

## **Election Monitoring Report Georgia Local Elections 30 May 2010**

This report provides an account of observations in the Dmanisi district (DEC #24), where on the day of Georgia's Local Elections on 30 May 2010, the European Centre for Minority Issues (ECMI) conducted election observations in a total of 25 Precinct Election Commissions (PECs), which amounts to half of the total of 50 PECs in the district. Of the 25 monitored PECs, 14 were covered by full-day observers (03, 04, 13, 14, 15, 19, 20, 22, 24, 38, 39, 43, 44, 50) who took part in the entire process from the opening of the PECs at 7:00 am to the closure of the polling stations at 8:00 pm, while then remaining until the counting and reporting procedures had been completed. In addition, a mobile team visited 11 PEC throughout the day (3, 11, 25, 26, 29, 30, 31, 35, 40, 41, 46).

The deployment of election observers was coordinated with Public Movement Multinational Georgia (PMMG) in order to ensure the broadest possible coverage by observers of the PECs.

Overall, the elections in the monitored PEC took place without any major violations of the Election Code. Only two complaints on violations were submitted to PECs and one to the DEC regarding one of those PECs, as the latter refused to accept the complaint. This complaint (#15, Log-Chandari) concerned a lack of signatures from the registrar on the back of the ballot papers, as noted by the observers during the counting procedures. On this basis the observers demanded the annulling of the votes of the entire PEC. The complaint is now being considered by the DEC. The other complaint (#11 Mamulo) concerned the improper sealing of the ballot box. One seal on the stationary ballot box had visibly been removed and replaced. The observers filed a complaint and recommended that the PEC should contact the DEC with a request to deliver new seals, as well as that the voting be suspended until the new seals arrived. It is not yet known whether the recommendations were followed.

It should be noted that complaints were only filed when PEC members showed unwillingness to improve or correct their performance. As a rule, the PEC followed the advice of the observers, and in the majority of PECs the commission members would ask the observers for guidance concerning various issues throughout the day. Hence, it can be said that the presence of the observers in itself had a positive impact on the performance of the PECs, and contributed to reducing misconduct in most of the PECs covered by the observers.

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At the majority of the PECs, police officers could be seen, usually stationed at the entrance or gateway to the PEC. Some of the PECs' chairmen claimed that orders had been made by the district authorities to station the police near all polling stations on election day in order to prevent possible incidents. In a few cases, police officers would also occasionally appear inside of the voting room. After the PECs' chairmen were informed that this practice was contradictory to the Election Code, the policemen were in some (but not all) cases asked by the PEC chairmen to move further away from the PEC.

Most observers reported that in the PECs the voters attempted at casting a ballot without their ID cards, and in some cases trying to vote more than once. In some PECs, commission members would ask the observers if such practices could be permitted. In other PECs, only after the observers made the commission members aware that such voting behaviours would violate the Election Code, would the commission members refuse to allow voting without the presentation of proper ID.

In over half of the PECs visited by the mobile team, the poster protocols for public viewing were not on display and not filled in. However, upon being informed about this requirement, the PEC would fill in the protocols and display them properly. Another problem observed in one PEC was that protocols were filled in using a pencil rather than a bold pen. It was visible that corrections had been made.

In one PEC (46), the total number of voters in the list was 495. In the registrar's list, however, 159 voters were noted as currently being abroad. The number of received ballot papers, therefore, was only 350. The secretary of the PEC did not know whether to indicate the number of voters in accordance with the voter's lists or as the total after the 159 non-resident citizens had been deducted. This confusion seems to stem from inadequate instructions by the DEC.

Overall, the PEC members appeared inadequately prepared for properly performing their functions, and they were often unaware of procedures. This was particularly evident during the opening procedures from 7:00-8:00 am where, as a result of inadequate understanding of the procedures, the PECs in several cases were not ready to open on time.

With regards to the vote counting procedures, these were conducted satisfactorily in most cases, although, concerningly, at some PECs the observers were encouraged by commission members to accept that invalid blank ballots could be marked in favour of a party or candidate. At one PEC (#50, Irganchai) an evident attempt at committing fraud took place. While some 20-30 invalid and blank ballot papers initially had been compiled, as the ballot papers were being sorted the observer noted 15 minutes later that only 2 invalid ballot papers had been deposited into its sealed envelope. Only after the observer had strongly complained about this and had filled in an official complaint did the PEC members agree to conduct a recount of the ballot papers. The recount resulted in the recording of 15 invalid ballots.

On a positive note, it must be emphasized that the increased practice of inviting party representatives from outside the local communities (in this case from Dmanisi town) to act as members of the PECs is likely to have had a quality-enhancing effect on the conduct of the procedures in comparison to earlier elections, where in many cases the PEC members would exclusively be made up by persons from the local communities. Not only does this, at least to some extent, undermine the capacity of local community leaders in manipulating the PEC members, but in the minority communities it also adds to the PECs the much needed Georgian language knowledge that is essential in understanding correctly the election guidelines, protocols and other materials (which during this election in the observed Dmanisi PECs were available exclusively in Georgian).

While enhanced training prior to the next election is an imperative for the improvement of the PEC conduct, there is also a clear necessity to further enforce election monitoring during the next election. PEC and DEC members must also be made clearly aware of the fact that punitive action will be taken for serious misconduct during the implementation of electoral procedures, and the CEC must take appropriate measures to enforce punitive action when violations take appear.

Like in the 2008 parliamentary elections, voter's lists and ballot cards were available in bi-lingual Georgian/Azeri versions at all the observed Azeri speaking community PECs. The CEC should be acknowledged for this practice. However, as some problems with regard to the filling in of the protocols were noted, in future it would be commendable to develop also bi-lingual editions of other materials for use by the PEC members in minority regions, particularly the protocols.

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