



საერთაშორისო გამჭვირვალობა – საქართველო  
TRANSPARENCY INTERNATIONAL GEORGIA

## Use of Administrative Resources for Election Campaign

### Local Elections 2010

### 2<sup>nd</sup> Report

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## Executive Summary

The second interim report on monitoring the use of administrative resources for election campaign covers the period of time between 15 March and 5 May 2010 and focuses on the four main types of administrative resources: coercive, financial, material-technical and human. The analysis shows that there have, so far, been fewer violations during the campaign for the 30 May local elections than was the case during the 2008 early presidential and parliamentary ballots. However, the general picture is still far from positive.

The instances of **pressure on voters and opposition activists** are the most alarming matter. These types of incidents are more common in the regions. Specifically, opposition party candidates have been forced to withdraw from the elections, public officers have been required to attend the ruling party's campaign events, while the campaign activities of opposition parties have been obstructed.

On 3 May, the Samegrelo-Zemo Svaneti governor, the Military Police chief, a high-ranking officer from the Kodori police department, the Mestia majoritarian MP, the head of Mestia administration, the Financial Police regional chief and other representatives of the authorities, who were accompanied by some 50 armed people, summoned the Freedom Party's candidates (both majoritarian and those from the party list) to the administration building between 10 p.m. and 3 a.m. and forced them to withdraw from the elections. Four people wrote withdrawal statements the same night. In Qvareli District, following the pressure by the head of district administration and the police chief, the National Council's candidates for the membership of the Akhalsopeli and Mtsidziri councils pulled out of the race. Shota Kavtarashvili, head of the Akhmeta district chapter for the Movement for Fair Georgia, was instructed by the council chairman and the district administration's representative in the Duisi village to give up political activities and leave the "Noghaideli party". They visited Kavtarashvili at home and threatened him for 30 minutes, as a result of which Kavtarashvili required urgent medical attention.

In the Kviani village of Lanchkhuti District and the Alvani village of Qvareli District, the high school 12th-graders who are eligible to vote have been warned that they will be drafted into the army before being admitted to universities if they fail to vote for the ruling party. In Ozurgeti, minibuses were not allowed to travel to and from the villages on the governor's and the Guria police chief's orders when the National Council leaders visited the district on 24 March.

**As far as financial resources are concerned**, the following matters are worth attention: the growth of staff numbers and salaries in Tbilisi and in the district councils and administrative



bodies, allocation of funding for certain (non-seasonal) activities exclusively before the elections and an increase in the subsidies allocated to local media entities from municipal budgets.

There was an increase in the staff numbers and salaries in 13 of the 43 municipalities reviewed by Transparency International Georgia. Also, while there was no growth of staff numbers in additional nine municipalities, salary allocations did increase. In Gori, Rustavi, Khobi, Signaghi, Gurjaani, Telavi, Lagodekhi and Akhmeta, different types of activities related to sport, culture, education and social policy are funded exclusively before the elections. Media subsidies grew in Oni, Abasha, Martvili, Telavi, Gurjaani, Signaghi, Qvareli and Akhmeta.

**Violations involving logistical and human resources** were recorded in Tbilisi, Telavi, Gurjaani, Sagarejo, Poti, Batumi and a few other districts.

In the Qarajala village of Telavi District, the head of administration took away IDs from some 50-60 people. In Batumi, the 2<sup>nd</sup> Division of the City Police Department sent a letter to the heads of different state agencies and private organizations, requesting personal ID numbers and other personal data of their employees. Families of prisoners residing in Ozurgeti District have been asked by local government representatives to mobilize supporters for the United National Movement in return for their release.

In Tbilisi, the use of the “I Love Tbilisi” logo (created as part of the so-called Tbilisi re-branding campaign sponsored by the Tbilisi Mayor’s Office) in the ruling party’s election campaign is particularly common. The document adopted at the 1990 Copenhagen Conference states that there must be a clear distinction between the state and political parties.

The “Kinomania+5” campaign, launched by the Tbilisi Mayor’s Office in April and promoted through the Mayor’s Office website and various printed media, is a hidden political advertising (the ruling party’s number on electoral ballots is five). In the party agitation materials number “5” is red. In Mayor’s office campaign the “Kinomania+5” five is also red. At the same time, the campaign violates the law since “it is prohibited, during campaign period, to use state or local budget funds to produce printed materials where an electoral subject or its electoral number appears.”



## Introduction

### OSCE<sup>1</sup> Copenhagen Document on Elections and Democracy (1990):

There needs to be (5.4) “a clear separation between the State and political parties; in particular, political parties will not be merged with the State (5.4); respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities (7.6)”.

Numerous international provisions, including the documents adopted by the organizations that Georgia is a member of, prohibit the use of administrative resources for election campaign. Georgian legislation only restricts the use of administrative resources for this purpose to a certain extent. At the same time, the majority of the relevant provisions are so ambiguous that it is very difficult, or even impossible, to detect violations.

Asked about the local elections during his official visit to the United States on 15 April 2010, the Georgian president said: “we intend to use all kinds of resources [in order] to improve the people’s lives regardless of whether or not they are going to say that we are misusing [administrative resources]. Yes, we are misusing them but we are still going to do this and I believe that it is legal.”<sup>2</sup>

Ambassador Audrey Glover, head of the OSCE Election Observation Mission in Georgia, said on 16 April: “We will assess the elections according to Copenhagen commitments<sup>3</sup> that all OSCE member-states share.”<sup>4</sup> It is worth noting that the document adopted at the 1990 Copenhagen Conference contains more extensive regulations on administrative resources than Georgian legislation does. The head of the OSCE mission also noted that the mission will observe “issues such as media coverage of the election process, the use of administrative resources and whether all the candidates have an opportunity to conduct their campaigns in equal conditions”. The ambassador expressed hope that progress would be achieved in terms of implementation of

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<sup>1</sup> The Conference on Security and Cooperation in Europe (CSCE), later renamed to the Organization for Security and Cooperation in Europe (OSCE).

<sup>2</sup> <http://www.civil.ge/eng/article.php?id=22202>

<sup>3</sup> [http://aceproject.org/main/english/ei/eix\\_c070.htm](http://aceproject.org/main/english/ei/eix_c070.htm)

<sup>4</sup> [http://rustavi2.com/news/news\\_textg.php?id\\_news=36518&pg=1&im=main&ct=0&wth=](http://rustavi2.com/news/news_textg.php?id_news=36518&pg=1&im=main&ct=0&wth=)



the mission’s past recommendations, including “those with regard to the clear separation of party and state”.<sup>5</sup>

On 8 April, the Central Electoral Commission of Georgia (CEC) and five Georgian NGOs signed a memorandum “On Use of Administrative Resources for 2010 Elections”.<sup>6</sup> The memorandum clarifies the provisions of the Georgian Electoral Code that regulate the use of administrative resources for election campaign. A few days later, the Georgian parliament speaker commented on this initiative, noting that “public officials will be punished as strictly as the law allows if they dare to interfere with the electoral processes.”<sup>7</sup> Subsequently, the United National Movement expressed their intention to join the memorandum.<sup>8</sup> Ruling party representative Pavle Kublashvili said at a news conference that the party was prepared to collaborate actively with the NGOs and the CEC in terms of monitoring the fulfillment of the memorandum’s requirements. Later on, on May 7 fourteen political parties, including UNM, signed the memorandum officially.

