

EUROPEAN  
NETWORK  
OF ELECTION  
MONITORING  
ORGANIZATIONS

**ENEMMO**

# FINAL REPORT

**International Election Observation Mission  
to Georgia  
Local Elections  
2021**



International Election Observation  
**Mission to Georgia**  
**Local Elections 2021**



**The English version of this report is the only official document of ENEMO IEOM.**



# International Election Observation Mission to Georgia Local Elections 2021



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## EXECUTIVE SUMMARY

On 17 September 2021, the European Network of Election Monitoring Organizations (ENEMO) deployed a Limited Election Observation Mission (LEOM) to observe 2 October local elections in Georgia. The EOM was composed of a Core Team of 7 experts, based in Tbilisi. On Election Day, 20 short-term observers were also deployed by ENEMO to follow the voting, counting, and tabulation of results.

The Statement of Preliminary Findings and Conclusions for the first round, issued on 4 October 2021 stated that “The 2021 local elections were held in line with the domestic legislation, which does guarantee the conduct of democratic elections, if implemented in good faith. The campaign was highly polarized, in line with the overall high political polarization in the country, and dominated by topics related to overall national politics, to the detriment of discussion and competing on proposals for resolving local issues and needs of citizens and their communities. Allegations of pressure and intimidation on voters and candidates marred the campaign. Elections were administered efficiently and transparently. The atmosphere inside polling stations was mostly calm, however, ENEMO observers noted, especially in rural areas, partisan activities in the vicinity of polling stations with possible influence on voters.”

The LEOM left the country in mid-October and followed developments ahead of the second round remotely. No observers were deployed on the ground for the second round Election Day.

The elections were held against the background of a prolonged political crisis, which culminated after the 2020 parliamentary elections and the boycott of the Parliament by the opposition. The pre-electoral period and, even more so, the period in between the two rounds, was characterized by high political polarization and deep distrust of the main political stakeholders in each other. The return of the former President of Georgia, Mikhail Saakashvili on the eve of election day, his jailing and subsequent hunger strike between the two rounds polarized the situation even more.

Overall, the existing legislation is in line with international standards and forms a sound basis for the conduct of democratic elections, if implemented in good faith. The June 2021 legal amendments were overall positive and addressed a number of previous recommendations from international and domestic stakeholders. However, a number of gaps and inconsistencies remain to be addressed. The law does not prescribe criteria for the delineation of constituencies for the majoritarian candidates of the local councils, which is at odds with international good practice.

The election administration complied with the legal deadlines, managed technical aspects of the elections efficiently and introduced pilot projects paving the way to the use of technology in future elections. The CEC held regular meetings open to representatives of electoral contestants, and broadcasted meetings live, which contributed to improved transparency. However, the activity and reports of the Information Protection Center of the CEC were used not only to fill information gaps in the activities of the Election Administration, but also to target sources of alternative information, which ENEMO deems a practice that should be avoided.

Due to previous criticism on lack of transparency, the CEC broadcasted live most of the nonpartisan DEC candidates' interviews. Unlike for CEC and PEC members, the previous political party appointees are not excluded from becoming non-partisan members of DEC, which raised questions on their impartiality. A number of interlocutors of ENEMO criticized also the process of staffing PECs with professional members.

Approximately 3.5 million citizens could vote in the election. Voter registration is passive, continuous and centralized. Voters had a range of options for verifying their registration data and requesting corrections. No significant concerns were raised regarding the accuracy of voter lists by most ENEMO interlocutors. Limitations on active suffrage concerning citizens who have been found legally incapable by a court are at odds with international standards.

The campaign was highly polarized, in line with the overall high political polarization in the country, and mainly conducted in the media, including social media, with few public gatherings ahead of the first round and a small number of massive gatherings ahead of the second. Campaigning was dominated by topics related to overall national politics, to the detriment of discussion and competing on proposals for resolving local issues and needs of citizens and their communities.

The ruling party benefited from incumbency, which, combined with inequality in resources and presentation of national and local projects financed from public funds, contributed to an uneven playing field, at the advantage of the ruling party.

The media landscape is diverse but polarized, editorial agendas are often affected by partisan alignment, affecting the general trust in media and their editorial policies. The media was visibly polarized during the electoral period. ENEMO interlocutors expressed concerns regarding the lack of in-depth media reporting and analysis with no space for quality political debating.

Legal amendments introduced in 2020 to have one in each two candidates from each gender never lived in practice since already in June 2021 a new, backsliding change, has been introduced reducing the number to one in three candidates. Gender imbalance was noticeable among mayoral candidates, where the mandatory quota does not apply.

Positively, the latest amendments extended the timeframes for filing and reviewing most types of complaints. Only registered contestants and accredited observer organizations may file complaints against decisions of the election commissions and violations of the election legislation while voters may only file complaints if they are not included in a voter list and on the voting procedures in the polling station on election day. The limitation on the number and quality of persons authorized to submit complaints is restrictive and complex.

Before the first-round election day over 468 complaints were submitted on the CEC complaints and appeals database out of which 228 were filed by electoral subjects and 190 by observer organizations. Almost all complaints were reviewed within the legal deadlines, and most were rejected. No requests for recounts or annulment of voting were granted.

