georgia once again struck out a provision for securing at least 30% representation of each gender in electoral party lists. The new Parliament is thus likely to have an even lower representation of women than the incumbent (in which there are 18 women out of 150 MPs).

In general, with regard to both legislation and implementation, the elections on 8 October confirmed the trend in which Georgia's recent elections have been more in line with international standards than what was previously the case. The joint mission appreciates the efforts of the central election Commission to register, accredit and share information with our observers. In general, election commissions worked effectively during Election Day and allowed voters to express their preferences freely. However, especially during the vote count, procedural irregularities caused tension in several polling stations.

While voting was orderly in most cases, the situation deteriorated shortly before the closing of the polls when groups of unidentified persons started gathering around precincts. Three incidents observed by the Mission marred Election Day. Just before closing polling station no. 53 in Zugdidi region was surrounded by aggressive voters who started to fight. As a result, the polling station was closed a few hours later. In the same region in the polling station no. 79 in Jikhashkari village, the count was disrupted by

unidentified men who physically attacked our observers and stole their phones. One observer was injured. The police were present in and around the polling station, but did not intervene in order to protect our observers and their property. The observers who came to the police in order to file the complaints, were questioned for 10 hours without reasonable explanation.

In the village Kizil-Ajlo in Marneuli district, polling station 48 was forced to close after a physical altercation between aggressive unidentified persons and PEC members and other authorized persons, including police. Our observers were initially denied entrance to the polling station, but finally allowed to observe the count. The vote count at this polling station was carried out with numerous violations.

The observation mission would like to remind Georgian authorities that the participation in the electoral process of international election observers is enshrined both in Georgia's election code and in politically binding international documents such as the OSCE Copenhagen Document. The Georgian government consequently has an obligation to protect accredited international observers. We therefore request that Georgian authorities investigate the incident in Jikhashkari swiftly and effectively, in order to identify and punish the perpetrators and restore the stolen property (which included footage of the incidents and other materials related to the election observation) to our observers.

According to the CEC all precinct election commissions (PECs) were trained and observers overall assessed their performance positively. However, in some cases, the opening of polling stations was delayed due to lacking of procedural knowledge of the PEC troika. The inking procedure, which should prevent multiple voting, was not followed systematically. Especially in minority populated areas several procedural shortcomings were observed. In many cases unauthorized persons or groups of persons, mostly identified as proxies of candidates and parties, were seen in the vicinity of the polling stations, and sometimes inside the stations. Some of them took a leading position in the commission work.

In many cases, observers reported breaches of procedure during the count. In some cases ballots were sorted silently, envelopes were not counted separately, the signatures of the voters who cast the ballot were not counted before the votes, proxies of parties and candidates interfered with the process, ballots from the mobile boxes were not counted separately, blank ballots were not stored safely due to lack of proper storage facilities (no safes available). In a few cases, apparently invalid ballots were counted as valid in favor of the ruling party.

Some polling stations were not up to standard: small and poorly equipped premises were reported from all monitored regions. Some were overcrowded, which caused chaos inside and outside the polling station. In a majority of polling stations there was no proper access for disabled persons.

While most of these irregularities would not seriously influence the result, the Mission recommends that there should be a re-run of the elections in the polling stations nos. 79 in the Zugdidi district and 48 in Marneuli, as the disturbances there place the validity of the ballot in question. The overall assessment of these elections will also be shaped by the way which the relevant electoral bodies deal with the many complaints made during Election Day.