On 29 March 2010, Transparency International Georgia published its first report on Use of Administrative Resources for Election Campaign which focused on the state and the municipal financial resources. Along with financial resources, the present (the second) report highlights the so-called legal (regulatory), institutional and coercive resources. But first, the legal framework for the use of administrative resources needs to be discussed.

## Legal Framework

Both Georgian and international organizations and observation missions highlighted the abuse of administrative resources for election campaign as one of the most problematic issues in their assessment of the 2008 early presidential and parliamentary elections.

Observer organizations, Transparency International Georgia among them, presented specific recommendations to parliament as to how the use of administrative resources could have been regulated more effectively. The recommendations included:

- a) Reducing the number of public officials to whom the campaigning restrictions do not apply, leaving elected public officials and political officials as the only exceptions;
- b) Stipulating in the election law that, along with being prohibited from pre-election agitation (urging voters to support or not to support election contestants), public

<sup>5</sup> [http://www.messenger.com.ge/issues/2087\\_april\\_19\\_2010/2087\\_ernest.html](http://www.messenger.com.ge/issues/2087_april_19_2010/2087_ernest.html)

<sup>6</sup> <http://cec.gov.ge/old/?que=geo/press-center/press-releases&info=5815>

<sup>7</sup> <http://ghn.ge/news-12220.html>

<sup>8</sup> <http://ghn.ge/news-12881.html>



servants are also forbidden from involvement in an election campaign (a set of measures implemented by the parties and candidates contesting an election with the purpose of winning it) in general;

- c) Prohibiting the use of material and human resources of public agencies for election campaign (both by parties and candidates contesting the election and by public servants).

Parliament accepted some of these and other recommendations in December 2009<sup>9</sup> and made a number of positive amendments to the Georgian Electoral Code though it left several ambiguous provisions unchanged. For example, public servants are still allowed to engage in pre-election agitation except when directly performing their official duties. The code does not contain a definition of “directly”<sup>10</sup>. Public servants are still allowed to engage in pre-election agitation except when carrying out their duties. The code does not contain a definition of “carrying out their duties”, so the question has triggered a dispute between the government and NGO representatives on more than one occasion (due to the varying interpretations of the word).

The following positive changes must be highlighted: it has been prohibited (a) to include, during an election campaign, election contestants and their campaign materials in the publications printed with state funds<sup>11</sup> and (b) to implement unplanned projects and budget amendments between the day an election is called and the day its results are consolidated (Specifically, to increase budget programs and planned transfers or to propose unplanned transfers).<sup>12</sup>

Along with the positive changes, the amendments adopted in December 2009 also contained a number of setbacks. In particular, the provision whereby an MP’s mandate was to be terminated in the event of his/her nomination as a candidate for local council membership was removed from the law.<sup>13</sup> While there have been no such cases during this campaign, the legal provision could have a negative impact on elections in the future. Specifically, parties could place prominent MPs at the top of their lists and “use” them to obtain seats in local councils, while those well-known MPs would later opt to stay in parliament and give up the council seats in favor of individuals (further down the list) who are less known, or completely unknown, to the public.

<sup>9</sup> The amendments to the Georgian Electoral Code were adopted on 28 December 2009.

<sup>10</sup> Article 73, Paragraph 5 (h) of the Georgian Electoral Code.

<sup>11</sup> Article 76, Paragraph 3 of the Georgian Electoral Code.

<sup>12</sup> Article 73, Paragraph 10 (1) of the Georgian Electoral Code.

<sup>13</sup> Article 111, Paragraph 1 (b) of the Georgian Electoral Code.



The abolished provision, whereby the nomination for local council membership was to result in the termination of an MP's mandate, had been added to the code before the 2006 local elections.<sup>14</sup> The ruling party proposed it after opposition MP Koba Davitashvili decided to run in the local elections. Davitashvili gave up his parliamentary seat and ran for local council membership.

### **Legal (Legislative and Regulatory) Resources**

*Adoption of decisions that promote the ruling party's electoral interests (facilitate its victory) by the legislature, the executive and the judiciary, as well as by other regulatory bodies. "The abuse of regulatory resources involves the biased enforcement of existing regulations to benefit incumbent parties and candidates. Examples vary widely, from an election commission that 'deregisters' an opposition candidate, to tax authorities imposing a sudden tax inspection on an opposition party in the middle of an election campaign."*<sup>15</sup>

#### *Announcement of Election Date*

According to the Georgian Constitution, the president is to call the date of elections at least 60 days in advance.<sup>16</sup> Much like 2006, the president effectively waited until the very last day of this limit and called the date of the local elections 61 days in advance, even though he had made the first public statement on holding the elections on 30 May as early as during the presentation of his report to parliament on 20 July 2009.<sup>17</sup>

Under the law adopted by parliament on 12 March 2010, the Georgian Electoral Code was amended to stipulate that the local elections are to be held on 30 May 2010.<sup>18</sup> This cannot be considered an announcement of election date since, as noted above, the president is to call the date under the Constitution. Parliament's decision therefore contradicted the Constitution.

A timely announcement of the election date was among the main recommendations that the Georgian and international observer organizations had made. The question is important, first

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<sup>14</sup> Under the original version of the Georgian Electoral Code (adopted on 2 August 2001), an MP's mandate was to be terminated in the event of his/her nomination as a candidate for local council membership though this provision was abolished less than two months later (on 28 September 2001). The restriction was re-introduced through the law adopted on 23 December 2005 and was abolished again through the amendments of 28 December 2009.

<sup>15</sup> *Monitoring Election Campaign Finance: A Handbook for NGOs*, the Open Society Institute, 2005.

<sup>16</sup> The Georgian Constitution, Article 104 (3).

<sup>17</sup> <http://www.president.gov.ge/?l=G&m=0&sm=3&st=20&id=2988>

<sup>18</sup> The Georgian Electoral Code, Article 129 (13), Paragraph 1.



and foremost, because the date of elections is linked to official commencement of the campaign and the pre-election restrictions take effect once the date is announced. Knowing the exact date of elections also creates equal conditions for political parties as it provides them with more time to plan their campaigns properly. A timely announcement of the election date also makes it possible for observer organizations to allocate more time for preliminary work and to plan monitoring more thoroughly.

The handbook of the OSCE Office for Democratic Institutions and Human Rights (ODIHR)<sup>19</sup> explain the importance of the campaign time frame as follows: “TIME AS A RESOURCE: Time is also an important resource for an election campaign. All contestants should have an equal period of time in which to campaign. The duration of the campaign must be long enough to enable the contestants to effectively organize and convey their policies to the electorate. The law should make clear whether political activities, outside of the official campaign period, are permitted and, if so, to what extent”. The same source says, that “lack of a clear commencement date for the campaign ... resulting in unequal periods of time available to campaign.”