After the second round, UNM challenged 20 DEC result protocols to the CEC citing irregularities at PECs. The CEC rejected all of them stating that UNM should have filed complaints to the PECs on election day and that DEC and the court had already rejected UNM complaints on the same cases. ENEMO deems that this interpretation of the law is at odds with international good practice, as it deprived the contestants of the right to contest election results.

On 2 October, ENEMO deployed 20 international observers, who monitored the opening procedures in 20 polling stations, voting in 263 polling stations, and counting in 20 polling stations. In addition, ENEMO short-term observers observed the delivery and intake of election materials in 20 district election commissions.

Municipal elections were reasonably well administered at the PEC level, in challenging circumstances of the COVID-19 pandemic and recently amended legal framework. Election day

proceeded smoothly and in an orderly manner. Procedures were largely followed, however, instances of breaches of the secrecy of vote were observed.

The atmosphere inside polling stations was mostly calm, however, ENEMO observers noted, especially in rural areas, partisan activities in the vicinity of polling stations with possible influence on voters such as discussions with voters, organized voter transportation and voter participation tracking.

Only half of observed polling stations were easily accessible for voters with disabilities. Voting templates and magnifying glasses to facilitate voting of visually impaired voters were observed in most polling stations. Women were well represented in precinct election commissions, making 80 per cent of PEC members including positions of chairpersons, deputy chairpersons and PEC secretaries.

# INTRODUCTION AND ACKNOWLEDGMENTS

On 17 September 2021, the European Network of Election Monitoring Organizations (ENEMO) deployed a Limited Election Observation Mission (LEOM) to observe the 2 October Local Elections in Georgia. The EOM was composed of a Core Team of 7 experts, based in Tbilisi. On Election Day, 20 short-term observers were also deployed by ENEMO to follow the voting, counting, and tabulation of results.

The mission assessed the overall political and electoral environment, respect for the rights to elect and stand for election, conduct of election management bodies, campaigning, gender equality, voting and tabulation, electoral dispute resolution, and other crucial aspects of the process, based on international standards for democratic elections and the legal framework of Georgia. Core Team members conducted meetings with election management bodies, political parties, state officials, the international community, domestic civil society organizations, media, and other stakeholders.

The Final Report follows the Statement of Preliminary Findings and Conclusions for the first round, issued on 4 October. The IEOM left the country in mid-October. A second round that was held on 30 October to elect mayors in five self-governing cities and 59 municipalities, as well as 42 members of 24 councils in majoritarian constituencies. Developments ahead of the second round were followed remotely by the IEOM. No observers were deployed in the ground on the second round Election Day.

ENEMO would like to express its gratitude to all the interlocutors of the IEOM, including election administration, civil society, international community, media and political entities, for their cooperation in the course of the monitoring mission; and Slovak Aid, for financially supporting the mission.

# I. BACKGROUND AND POST-ELECTION DEVELOPMENTS

On 2 August 2021, the President of Georgia, Salome Zourabichvili called for the Local Elections to be held on 2 October 2021. Elections were held for 64 local councils (Sakrebulo) and the same number of mayors (for 5 self-governing cities and 59 self-governing communities). A second round was held on 30 October to elect mayors in five self-governing cities and 59 municipalities, as well as 42 members of 24 councils in majoritarian constituencies.

The overall context of Melia's arrest was widely seen by local and international stakeholders as an arbitrary and politicized action which did not contribute to the resolution of serious political and social conflicts that were destabilizing Georgia.

A number of international stakeholders reacted to the overly polarized political situation and mediated, aiming to decrease tensions. Strong reactions against arbitrary activities against opposition leaders came from the side of the United States of America and European Union and their initial reactions were turned into a mediation process under the auspices of Charles Michel, President of European Council.

After a series of negotiations, on 19 April 2021 an agreement was achieved with the mediation of the European Council President, that consisted of five major fields of intervention, addressing perceptions of politicized justice, electoral reform, judicial reform, a more equal power sharing in the parliament, and a condition to hold early parliamentary elections in 2022 if the ruling party had less than 43% of the vote in the 2 October elections. The part of the 19 April Agreement dedicated to election reform led to significant amendments of the Electoral Code. One of the most important parts of the Agreement related to the political environment ahead of the elections was the last point, the provision that early parliamentary elections shall be called in 2022 if the Georgian Dream party received less than 43% of valid proportional votes in the October 2021 local elections. This led to the 2 October elections being considered more as general political elections than local ones.

Initially, the so-called "Charles Michel Agreement" was signed by ruling Georgian Dream and a number of smaller opposition parties, but not by the United National Movement (UNM), as a leading opposition party. On June 27, 2021, the ruling Georgian Dream unilaterally left the Agreement with the rationale that all clauses were fulfilled and criticized UNM for refusing to sign the document. In contrast, after the Agreement was abandoned by the Georgian Dream, UNM decided to join, after more than four months of refusing to do so.

Such discourse of divisions, tensions and rising animosity between ruling party and their representatives in the Government on one side and opposition parties on the other side contributed to a background of high political polarization, against which the October 2 elections were held.

One day before election day, the former President of Georgia, Mikheil Saakashvili, after years of exile, returned to the country under unclear circumstances, calling on Georgian voters to go to the polls and vote against the ruling party and to organize in protecting the result of the elections. He was arrested on the evening of the same day and transferred to a penitentiary. ENEMO assessed that these developments did not significantly affect the process on election day, but they did contribute to increased tension and further polarization between the two rounds.

Sixteen parties reached the threshold in the proportional vote in the first round, with Georgian Dream receiving 46.7 per cent of the proportional vote nationwide, UNM 30.7 per cent and Gakharia for Georgia 7.8 per cent. Georgian Dream won in all the 44/64 municipalities where a mayor was elected in the first round and 19/20 mayoral elections in the second round, while UNM won one. Following the results of the second round, the United National Movement and other opposition parties claimed that the elections were stolen and held protests in different cities, demanding snap parliamentary elections and the release of Mr. Saakashvili. Some members of the parliament from the opposition rejected their parliamentary mandates, claiming that the elections had been stolen and calling for early elections. A number of opposition lawmakers started a hunger strike.

The ongoing COVID-19 pandemic situation also remained a significant challenge for both overall public health and economic condition of citizens of Georgia, throughout the elections.

## II. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

### Legal framework

Georgia is a party to several international treaties and conventions<sup>1</sup>, which, according to the Constitution<sup>2</sup>, take precedence over domestic normative acts, unless they conflict with the Constitution or the Constitutional Agreement of Georgia. Local elections are primarily regulated by the Constitution and the Election Code, and are supplemented by other laws<sup>3</sup>, as well as regulations of the Central Election Commission.

Overall, the legislation is in line with international standards and forms the basis for the conduct of democratic elections, if implemented in good faith. However, the legal framework still suffers from lack of harmonization, gaps and inconsistencies<sup>4</sup>.

The 2021 Local elections were preceded by substantial amendments of the electoral legal framework, partly in implementation of the 19 April 2021 political agreement<sup>5</sup>, that was meant to resolve the political crisis originating from the 2020 parliamentary elections. Amendments were adopted just before the official start of the electoral period, on 28 June 2021. While this is not in line with best practices<sup>6</sup>, as it negatively affects the stability of the law while also placing extra burden on election management bodies, the amendments were part of a broader political consensus and a long process of consultation<sup>7</sup>.

The amendments modified the composition and appointment of election commissions, introduced a higher proportional component for local elections, extended the timeframes for dispute resolution, introduced mandatory random recounts, measures to address voter intimidation and the misuse of state resources. While the amendments have addressed, in part, previous recommendations of international bodies, such as OSCE/ODIHR and the Council of Europe, other recommendations remain unaddressed.

*The legal framework needs to go through a comprehensive and inclusive reformation process to harmonize it, address gaps and inconsistencies, as well as previous unaddressed recommendations from international and domestic stakeholders. The reformation process must initiate as soon as possible, to provide ample time for due consultation and timely adoption of the amendments ahead of the next elections.*

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<sup>1</sup>International Covenant on Civil and Political Rights (ICCPR); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Convention on the Political Rights of Women; Convention on the Rights of Persons with Disabilities (CRPD); International Convention on the Elimination of All Forms of Racial Discrimination (CERD), etc.

<sup>2</sup>Article 4, para. 5 of the Constitution of Georgia.

<sup>3</sup>E.g. the Law on Political Unions of Citizens, adopted on 31 October 1997 and last amended in June 2021; 1999 Administrative Proceedings Code; 2004 Law on Broadcasting, 1999 Criminal Code, 1984 Administrative Offences Code and 1999 General Administrative Code.

<sup>4</sup>E.g., the Code still contains references to provisions that are no longer applicable.

<sup>5</sup>See the 19 April 2021 [agreement](#).

<sup>6</sup>The [Code of Good Practice in Electoral Matters](#) (Guideline II.2.b.) states that “the fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election”.

<sup>7</sup>The Working Group for Electoral Reform functioned in 2019-2020 and resumed its work in February 2021, with the participation at different stages of citizen observer groups, members of the diplomatic community and representatives of two opposition parties. On 19 April six opposition parties signed an amended agreement with the ruling party. After months of boycotting UNM the largest opposition party decided to join the agreement in May 2021. The Working Group for Electoral Reform prepared three sets of draft amendments, in April, May and June 2021.

One of the pivotal amendments, concerning the transition from the mixed electoral system to the parallel mixed electoral system, reduced the level of disproportion between the seats allocated in municipal councils and the votes received by election contestants<sup>8</sup>.

In order to increase the level of public trust and provide a more balanced representation of political interests, changes regarding the composition and appointment mechanism of all three levels of election commissions (CEC, DEC and PEC) were introduced. Commissions were composed of professional and partisan members, comprising no more than 17 members, out of which eight non-partisan and nine appointed by the political parties that won seats in the last parliamentary elections.