“Transparency International Georgia” began to monitor the use of administrative resources for election campaign in mid-March, i.e. before the election was officially called. The processing of the monitoring data showed that the ruling party was actively using administrative resources before the official announcement of the election date on 30 March, i.e. a mere two-and-a-half months before the elections. For example, as noted in the first report, Levan Konjaria, head of the ruling party’s Zugdidi district chapter, supervised a free-of-charge diagnostics program in the villages of Zugdidi District in March.<sup>20</sup> He was named as the United National Movement’s candidate in the Zugdidi majoritarian district on 19 March. He also leads the [United National Movement] party list in Zugdidi District. The Georgian parliament speaker himself endorsed Konjaria during his visit to Zugdidi.<sup>21</sup> Also in March, Qvareli majoritarian MP Zaza Gelashvili presented local residents with food and personal hygiene items. Qvareli Administration Chief Levan Gamsakhurdia and the employees of the administration participated in the event. According to the local population, they were promised additional gifts in exchange for supporting the United National Movement.

<sup>19</sup> ODIHR’s Election Observation Handbook: Fifth edition, 2005  
[http://www.osce.org/publications/odihr/2005/04/14004\\_240\\_en.pdf](http://www.osce.org/publications/odihr/2005/04/14004_240_en.pdf), p.47

<sup>20</sup> The Kurieri news program, the Rustavi 2 TV channel, 7 March 2010.

<sup>21</sup> <http://imedi.ge/?p=22826>



### *Division of Tbilisi's Six Districts into 30 Precincts*

Following the Tbilisi City Council's decision,<sup>22</sup> the existing six districts of the capital were divided into 30 territorial units: precincts.<sup>23</sup> The change drew strong criticism from the opposition parties that voiced allegations that the move was linked to the elections and was aimed at mobilizing material and human resources for the campaign. Responding to these allegations, the Tbilisi Mayor cited the example of the much smaller city of Kutaisi that is divided into 10 municipalities. He also noted that the increase in the number of territorial units in Tbilisi was only going to have a minor impact on its budget (not exceeding 1 million lari).<sup>24</sup> The ruling party cited the need for closer contact with the people as the reason for the establishment of new precincts.

The 2010 Tbilisi city budget provides for the employment for 150 additional staffers for the administration of the 30 precincts. Unfortunately, despite our numerous requests, the Tbilisi Mayor's Office has refused to provide a detailed budget<sup>25</sup>. It is impossible to determine the cost of the new initiative for Tbilisi based on the publicly available versions of the budget. It is also difficult to determine whether or not it was necessary to establish the new precincts since the Tbilisi City Council's decision did not contain a relevant explanation (for example, statistical data regarding the number of people that the old territorial units provided service to).

When the authorities implemented a local self-government reform in 2006, the first level of self-government (village and town councils and administrations) was abolished and self-government bodies were only retained at the second level (the districts). At the time, the ruling party cited the aspiration to optimize resources and establish a more effective system of governance as the reason for such an enlargement. As a result, local councils and administrations are presently located in district centers, while the administration chiefs and mayors have one representative in each village and town (these representatives can employ several staffers if the local councils decides so). Granted the population of Tbilisi is much larger than that of any municipality (and amounts to over 30% of the country's entire population), it is still much easier for the residents of the capital than it is for the people in the regions to reach the administration of their districts since transport networks are more limited and incomes are often lower in the regions.

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<sup>22</sup> The decision No13-29 adopted by the Tbilisi City Council on 29 October 2009 "On Division of Districts Existing within Established Administrative Borders of City of Tbilisi into Territorial Units - Precincts".

<sup>23</sup> The Old Tbilisi District comprises three precincts, the Vake-Saburtalo District – six precincts, the Isani-Samgori District – nine precincts, the Didube-Chughureti District – three precincts, the Gldani-Nadzaladevi District – eight precincts, the Didgori District – one precinct.

<sup>24</sup> [http://www.tbilisi.gov.ge/index.php?lang\\_id=GEO&sec\\_id=5024](http://www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=5024)

<sup>25</sup> According to Article 82.1 of the Georgian Budget Code, the budget must contain a quarterly and/or monthly breakdown.



### *“Scheduled Inspections” and Inventories Conducted by Tax Authorities during Election Campaign*

Scheduled inspections and, in some cases, inventories of the printing companies operating in Tbilisi have been conducted on a regular basis since March. Consequently, the printing companies were closed for various periods of time and had their property sealed. All the printing companies that were closed temporarily had received orders from the National Council electoral bloc. These were: Tbiliselebi (was closed for 22 days starting on 25 March), Sezani (closed for 10 days starting on 10 March), Sitqva (closed for 10 days starting 2 March) and UCM (closed for 35 days starting on 4 March). The inspections carried out by the tax agency did not reveal any major violations. Some of the printing companies are still being inspected though they have resumed operation.

Under the Georgian Tax Code, a taxpayer (in this case, a printing company) is to be informed about a scheduled tax inspection 10 days in advance,<sup>26</sup> which was not done in any of the cases mentioned above. Court orders are required to conduct urgent inspections without such notice. According to the owners of several printing companies, no such orders were presented.

We tried to determine how frequently printing companies had been closed for scheduled inspection and inventory in the past. We therefore interviewed the owners of other printing companies (those that had not been closed), as well as graphic designers who communicated almost daily with printing companies as part of their work (the owners of the printing companies mentioned above refrained from commenting). All of the respondents said that printing companies had never been closed in this manner before. Owners could not recall a single instance of their printing company, or any other printing company, having been closed. Neither could the people working for the printing companies recall any such cases.

As for inventory, the tax agency is authorized to conduct it twice a year. According to the finance minister’s order,<sup>27</sup> the enterprise that is being inspected can be closed during the inventory but no damages should be inflicted and its normal operation must not be jeopardized. The head of the enterprise is to form a commission comprising its employees or other invited individuals whose work is to be supervised by a tax agency representative. The enterprise is only to remain closed until it presents the required financial documents to the tax agency. Once this is done, the enterprise is to reopen and resume normal operation despite the ongoing inspection.

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<sup>26</sup> The Georgian Tax Code, Article 113 (5)m.113.5

<sup>27</sup> The Georgian finance minister’s order No 472 of 23 July 2009 “On Adoption of Instructions for Inventory of Taxpaying Entity’s Goods and Valuables.”



In the cases described above, since the printing companies were closed for long periods of time, they incurred significant losses, while the opposition parties that had placed orders with them were also affected. For these reasons, it would have been more appropriate to conduct the necessary inventories and inspections in non-electoral periods.

According to the representatives of opposition parties and the people who have professional ties with printing companies, the majority of printing companies presently refuse to accept orders from opposition groups. They even ask other customers about the content of the materials they want to have printed – something the printing companies previously showed no interest in.