Another important change regards the newly introduced gender quota which states that each party list should have at least one candidate of the opposite gender among every three candidates in the lists submitted for Sakrebulo elections<sup>9</sup>.

Other changes to the legal framework regard amendments related to the prevention of misuse of administrative resources<sup>10</sup>, regulation of election day “agitation” and protection of voters from influence close to the polling station<sup>11</sup>, amendments to protocols of polling results and conducting recounts, complaints and appeals, the local election system, as well as electronic voting and counting.

## Electoral System

Mayors and local representatives’ bodies (Sakrebulo) are directly elected for a four-year term. In accordance with the most recent amendments, the elections were held with a mixed system; the ratio of proportional and majoritarian seats and the type of majoritarian component have changed<sup>12</sup>. Instead of a half-half model in Tbilisi Sakrebulo (50 % proportional, 50% majoritarian), 80% of the members were elected through a proportional system. The same share of Sakrebulo members in other self-governing cities was elected under the proportional system, where previously the share of proportional seats was 60%. The share of proportional seats in Sakrebulo of self-governing communities has increased to 2/3 of the total membership<sup>13</sup>.

To qualify for seat allocation at the Sakrebulo, party lists must obtain at least 3% of the valid votes in a municipality and 2.5% in Tbilisi. Majoritarian candidates that obtain the highest score of votes are elected, as long as they receive more than 40% of the votes. Otherwise, a second round is held between the candidates that obtained the most votes. Mayoral candidates receiving over 50% of the votes are elected, otherwise a second round is held between the two candidates with the highest number of votes.

<sup>8</sup>Compared to the previous system when the significant difference between the sizes of the majoritarian constituencies led to the fact that the number of members elected by the majoritarian system was unreasonably high. Consequently, the system disproportionately converted votes into mandates. A 2015 Constitutional Court decision requires that any deviation follows the Council of Europe’s European Commission for Democracy through law (Venice Commission) Code of Good Practice in Electoral Matters <https://rm.coe.int/090000168092af01>

<sup>9</sup>The gender quota was first introduced in July 2020 prescribing that one in every two candidates should be of different gender, but it was reduced to one-in-three during June 2021 amendments.

<sup>10</sup>Art. 48, point 12 of the Organic Law of Georgia “Election Code of Georgia” d) for public servants, employees of legal entities under public law, employees of non-profit (non-commercial) legal entities established by the State or a municipality, directors, caregiver-pedagogues, caregivers, and teachers of pre-school educational institutions and general educational institutions established by the State or a municipality, or other persons employed there to meet together on account of official matters.

<sup>11</sup>Art. 45, point 12 of the Organic Law of Georgia “Election Code of Georgia”, which states that the material shall be subject to removal/dismantling/taking off. The movement of a voter may not be physically obstructed on the polling day in a polling station or within the distance of 100 meters from a polling station. People may not be gathered, or voters may not be counted either on the polling day within the distance of 100 meters from a polling station. 13 Prior to that, the average was 49 percent.

<sup>12</sup>The number of proportionally allocated seats increased from 970 to 1,404 and that of majoritarian seats decreased from 1,088 to 664

The law does not prescribe criteria for the delineation of constituencies for the majoritarian candidates of the local councils, which is at odds with international good practice.

*In line with international standards and best practice, the delineation of majoritarian constituencies should be done on a regular basis, outside of election periods.*

### III. ELECTION ADMINISTRATION

The elections were organized and conducted by the three-tiered Election Administration of Georgia, consisting of the Central Election Commission (CEC), 73 District Election Commissions (DEC) and 3,746 Precinct Election Commissions<sup>13</sup>.

The amendments of June 2021 to the Electoral Law changed the composition of commissions at all levels, as well as the procedures for electing the Chairperson and non-party members of the CEC<sup>14</sup>, aiming to increase public confidence in the bodies of the Election Administration through a more balanced representation of political forces. In addition, the five permanent DEC members were joined by three non-partisan members elected by the CEC. Thus, in the 2021 Municipal Elections, the electoral commissions at all levels consisted of 17 members: eight non-partisans and nine nominated by political parties.

The election administration complied with the legal deadlines and managed technical aspects of the elections efficiently.

#### Central Election Commission (CEC)

The CEC is a permanent and professional body composed of not more than seventeen members. Among them are the CEC Chairperson, two deputies and the Secretary. The CEC Chairperson is one of the members of the CEC. The CEC is responsible for the overall conduct of elections and has extensive powers and responsibilities.

The eight non-partisan CEC members, including the Chairperson, are elected by the Parliament on the proposal of the President, based on a proposal from a Competition Committee consisting of civil society organizations (CSOs) and academia<sup>15</sup>. The former CEC Chairperson resigned on 30 June, and, pursuant to the new electoral changes a new CEC Chairperson and two additional commissioners were selected by the parliament on 2 August through an “anti-deadlock” mechanism of simple majority, after three unsuccessful attempts to reach a two-third qualified majority. Four CEC members are women.

The significant reduction of the period between different rounds of voting in parliament affected the reaching of consensus between the ruling and opposition parties. Thus, none of the candidates appointed to three vacant positions in the CEC managed to secure votes of parliamentary opposition and were appointed for a six-month term. According to ENEMO interlocutors, this has damaged the consensus building between the ruling and opposition parties and, in fact, gave the Parliamentary majority a possibility to elect the candidates without consent from the opposition. As a result, the Elections of the CEC Chairperson took place with a de facto boycott by opposition parties, which negatively affected confidence in this body from most of the opposition.

<sup>13</sup>3,664 for regular polling stations, 73 for persons in isolation, and 9 for penitentiary institutions. Art. 7 of the Organic Law of Georgia “Election Code of Georgia”.

<sup>14</sup>Art. 10, 11, 12 of the Organic Law of Georgia “Election Code of Georgia”.

<sup>15</sup>The competition commission consists of 9-11 NGO and higher education institutions representatives and nominates to the President candidates for each vacant position in CEC. In total, the Competition Commission considered seven applications for the post of CEC Chairperson, but four from five members of the committee appointed by CSOs did not support any of them.

The CEC complied with all the legal deadlines for the preparation and conduct of the Municipal Elections. The CEC held regular meetings open to representatives of electoral contestants, accredited observers and the media, and for the first-time broadcasted meetings live. Most of the decisions of the CEC were adopted unanimously and published timely with the minutes of the meetings on the webpage of the institution<sup>16</sup>.

In addition to educational and training programs with representatives of the Election Administration, police and political parties, programs were implemented to increase the inclusiveness, transparency and efficiency of the election process. Five special educational programs were implemented for different target groups<sup>17</sup>.

On August 16, the CEC opened an Information Protection Center, according to them, with the aim to combat misinformation about the organization and process of Elections both in traditional and social media<sup>18</sup>. However, the reports of this Center were used not only to fill information gaps in the activities of the Election Administration, but also to target sources of alternative information, including independent media and credible non-partisan CSOs, which ENEMO deems a practice that should be avoided.

*The Information Protection Center should only be used to combat disinformation and provide correct information to the public, and not to target credible media and civil society organizations.*

The CEC has also implemented two pilot projects aimed at increasing the transparency and efficiency of the electoral process. At 3,198 polling stations (all polling stations with more than 300 voters), the vote counting process was recorded under the supervision of the PEC members representing the opposition parties. There are doubts about the possibility of using these recordings when considering contestants' complaints due to the fact that the video recordings must be uploaded to the Internet no later than on 10:00 a.m. on the fifth day after Election Day<sup>19</sup>, but at the same time, the procedure for recounting votes in disputable PECs can be implemented within six days after the voting<sup>20</sup>. Although there is a possibility to request footage for complaints purposes, the efficiency of this measure remains doubtful.

Electronic scanning of ballots was also tested in 31 polling stations of DEC no. 4 (Krtsanisi district, Tbilisi)<sup>21</sup>. However, at three polling stations new voting procedures completely failed and the voting proceeded according to the regular procedures due to technical issues<sup>22</sup>.

The CEC also paid attention to anti-epidemiological measures. After consulting with the medical community, civil society organizations and party representatives, the CEC adopted four COVID-19-related decrees regulating access to election offices, regular Polling Stations and voting for people in isolation. In addition to the traditional individual and group protection measures, free of charge weekly Rapid Antigen Testing was carried out for members of Election Administrations. According to the CEC, 100% of the members of the commissions who participated in the training were also tested.

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<sup>16</sup>Art. 4, 14 of the Organic Law of Georgia "Election Code of Georgia"; Chapter 3 of General Administrative Code of Georgia.

<sup>17</sup>Potential EMBs members, first-time voters, etc.

<sup>18</sup>[CEC Interim Report of October 2, 2021, Municipal Elections.](#)

<sup>19</sup>Art. 10 of the CEC Resolution #55/2021.

<sup>20</sup>Art. 8, 21, 75 of the Organic Law of Georgia "Election Code of Georgia"; CEC Decree N 40/2021 of July 26, 2021.

<sup>21</sup>Also, at Polling Stations in Tbilisi, a new design of voting booths was tested, which, according to representatives of the CEC, aimed at preventing attempts to take pictures of the ballot or taking ballots outside of the Polling Station.

<sup>22</sup>PSs #18; #24 and #38 received wrong size ballot papers because of printing error (the Printing House responsibility). In all those PSs scanners were replaced with traditional ballot boxes.

To facilitate the exercise of electoral rights by voters who are in intensive care units (ICU) and isolation (quarantine, self-isolation) one additional Precinct Election Commissions was created in each Constituency of Georgia (73 PECs in total), which organized mobile voting for them.

Despite the fact that most of the Polling Stations are located in public buildings with improved access for voters with disabilities, 1,128 polling stations were additionally equipped and fully adapted for the access of voters with locomotor dysfunctions (wheelchair access). Also, special frame form, magnifying glasses were used and, upon request, it was possible to use a sound assistant<sup>23</sup>.

The CEC Training Center, in cooperation with IFES implemented a training program in distance (online) and physical training for PECs' members on a cascade method in seven stages through the respective DECs. However, many PEC Political Parties nominated commissioners were not covered by this training in full, due to numerous replacements in the PECs' composition.