### **Financial Resources**

*The use of the central and/or the local government's budget resources for the election campaign of the ruling party or its candidate. For example, unplanned growth of social benefits, pensions and public servant salaries before the elections. Also, launch of different types of social programs (increase in the amount of student grants, reduction of public transport fares, free medical services, subsidies on gas, electricity, drugs, etc), as well as the use of state or municipal resources to endorse the ruling party and/or its individual candidates by giving increased publicity to the government's activities.<sup>28</sup>*

As noted in the first report, under the order No 40 adopted on 13 January 2010, the Georgian government allocated 66m lari for the local self-government units from the Regional Development Fund.<sup>29</sup> Naturally, the local self-government units had not incorporated these funds in their budgets for 2010. The government order therefore led to amendments to the municipal budgets and the allocated funds were reflected in the revenue and expenditure sides of the budgets.

The local self-government units also amended their budgets independently. In March alone, the budgets of 41 of the total 61 municipalities were amended, some of them on multiple occasions (a total of 44 amendments).

The following is a review of the expenditure trends in the local budgets for 2010 and an analysis of some budget amendments:

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<sup>28</sup> Examples from *Monitoring Election Campaign Finance: A Handbook for NGOs*, the Open Society Institute, 2005.

<sup>29</sup> The Georgian state budget fund for the implementation of projects in the regions. The central government sponsors various regional projects through this fund (the Georgian Budget Code, Article 29).



## (1) Increase in Employee Numbers and Salaries

The previous report highlighted the increase in the employee numbers and salaries at the Tbilisi self-government and the offices of the president’s regional representatives. As the analysis of the budgets of other territorial units showed, the Tbilisi government and the offices of the president’s representatives were no exception in this respect. Compared to 2007-2009, in 13 self-government units, there was a considerable increase in the employee numbers and, in most cases, salaries too (10 municipalities) in 2010.<sup>30</sup> For example, the budget of Gori was amended twice in 2010 whereby both the staff numbers and salaries rose.<sup>31</sup> In the majority of municipalities, administrative expenditures of the local administration’s representatives in villages also increased in 2010.<sup>32</sup> The staff numbers grew before the 2008 parliamentary elections too, while (with some minor exceptions) there was effectively no increase of this type in 2009 (a non-electoral year).

**Table 1. Increase in staff numbers and salaries in some local self-government units in 2010.**<sup>33</sup>

Self-government unit	Increased staff number (persons)	Growth (in percents) compared to 2009	Increased salaries (thousands of lari)	Growth (in percents) compared to 2009	Additional information
<b>Rustavi</b>	19	6.1	773.9	23.3	Territorial bodies* were established and the Rustavi Corps was created
<b>Tianeti</b>	17	16.8	36.5	6.2	Employee numbers increased in the central staff
<b>Telavi</b>	7	7.2	81.2	7.3	Employee numbers include the administration’s central staff only

<sup>30</sup> We have examined a total of 43 municipal budgets out of 65 de-facto municipalities at this point.

<sup>31</sup> The decree No 3 of 28 January 2010 and the decree No 7 of 25 February 2010 of the Gori Municipality Council were provided by the Gori Municipality.

<sup>32</sup> Both staff numbers and salary funds grew in 13 of the 43 self-government unit budgets that have been reviewed. Staff numbers grew and salary funds were redistributed in three. There was no increase in staff numbers but the salary fund still grew in nine.

<sup>33</sup> The 2010 budgets of the relevant self-government units and the information provided by the self-government units.



<b>Sagarejo</b>	21	12.6	42.7	4.7	Territorial services in villages account for most of the increase
<b>Zugdidi</b>	54	34.0	470.1	30.5	Employee numbers increased in the local council, administration and territorial services
<b>Gurjaani</b>	3	1.8	59.8	8.2	Increase in the number of people doing contract-based work for the administration
<b>Gori**</b>	99	51.3	343.2	28.0	Employee numbers increased in the local council, administration and territorial services
<b>Dusheti</b>	5	4.5	37.3	6.0	The number of administration's employees increased
<b>Ambrolauri</b>	20	9.0	100.4	14.3	Staff of territorial services in villages accounts for most of the increase
<b>Lagodekhi</b>	86	81.9	99.5	11.9	Staff of territorial services in villages accounts for most of the increase
<b>Mtskheta</b>	9	5.5	12.6	1.2	The number of administration's employees increased
<b>Aspindza</b>	12	13.3	48.3	8.8	Staff numbers increased both in the administration and in the territorial services
<b>Oni</b>	18	17.5	78.6	13.1	Staff numbers increased both in the administration and in the territorial services

\* Territorial units (also referred to as "territorial services") include staff numbers for the representatives of local administration/mayor's office.

\*\* Increased on both occasions that the 2010 budget was amended.

It is also interesting that, in the budgets of some self-government units, office expenses are much higher before the elections than after. For example, the office expenses of the Lagodekhi administration's staff are 35,000 lari in the first and the second quarter but 15,000 lari in the



third and the fourth quarter. The office expenses of the Lagodekhi territorial bodies are 20,000 lari in the second quarter and a combined 20,000 lari in the other three quarters.

The growth of the local government's funding, as well as its overall strengthening, is important and might be considered to be a positive trend. However, it should not be limited to the increase in salaries in the months preceding elections and one-time or spontaneous measures. Granting self-government units real independence (including budgetary independence) from the central authorities is the primary prerequisite for their strengthening.

## **(2) Increase in Volume of Funding for Different Activities before Elections**

The analysis of the budgets of local self-government units also makes it clear that some events are only financed in the run-up to elections and the funding is either reduced considerably or withdrawn altogether after the elections<sup>34</sup>. For example<sup>35</sup>:

### **Sighnaghi:**

- Spending on infrastructure development between March and June 2010 amounts to 70 percent of annual spending. Of the 2,242,500 lari allocated for infrastructure, 1,578,700 lari is to be spent during these months<sup>36</sup>;
- Spending on housing in the amount of 62,500 lari is allocated for March alone;
- Spending on rehabilitation and operation of street lighting in the amount of 98,100 lari is allocated mostly for March. In the following months, the amount of spending is reduced to about 10,000 lari per month;
- Most of the sports events are financed in March and April (31,200 and 23,100 lari respectively). The spending is reduced to 5,000 lari per month afterwards;
- Some 58 percent of social and healthcare expenditures - 173,200 lari out of the total of 300,500 lari<sup>37</sup> - are scheduled for February and March. In the subsequent months, financing is reduced dramatically.
- The majority of educational events is also financed in February and March (168,300 and 116,400 lari respectively). Only a third of this amount is allocated for the subsequent months.

<sup>34</sup> We have deliberately excluded from the analysis the so-called seasonal spending which is expedient specifically in spring (e.g. landscape gardening, maintenance and development of city gardens, rehabilitation of gas and water supply systems).

<sup>35</sup> Only three municipalities provided us with information detailed enough to allow for conducting a month-by-month analysis.

<sup>36</sup> The amounts allocated for these months are 406,100, 382,500, 443,000 and 339,200 lari respectively.

<sup>37</sup> The amounts allocated for these months are 89,900, 27,900, 23,500 and 24,100 lari correspondingly.



### Lagodekhi

- Spending on building, rehabilitation and operation of infrastructure in the first and the second quarters amounts to 197,000 lari while 92,500 lari is allocated for the third and the fourth quarters together;
- There is 130,000 lari allocated for street lighting in the first quarter, while the total of 90,000 lari is distributed between the other three quarters;
- Subsidies for youth events in the first and the second quarters amount to 115,000 lari, while 90,000 lari is allocated for the third and the fourth quarters;
- The total of 222,300 lari is allocated for the funding of social and healthcare programs in the first and the second quarters, while 155,600 lari is to be spent in the third and the fourth;
- Cultural events are only financed in the first two quarters: 17,000 lari is allocated to this end. No funds are allocated for the third and the fourth quarters.

### Khobi

- Payouts given on holidays to large families, orphans, families of those perished in the war and veterans of World War II are only planned in the first and the second quarters (10,000 and 4,800 lari respectively). No benefits for the people in these categories are planned for the third and the fourth quarters;
- Prophylactic medical examinations worth 6,000 lari conducted on the territory of the municipality are only planned in the second quarter. No such spending is envisaged for any other quarter.

### **(3) Increase in social, healthcare and infrastructure spending**

Compared to 2007-2009, the funding for social, healthcare and infrastructure programs in the budgets of local self-government units has increased significantly in 2010 (with only a few exceptions, such as Ozurgeti, Vani, Chiatura and Ambrolauri).

A large share of social and healthcare programs are short-term or one-time (one-off issuance of medicines, one-off monetary benefits and so on). For instance, in 2010, the following activities are carried out by local self-government bodies with the purpose of improving the socio-economic conditions of socially vulnerable families:

- **The city of Rustavi:** a fully (100 percent) funded program of individual medical assistance and provision of medicines. Total budget: 333,100 lari<sup>38</sup>.

<sup>38</sup> No such program existed in the previous year.



- **The Gurjaani municipality:** 13 different social and healthcare programs<sup>39</sup>, including one-off assistance to large families (10,000 lari) and one-off assistance to socially vulnerable persons (190,000 lari);
- **The Akhmeta municipality<sup>40</sup>:** covering the costs of medical treatment (40,000 lari); assistance to socially vulnerable groups of population (60,000 lari); urgent outpatient assistance to socially vulnerable groups of population (10,000 lari); transport service for citizens (4,000 lari)<sup>41</sup>;
- **The Gori municipality:** co-funding for social projects (20,000 lari)<sup>42</sup>;
- **The Sighnaghi municipality:** one-off assistance to persons who fought for territorial integrity of Georgia (3,600 lari)<sup>43</sup>;
- **The Telavi municipality:** Bus travel became free starting 1 March 2010 with 50,000 lari allocated to this end. No such or similar undertaking was carried out in the previous year.

As a result of the amendments adopted in 2010, the budgets of local self-government bodies now contain infrastructure, community and other types of expenditures that did not appear in the 2007-2009 budgets or the original 2010 budget. For example:

- **The Dedoplistskaro municipality:** according to the 26 February 2010 amendments, 297,000 lari was allocated for the repair of roofs in multistory apartment blocks. There was 9,900 lari allocated for this program in 2009. The same amendments allocated 157,700 lari for the development of small sports grounds.
- **The Gori municipality:** Under the 25 February 2010 amendments, 49,000 lari was allocated for the city's landscape gardening and rehabilitation of green areas. Restoration of roads and pavements leading up to apartment blocks was also financed from the municipal budget in the amount of 50,000 lari; 40,000 lari was allocated for co-funding of apartment block co-operatives; 40,000 lari was allocated for the agricultural development co-funding program; 30,000 lari was allocated for other infrastructure projects; and the co-funding allocated for cultural event projects amounted to 10,000 lari.

<sup>39</sup> The same number of programs was carried out in 2008 - an election year. In 2007 and 2009 only nine programs were carried out each year.

<sup>40</sup> No such expenditure was envisaged for 2007-2009.

<sup>41</sup> Financing the costs of transportation goes completely beyond the competencies of local self-government bodies. No detailed breakdown is available for the budget. Correspondingly, it is impossible to conduct additional analysis.

<sup>42</sup> In 2007-2009 such projects were not funded at all. No detailed breakdown is available for the budget. Correspondingly, it is impossible to conduct additional analysis.

<sup>43</sup> In 2007-2009 no funds were allocated for such assistance.



#### (4) Funding allocated for local media outlets (subsidizing)

In 2010, local self-government bodies increased subsidies for local media outlets (TV and print media). Below is the amount of subsidies allocated by a number of municipalities in 2008-2010:

**Table 2. Subsidies for local media outlets<sup>44</sup>**

Municipality	2008	2009	2010 (Initial budget, in GEL, thousands)	Changes introduced in 2010, in GEL thousands
Abasha	14.0	14.8	15.4	17.6
Akhmeta	4.8	22.7	30.0	30.0
Martvili	7.0	19.0	21.0	21.0
Telavi	20.0	19.0	20.0	20.0
Gurjaani	24.0*	34.0*	68.9	70.0
Sighnaghi	3.7	8.6	16.0	16.0
Kvareli	9.9	12.0	17.0	17.0
Oni	5.6	5.8	11.8	11.8

\* Information provided by the regional coordinator.

#### Institutional resources<sup>45</sup>

*The use of office equipment, transport, buildings, subordinate public officials of government bodies as well as other material and technical and human resources of organizations that are recipients of public funding<sup>46</sup> for organizing and holding pre-election events.*

The information below has been provided by regional coordinators of Transparency International - Georgia as well as other regional contact persons (journalists, civil society representatives, public officials, party activists).

<sup>44</sup> The 2010 budgets of the corresponding local self-government bodies and information received from the local-self-government bodies.

<sup>45</sup> There are many more instances of the use of institutional resources. However, this report only contains the cases that were verified with several sources and were confirmed.

<sup>46</sup> Legal entities of public law, as well as legal entities of private law where 50 percent of shares or more is owned by the state.



### *Collection of Personal Data*

Since 2006, various reasons have been cited to collect IDs or personal data on a regular basis during election campaigns. The purpose of such activities is not clear but they do serve to exert psychological pressure on the people and to raise some suspicions among the voters.

**On 3-4 May, in the Telavi municipality, the head of the Karajala village administration Amiran Suleymanov** collected identity cards from his fellow villagers. According to local residents Gulnaz Arikh Kizi and Dilara Mamedova, Suleymanov justified the confiscation of ID cards by citing possible distribution of assistance in the village. In Telavi District, National Council representative Veli Ashirov said that over half of the Karajala village residents have had their ID cards confiscated. Ashirov also said that representatives of the village authorities go door to door, urging people to vote for the United National Movement.