*All PEC members should be provided with adequate training, in order to guarantee the professionalism and efficiency of the electoral administration and to strengthen the integrity of the electoral process.*

For the Second Round the CEC Training Center enhanced its training methodology and focused on counting procedures and the completion of protocols. Within the updated training concept, elaborated by the Training Centre, the PECs' head officials passed the intensive training program on the techniques of drawing up summary protocol of polling results.

PEC trainings observed by the ENEMO IEOM representatives were informative, interactive, and included practical exercises on counting procedures. The CEC provided information through videos and print materials. Manuals and voter education materials were available in minority languages.

The CEC managed the technical aspects of the election administration process in fulfillment of the legal deadlines, transparently and professionally.

## District Election Commissions (DEC)

At the sub-regional level, Municipal Elections were organized by 73 DECs. The composition of lower-level commissions replicates that of the CEC. In electoral periods, the five permanent DEC members are joined by three non-partisan members selected by the CEC, and up to nine DEC members appointed by political parties. Due to the fact that the term of office of 162 permanent DEC members expired in February 2021, 141 DEC commissioners were re-elected (35 of them for the fourth term). In total, the CEC selected 584 DEC members on a competitive basis. Due to previous criticism on lack of transparency, the CEC broadcasted live most of the nonpartisan DEC candidates' interviews. Unlike for CEC and PEC members, persons who previously served as DEC members nominated by a political party are not excluded from becoming non-partisan members of DECs, which raised questions on their impartiality.

*To enhance public confidence in election management bodies, criteria that ensure impartiality of non-partisan DEC members should be reviewed, in order to provide sufficient safeguards for political neutrality and impartiality.*

<sup>23</sup>See Election Day.

Based on recent amendments, parties could withdraw and appoint a new member of the DEC only up to three weeks before the polling day and, within the last three weeks before it, in the case of resignation or death of the nominated member, as well as, in case of a court ruling making it impossible for a person to perform the activities of a member of the DEC<sup>24</sup>.

The EOM visited 10 DEC in Tbilisi. All observed DEC have complied with all statutory deadlines for preparing and holding Municipal Elections and held regular meetings open to representatives of electoral contestants, accredited observers and the media.

## Precinct Election Commissions (PEC)

The Elections were managed by 3,746 Precinct Election Commissions, of which 3,664 ordinary, 9 special PECs in penitentiary institutions and 73 special PECs which organized voting for isolated voters.

Precinct Election Commissions were composed of eight commissioners selected by the DEC and nine party nominated. The PECs fully exercise their authority within their territorial limits<sup>25</sup>. As for the timeframes for setting up PECs, this remains a problem as it was proved a challenge to conduct a full-scale competition to select professional members, including the interview stage, and identify the best candidates in such a short period of time, while adhering to the principles of transparency<sup>26</sup>.

There were some difficulties in the formation of PECs, in contrast to the higher levels of the Election Administration. The majority of PECs received exactly eight candidates for eight non-partisan vacancies, which virtually eliminated any competition. At the same time, 903 candidates were excluded since they were party representatives in the previous Parliamentary Elections. A number of interlocutors of ENEMO criticized the process of staffing PECs with professional members.

*Consideration should be given to improving procedures and increasing the transparency of the selection process for lower-level commissioners through the development and publication of clear criteria and public selection.*

It is also necessary to note the difficulties with filling party quotas for PEC members, especially in the regions, which led to numerous replacements in the composition and might have affected the general professionalism of PEC members. There were also cases of attempts by PEC members nominated by parties to avoid performing their duties and a lack of understanding that in PECs they do not work in the interests of the parties nominating them. At the DEC and PEC levels women were in majority.

To facilitate access for representatives of ethnic minorities to 348 PECs in different regions of Georgia, electoral documentation was translated into languages of national minorities<sup>27</sup>.

The Second Round of Elections were organized by 1,830 PECs, in addition, eight polling stations were created in exceptional cases and 29 special Polling Stations which for voters placed in intensive care units and isolation. Similar to the first round, voting was conducted by using electronic scanning technologies at 31 PSs of the election district #04 (Krtsanisi Election District).

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<sup>24</sup>Art. 20 of the Organic Law of Georgia "Election Code of Georgia".

<sup>25</sup>Art. 26 of the Organic Law of Georgia "Election Code of Georgia".

<sup>26</sup>29,312 non-partisan PECs members were elected from 31,483 candidates, in a period of four days.

<sup>27</sup>At 211 PECs into Azerbaijani; at 133 PECs - Armenian and at 4 PECs - both of these languages.

## IV. REGISTRATION OF VOTERS

Citizens of Georgia, who have attained the age of 18 on the day of Elections, have the right to vote. The Constitution guarantees the free expression of the will of voters. The only limitation concerns the citizens who have been found legally incapable by a court or who have been deprived of their liberty by court serving a sentence for a particularly serious crime in a penitentiary institution . Blanket exclusion of voters found legally incapable is at odds with international standards<sup>28</sup>.