According to Amiran Suleymanov, the Telavi Woman organization is planning to distribute clothes as humanitarian assistance in the village, which is the reason why ID cards were taken from 50-60 people. Suleymanov confirmed in a telephone conversation with a Transparency International Georgia representative that he did take the IDs.

Distribution of second-hand clothes was recorded in mid-March in the villages of Chanieti, Naruji and Laituri, of Ozurgeti District but, in those cases, only ID data was collected.

**In April, families of prisoners were subjected to pressure in Ozurgeti.** Specifically, the families of prisoners were tasked with collecting signatures along with personal identification numbers and other personal information of up to 500 supporters of the National Movement in exchange for their release. Activists of different political parties and journalists have named eight such prisoners in Ozurgeti.

Transparency International Georgia spoke with several people, including a prisoner's family member, as well as a close friend of a prisoner's family who confirmed the support for the prisoner with a signature. In Ozurgeti, two public officials are mentioned most frequently when the question of prisoners is being discussed: Gocha Shilakadze, chief of staff for the head of Ozurgeti administration (it has been suggested that he has been tasked with dealing with the families of prisoners living in villages) and Shukri Gabrichidze, representative of an Ozurgeti territorial body (who is believed to be responsible for communicating with the prisoner families living in the town of Ozurgeti).



**In early March, the 2nd precinct of the Batumi city department of the Interior Ministry’s Main**

**Directorate in the Autonomous Republic of Ajaria** sent a written

request to the heads of various public and private organizations, asking them to collect personal identification numbers and other personal data (addresses, phone numbers, positions) of their employees. The letter provided no reasons for the collection of this data and only said that it was needed due to “special circumstances”. See Appendix 1 for a copy of request sent to a newspaper editors' office.



**Use of Material Resources**

**On 4 May, residents of Gurjaani**

were waiting to receive one-off social assistance inside the local administration building. Goga Petruzashvili,<sup>47</sup> first deputy head of administration and currently it

acting chief, could barely handle the flow of visitors<sup>48</sup>. For this reason, some citizens were sent to the United National Movement's district branch office. The administration employees who were supposed to be on vacation serviced the citizens at the party office. Specifically, they listened to the people, promised assistance and helped them write a letter to the acting head of administration. According to some of these people, activists at the ruling party office urged the socially vulnerable citizens to support the United National Movement in the election and promised that, in return, the administration would continue to support them financially after the election.

<sup>47</sup> Former head of administration Giorgi Chiviashvili resigned from his office on 27 April to run in the local self-government election. Second deputy head of administration, Shota Utiashvili, was on vacation.

<sup>48</sup> Chief of administration staff Vasil Utiashvili and Eka Nakevkrishvili, an expert at the Social Issues Department, were also on vacation.



In the **Kakheti** province, **Gia Chalataashvili**, former head of the **Sagarejo** municipality administration, **Gia Gozalashvili**, former head of the **Lagodekhi** municipality administration and **Levan Baghashvili**, former head of the **Dedoplistskaro** municipality administration, resigned from their positions on 15 April, while **Giorgi Chiviashvili**, former head of the **Gurjaani** municipality administration<sup>49</sup> resigned on 26 April. The former three are running in the self-government election, while the latter is running in the parliamentary by-election. All four were nominated by the United National Movement.

In spite of this, on 27 April, the former head of the Sagarejo municipality administration visited the village of Manavi where a landslide caused by heavy rain had damaged houses. At the time, he was **travelling in an office car** and **giving orders and instructions to the administration staff present on the ground**. Based on May 3 information other former heads of administration also were continuing to use official corporate phones of the administration.

On **24 April**, outside the Sports Palace in **Ozurgeti**, First Deputy Chairman of Parliament Mikheil Machavariani and Ramaz Nikolaishvili, head of the Georgian Department of Roads, introduced the five candidates of the United National Movement in the Ozurgeti, Lanchkhuti and Chokhatauri municipalities. The purpose of the meeting was to endorse the candidates and conduct pre-election agitation.

The staffers of the **Constitutional Security Department** (including **subunit chief Shalva Bolkvadze** and his deputy **Ivane Sajaia**), employees of the **regional** and **Ozurgeti** police (including **regional police chief Shota Chanukvadze** and **Ozurgeti police chief Gia Uridia**) also attended the gathering. Representatives of law enforcement and power departments are prohibited from participating in party activities.<sup>50</sup> Photos from the meeting are included in Appendix No 2. Law-enforcement agency representatives Shalva Bolkvadze, Ivane Sajaia and Gia Uridia appear on the photo No 2.



Appendix No 2.



<sup>49</sup> Giorgi Chiviashvili has been nominated as a United National Movement candidate in the parliamentary by-election in the Gurjaani single-seat district.

<sup>50</sup> Article 5, Paragraph “d” of the Georgian Electoral Code.



Police cars blocked the central street of Ozurgeti (Kostava Street) for over three hours because of this meeting. **On 23 April, the United National Movement applied to the Ozurgeti municipality administration**, asking for a permission to block the road in order to hold an event on 24 April, thus **violating paragraph 2 of Article 74 of the Electoral Code of Georgia** which states that the authorities are to be notified two days prior to an event.

**On 22 April, in Mtskheta**, the United National Movement General Secretary Zurab Melikishvili met local residents outside the Svetitskhoveli cathedral and presented the party candidates. The meeting, which was held during office hours, was attended by **almost all employees of the local administration and council** (including Tina Saganashvili, Natia Gelashvili, Lela Erondidi, Taisi Davlianidze, Eter Kiknadze, Gia Papashvili, Nato Iordanishvili, Khatuna Badagadze, Natia Mamulashvili), **representatives of territorial units**, as well as **directors and teachers of the secondary schools** No 1 and No 2 (during school hours). They started to gather at noon. According to the information provided by some of these people, they were “strictly warned” that they had to participate in the rally. According to Election Code Articles 73(5,h) and 76<sup>1</sup> (1,c), as interpreted in the Memorandum signed by the CEC, nongovernmental organizations and political parties, campaigning during office hours is prohibited by the law.

Also in Mtskheta, **Department of Sport employee Ucha Gulbatashvili and administration employee Maia Giutashvili**<sup>51</sup> spend a large part of their working hours at the campaign headquarters of the United National Movement, even though they are not on vacation.

#### *Use of Mayor’s Office Logo in Campaign Materials by United National Movement Majoritarian Candidates*

In their campaign materials, the ruling party’s majoritarian candidates are using a logo with an inscription “I love Tbilisi” that was created as part of the so-called rebranding of Tbilisi paid for by the Mayor’s Office and was used during the presentations of projects funded by the Mayor’s Office. These include the sign used as a confirmation of city parking toll payment, the Let us plan the Budget of Tbilisi Together project, the Plant Your Tree and Make Tbilisi Green project, the Kinomania+5 student project and so on.