*To ensure universal suffrage, the denial of voting rights of persons recognized by a court to lack legal capacity on the grounds of mental disability should be reconsidered.*

Voter registration is passive, continuous and centralized. The CEC compiles the voter lists based on the civil registry database, maintained by the Public Service Development Agency (PSDA), which is updated on a quarterly basis, and data from other institutions. The CEC is responsible for forming a unified list of voters, processing it and posting publicly available information on the CEC's official website. No significant concerns were raised regarding the accuracy of voter lists by most ENEMO IEOM interlocutors. The PSDA undertook efforts to further improve the quality of voter lists including by conducting door-to-door voter verification and using facial recognition software to detect potential duplicates.

The DECs provided the PECs the unified list of voters designated for public information and PECs provided a final public version of the lists of voters, and the final versions of the revised lists for the election commission. Voters had a range of options for verifying their registration data and requesting corrections and could request corrections until 14 September<sup>29</sup>.

The final list of voters contained 3,497,345 voters: 1,874,119 women and 1,623,226 men; 39,135 were first-time voters. The highest number of voters was in Tbilisi – 1,002,900.

Citizens could request to vote through a mobile ballot box within the Electoral District of their registration in writing or verbally by telephone at least two days before the Polling Day. They could be entered into mobile ballot box lists if they were unable to visit the Polling Station due to health problems - but the number of such voters could be no more than 3% of the total number of voters registered - or a voter was in the PEC territory, but in a place difficult to access. Voters in isolation could call CEC's Contact Hub and request the mobile ballot box service from 25 to 27 of September. However, voters who got infected after 27 September could not vote.

The total number of voters for the Second Round of elections was 2,088,722.

<sup>28</sup>Article 29 of the Convention on the Rights of Persons with Disabilities (CRPD) requires States to “guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others”. See also Paragraph 48 of General Comment No. 1 to Article 12 of the CRPD obliges States to “recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life”.

<sup>29</sup>According to the CEC, voters verified in different ways their data in the Lists 1,015,186 times.

## V. CANDIDATE REGISTRATION

Citizens of at least 21 years of age who have lived in Georgia for more than five years can be elected to Sakrebulo (Local Councils). The residency requirement is deemed to be overly long<sup>30</sup>. Also, the Electoral Code requires compulsory knowledge of the Georgian language for candidates to the Tbilisi City Assembly.

Lists of candidates for proportional seats can only be submitted by political parties. To promote women's participation, candidate lists for proportional seats can be presented only by parties that have at least one candidate of the opposite gender among every three candidates<sup>31</sup>. Amendments to the Election Code of July 2021 reduced the number of women candidates in the proportional list<sup>32</sup>.

*To increase women's political participation and promote balanced gender representation, an increase in the gender quota could be considered.*

To run for mayor, candidates must be at least 25 years of age and eligible to vote. Candidates for mayors and majoritarian election constituencies in Sakrebulo can be nominated by parties or initiative groups consisting of at least five voters.

Parties and initiative groups of voters had to first register with the CEC and DEC, respectively. Parties that were not registered in the last Parliamentary Elections or did not have a seat in Parliament when local elections were called had to submit 25,000 supporting signatures to the CEC<sup>33</sup>. In an inclusive process, the CEC registered 43 of the 52 applying parties as well as 68 initiative groups. The parties and initiative groups registered 239 mayoral candidates (16 in Tbilisi), including 12 independent candidates; 2,769 majoritarian candidates, including 56 independents; and 770 proportional lists, for a total of 20,624 candidates. There were 25 female candidates for mayor, 488 for majoritarian seats: as well as 8,767 women on candidate lists.

For nomination of a Sakrebulo majoritarian candidate or Mayoral candidate initiative groups of voters had to collect supporting signatures, depending on registered voter's number within a constituency<sup>34</sup>. The number of supporting signatures to be collected is one percent, which is in line with best practice<sup>35</sup>.

After registration, five Political Parties were de-registered for not nominating candidates. The number of candidates in the final stage of the election campaign decreased due to the withdrawal of candidates. A number of ENEMO interlocutors from opposition parties claimed that their candidates were under pressure to withdraw from the lists. No candidates from the ruling party withdrew. Positively, on September 7 the CEC ruled that proportional lists with fewer than the minimum number of candidates would still participate in the Elections.

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<sup>30</sup>The Code of Good Practice in electoral matters states that "a length of residence requirement may be imposed on nationals solely for local or regional elections" and Guideline on Elections 1.1.c.iv states that "the requisite period of residence should not exceed six months; a longer period may be required only to protect national minorities".

<sup>31</sup>Art. 203 the Organic Law of Georgia "Election Code of Georgia".

<sup>32</sup>This change appeared during the second reading, while the issue was not raised during the first reading. The change was not based on a sufficiently inclusive discussion. According to the authors of the bill, the new norm guarantees almost the same representation of women in the city councils as with the 2020 amendment due to the share of proportionally elected members in the Sakrebulo increasing should compensate for reduction of the gender quota.

<sup>33</sup>Art. 142 the Organic Law of Georgia "Election Code of Georgia".