The United National Movement’s majoritarian candidates are using flyers with an identical logo in their election campaign. According to the Mayor’s Office, the logo is not owned by the Mayor’s Office and is not anyone’s intellectual property. Therefore, using it is not a violation of the law but, as mentioned earlier, according to the 1990 Copenhagen Conference document,

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<sup>51</sup> Our coordinator has been unable to determine their exact positions but it is certain that they are employees of the local administration.



there should be “a clear separation between the State and political parties; in particular, political parties will not be merged with the State” (Article 5.4). This logo, however, is directly associated with the Tbilisi Mayor’s Office and its projects. *Appendix No 3 includes a campaign flyer for United National Movement majoritarian candidate Zaal Samadashvili.*



*Appendix No 3.*

*Hidden Political Advertisement and Use of Materials Printed with Budget Funds for Campaigning*

On the initiative of the Mayor’s Office Department for Monitoring Youth Affairs, the Kinomania +5 project was launched on 19 April and is set to continue until 1 July. As part of the project, students of state-funded higher education institutions will receive cards offering 5-lari<sup>52</sup> discounts on tickets in the Amirani and Rustaveli cinemas.

According to Paragraph 3 of Article 76 of the Electoral Code of Georgia, “during the election campaign, it is prohibited to use the state or local **budget** to produce **printed material** displaying an election participant or an **ordinal number** with which that person or entity participates in the election...” The Mayor’s Office is using its website and various printed materials to implement and promote this project. See Appendix No 4.

<sup>52</sup> The ruling party’s ordinal number in elections is “5”.



Appendix No 4.

GYLA has reported these last two cases to the CEC and a hearing is to be held on May 13.

### **Coercive resources**

*The use of violent methods against political opponents and their supporters, such as the intimidation of opponents and their activists, their dispersal, illegal detention, arrest and so on.*

Several political parties and associations have been especially active throughout Georgia in the run-up to the 2010 local elections; these include: the National Council<sup>53</sup> (especially the Movement for Fair Georgia which is a member of the coalition), the Alliance for Georgia<sup>54</sup> and the Christian-Democratic Movement<sup>55</sup>. At this stage, members and activists of the National Council are subjected to pressure by official persons to cease campaigning more frequently than others. The Alliance for Georgia representatives have had similar experience. In addition, in the course of the monitoring, we encountered instances of pressure exerted on voters.

#### *Pressure on Members and Activists of Political Parties*

**On 5 May**, National Council campaign coordinator Lado Bozhadze informed us that, as a result of pressure exerted by district administration head **Levan Gamsakhurdia** and police chief **Temur Gurashvili**, a candidate for a seat in the Akhalsopeli Council Mzia Khutuashvili and another candidate for a seat in the Mtsdziri Council Aneta Mghebrishvili had withdrawn from

<sup>53</sup> The National Council consists of the Movement for Fair Georgia, the People's Party and the Conservative Party.

<sup>54</sup> The Alliance for Georgia (Irakli Alasania, Sozar Subari, Davit Usupashvili, Davit Gamkrelidze, Salome Zourabichvili)

<sup>55</sup> "Giorgi Targamadze, Inga Grigolia - The Christian-Democratic Movement"



the race. Mzia Khutuashvili refused to participate in the election when the party list had already been presented. Aneta Mghebrishvili decided to pull out of the election on 5 May.

The National Council had an 11-strong party list in Qvareli. The removal of two candidates from the list is sufficient for the party to be disqualified from the election there<sup>56</sup>. The National Council therefore no longer has a party list in Qvareli.

At around 10 p.m. on **3 May**, Samegrelo-Zemo Svaneti Governor Zaza Gorozia, regional police chief Tengiz Gunava, deputy police chief Joni Belkania, Kodori police high-ranking officer Anzor Margiani, Mestia majoritarian MP Kakha Kvitsiani, Mestia police chief Giorgi Shedania and his staffers were visiting the **Mestia district administration**. They were accompanied by some 50 armed people travelling in around 20 pick-up vehicles. Before 3 a.m., together with Mestia municipality administration chief Gocha Chelidze, the "guests" of Mestia summoned or brought to the administration office the majoritarian and party list candidates of the Freedom party (including Leri Nakani, Vakhtang Nakani, Mirza Dadvani, Ivane Gulbani, Nugzar Arghvliani, Bachuki Saghlani and Lasha Pirveli). Four of them were forced to write a letter of withdrawal from the election on that very night. Signatures could not be obtained from Vakhtang Nakani, Bachuki Saghlani and Lasha Pirveli. Other representatives of the opposition brought Vakhtang Nakani out of the building. Bachuki Saghlani and Lasha Pirveli refused to write this kind of statements.

The aforementioned letters could not be registered at the Mestia District Electoral Commission since commission secretary Natia Gigani did not show up at work the next day following an instruction by the CEC.<sup>57</sup> According to reports issued by different opposition parties, she was pressurized over the phone by Mestia administration head Gocha Chelidze, who threatened to "create problems" for her.

The previous day (2 May), in Mestia, Freedom party member Bogdan Niguriani withdrew from the party list "through a personal letter of resignation". The administration took him by Prado vehicle (license plate number - 700) to the district electoral commission where he wrote the letter himself.

**On 7 April, in Lanchkhuti**, representatives of power departments exerted pressure on Avtandil Surmanidze, a member and majoritarian candidate of the Alliance for Georgia Lanchkhuti chapter. Minister of Prisons and Legal Assistance Khatuna Kalmakhelidze, who was visiting Lanchkhuti, met the public at the House of Culture. Specifically, teachers and territorial unit

<sup>56</sup> According to Paragraph 3 of Article 118 of the Electoral Code of Georgia, the law prohibits a party with a nine-strong party list from contesting the election.

<sup>57</sup> Opposition representatives notified the CEC about the incident the same night.



representatives attended the meeting. Surmanidze attended the meeting in his capacity of the aide to the administration's representative in the Nigvziani community. He was quite active, expressing his political views. After the meeting, he was invited by Bukhuti Chkhaidze from the Lanchkhuti office of the Constitutional Security Department and an unidentified person to Chkhaidze's office where he was asked to pull out of the campaign and threatened that he would face problems otherwise. Bukhuti Chkhaidze subsequently contacted Avtandil Surmanidze several times and attempted to ensure that the incident would not become public. According to the Interagency Task Force<sup>58</sup>, Bukhuti Chkhaidze has been removed from his office.

**On 6 April, in the village of Sabatlo of Dedoplistskaro District**, Nino Kadagishvili, a Georgian language teacher and an activist for the Movement for Fair Georgia, was contacted by **Davit Gundadze**, district administration representative in the **Sabatlo village**, who told her that she would have to leave the school if she remained affiliated with the opposition. According to the Interagency Task Force, the Georgian language teacher has retained her job and will not face any problems.

**In early April, Viktor Japaridze**, the Freedom party's candidate in **Mestia** (who is number one on the party list and, at the same time, is a majoritarian candidate too), received a telephone call from **Mestia District police chief Gia Shedania**. Shedania, who made this telephone call on instruction from the administration head, threatened Japaridze with arrest upon his arrival to Mestia unless he would pull out of the election. Viktor Japaridze has refrained from visiting Mestia so far. He has received threats on several occasions. Viktor Japaridze could withdraw from the elections.

**On 11 March, the head of the Movement for Fair Georgia Akhmeta** office, Shota Kavtarashvili, received threats from the **deputy chairman of the Council of the Akhmeta municipality, Japar Khangoshvili, and the district administration's representative in the village of Duisi, Merab Kavtarashvili**. They went to Kavtarashvili's house and demanded that he ceased political activities and left Noghaideli's party. They warned Kavtarashvili that they would resort to "various means" to make the life of Kavtarashvili's family members "unbearable" in the event of his refusal. They were making the threats for about 30 minutes. After their departure, Shota Kavtarashvili fell ill and had to seek medical attention. Japar Khangoshvili has said that he never threatened Kavtarashvili and only offered him a friendly advice.

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<sup>58</sup> The Georgian government re-established the Interagency Task Force for the 30 May 2010 elections (a similar group had been formed before the 2008 elections). The Interagency Task Force comprises high-ranking officials from different state bodies.

[http://www.government.gov.ge/index.php?lang\\_id=GEO&sec\\_id=184&info\\_id=30453](http://www.government.gov.ge/index.php?lang_id=GEO&sec_id=184&info_id=30453)



### *Pressure on Voters*

**On 2 May**, a woman who lives in one of the prestigious districts of Tbilisi received a call on her mobile phone from a neighbor who chairs the homeowners' association and is tasked with dealing with the building's logistical matters. The road leading up to the building needs to be paved. The association chairperson told the neighbor that he [she] was at the Mayor's Office and was told that the road to the building would only be paved if they agreed to support the United National Movement candidates (majoritarian candidate Vato Natsvlishvili and mayoral candidate Gigi Ugulava). *The woman asked not to be identified.*

Several instances of pressure against senior students of public schools were recorded in the **late April in Akhmeta**. Specifically, the district branch of the Alliance for Georgia has accused the United National Movement majoritarian candidate in the village of Zemo Alvani, Beso Qizilashvili, of putting pressure on the 12<sup>th</sup> graders who are eligible to vote. Beso Qizilashvili is an employee at the Akhmeta municipality administration's military draft and records service. "Even though he is currently on vacation, he is using his position and is exerting pressure on these kids. He threatens them that, unless they vote for the United National Movement in the election, he will have them drafted and they will not be able to continue their studies at a higher education institution," – said the Alliance for Georgia representative, Zaza Lagazidze.

One of the 12<sup>th</sup> graders of Zemo Alvani's public school have anonymously confirmed to Transparency International Georgia that Qizilashvili was putting pressure on them. Qizilashvili himself did not confirm pressurizing the students who are eligible to vote. "Check this in my presence and none of the students will say this. I do not care what they tell you when I am not around," Qizilashvili said.

**There have been similar reports in Lanchkhuti.** According to Eka Aleksaia, head of the Lanchkhuti chapter of the Defend Georgia party, Davit Patarava, employee of the Lanchkhuti military draft and records service, summoned the male residents of the village of Kviani over 18 years of age to his office and warned that they would be drafted to the army unless they voted for the United National Movement. Several people confirmed in informal conversations with a Transparency International Georgia representative that Patarava may have engaged in this activity.

### *Obstruction of Campaign Activities*

**On 9 April, members of the Movement for Fair Georgia** were denied permission by the administration to use the Sports Palace for a party event. The party was planning to announce the results of its primaries in the palace.



In mid-March, Movement for Fair Georgia representative Lado Bozhadze and Sports Palace Director Nika Tsuladze verbally agreed that the party would be allowed to use the palace hall on 9 April and would pay 21,240 lari for this.

About a week later, the party announced that the results of the primaries would be presented in the Sports Palace on 9 April. Approximately two weeks later, the Sports Palace staff informed Lado Bozhadze that they would no longer be able to provide the hall. They cited the fact that a basketball game was to take place in the Sports Palace on 10 April and refurbishment had to be carried out during the preceding two weeks.

The two-week refurbishment is yet to begin in the Sports Palace. However, a few million lari was spent on a **large-scale renovation of the palace before the Georgian national basketball team's games in the summer of 2009.**

**On 24 March, when the leaders of the National Council arrived in Ozurgeti,** (the privately-owned) line minibuses and buses with fixed daily routes did not travel to and from the villages. The need for a technical inspection of the vehicles was officially cited as the reason for this. A large-scale technical inspection also affected the minibuses that did not have fixed routes. The Patrol Police stopped every single vehicle for technical inspection. Lela Natsvaladze, head of the Ozurgeti chapter of the Movement for Fair Georgia, said that the ban had been issued by **Regional Governor Valerian Chitashvili and Shota Chanuqvadze, head of the Interior Ministry's Guria regional department.** It has to be noted that public transport had never been halted on such a massive scale in Ozurgeti before.

#### *Pressure on Office Owner*

**On 9 March, in Akhmeta,** a representative of the Movement for Fair Georgia was asked to vacate the office by the owner. The lease was yet to expire and the party had paid the rent on time. Office owner Lukhum Meshveliani said that local government representatives (whom he refused to identify) had asked him to “get rid of the party” and, specifically, to terminate the lease.

#### *Arrest of opposition Activists*

**On 17 April, following the closure of several printing companies**<sup>59</sup>, the National Council<sup>60</sup> activists staged a protest. Eight participants of the protest were detained for disobeying police

<sup>59</sup> The Tbiliselebi, Sezani, Sitqva and UCM printing companies.

<sup>60</sup> The campaign materials of the Movement for Fair Georgia and the entire National Council were being printed by these companies. A more detailed information has been provided above.



orders and taken immediately from the police department to court. The bloc's lawyers were unable to access the court building. Seven of the eight detainees had received 400-lari fines by the time Temur Tsurtsunia, a lawyer for the Movement for Fair Georgia, was able to enter the court. The eighth detainee was given the same fine later.



## Conclusion

On 8 May, the Interagency Group met four observer organizations – New Generation-New Initiative, Transparency International Georgia, the International Society for Fair Elections and Democracy and the Georgian Young Lawyers' Association – in order to receive information about the violations they had recorded. The members of the Group took note of violations and promised to react immediately.

It is important to inform the public about the measures taken against the offenders. This needs to be done in order to strengthen the voters' trust in the system and prevent similar violations. If those who break the law are punished adequately today and the information about this is disseminated widely, others will refrain from committing violations in the future.

Transparency International Georgia continues to monitor the pre-election activities and will present its findings to the public on two more occasions before the elections. After the elections, the organization will publish a final report containing all violations and problems recorded during the monitoring process and offering recommendations for their prevention in the future.