<sup>34</sup>Art. 141 the Organic Law of Georgia "Election Code of Georgia".

<sup>35</sup>Art. 1.3 European Commission for Democracy through law (Venice Commission), Code of Good Practice in Electoral Matters Guidelines and Explanatory Report, CDL-AD (2002) 23, Venice, 5-6 July and 18-19 October 2002.

Political Parties and Initiative Groups of Voters as well as Candidates themselves after the registration, but not later than 12 days before the polling day, revoke its own decision to nominate a candidate or withdraw own candidacy<sup>36</sup>. However, according to the Election Code, candidates reaching the Second Round cannot withdraw<sup>37</sup>.

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<sup>36</sup>Art. 146.1, 2 the Organic Law of Georgia “Election Code of Georgia”.

<sup>37</sup>Art. 146.2 the Organic Law of Georgia “Election Code of Georgia”.

## VI. ELECTION CAMPAIGN AND CAMPAIGN FINANCE

### Campaign Environment

The official campaign period began on 3 August, 60 days before Election Day. The legislation provides for equitable campaigning conditions. A number of restrictions are placed on campaigning, aimed at curbing abuse of state resources: there is a precise list of state officials and other employees that cannot attend election events<sup>38</sup>; it is forbidden to campaign in the premises of a number of state institutions, like executive agencies of Georgia, courts and military units; as well as to use institutional events for campaigning purposes. However, the efficiency of such restrictions is put into question, as incumbency was used for electoral advantage.

The political crisis and a line of systemic and institutional disputes between the ruling party and opposition parties in Georgia has created a discourse of perpetual confrontation over a series of substantial political and pre-political issues that, for several years, have overshadowed many important topics for the wellbeing of citizens at local and national level. Within such a political context, during the local elections in 2021 the EOM has witnessed a dominant presence of topics related to the overall national (and international) politics, to the detriment of discussion and competing on proposals for resolving local issues and needs of citizens and their communities. This was also visible in the overwhelming presence of the national level politicians at the local level, where local candidates for sakrebulo and for mayors' positions were overshadowed by their party leaders, as well as high-ranking institutional representatives, in the case of the candidates from the ruling party.

As a logical continuation of the domination of national and international topics over local issues, political party platforms dealing with local issues were rare, predominantly among the opposition parties. In the case of the ruling party, the program and messages regarding the local issues have been present and visible but still overshadowed by national level politics, especially during the campaign ahead of the second round.

Due to the pandemic, the classical campaign activities have been reduced to, mainly, activities in media, with emphasis to social media, occasional door-to-door campaigning and few public gatherings with limited number of participants. The second round was depicted by the increase of direct communication and organization of a number of small, medium and big gatherings<sup>39</sup>, including two massive rallies, each with tens of thousands of participants, organized respectively by Georgian Dream and United National Movement. Even though the right of freedom of assembly was overall respected and the campaigning was mostly calm, ENEMO has received a number

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<sup>38</sup>According to that list following individual exceptions that cannot take part in campaigning are: an election commission member; a judge; public officers of the Prosecutor's Office of Georgia, the Ministries of Internal Affairs and Defense of Georgia, of the State Security Service of Georgia, the Georgian Intelligence Service, and the Special State Protection Service of Georgia; the Auditor General; the Public Defender of Georgia; an alien and a foreign organization; charitable and religious organizations; a public servant – during normal business hours and when he/she directly exercises his/her official powers; members of the Georgian National Communications Commission (GNCC) and the Georgian National Energy and Water Supply Regulatory Commission (GNEWSRC); an employee of a legal entity under public law (except for higher and vocational educational institutions, art institutions, religious organizations and the Georgian Bar Association), an employee of a non-profit (non-commercial) legal entity established by the State or a municipality, a director, a caregiver-pedagogue, a caregiver, and a teacher of a pre-school educational institution or a general educational institution established by the State or a municipality, or another person employed there – during business hours, or when he/she directly exercises official powers.

<sup>39</sup>Mostly, this kind of gatherings and rallies were related to the events connected to arrival and arrest of the ex-President Mikhail Saakashvili, whose return from the exile to country triggered number of protests and rallies after his arrest that took place. While UNM was organizing serial protest in front of the prison where Saakashvili was kept, they have also organized a significant event in Tbilisi, gathering dozens of thousands of opposition supporters. In opposite to that, GD was organizing similar rallies against Saakashvili and his supporters with one of the events also gathering significant number of participants. In all cases no anti-Covid 19 measures were respected.

of allegations of smaller rallies and gatherings of the opposition parties being interrupted by supporters of the ruling party. Some of these interruptions resulted with more significant incidents of a violent nature and even more important, some of them have resulted with serious attacks on the life of opposition activists and members.<sup>40</sup>

All EOM interlocutors from the opposition parties have claimed intimidations, threats, violations, attempts of bribery, other illegal acts and even kidnapping against their members or candidates. According to them, most of these cases could not be institutionally investigated due to fear of violated or pressurized persons, but that some of these cases have been processed further towards institutions of the system. The Ombudswoman of Georgia also dedicated special attention to cases of intimidation and pressure towards candidates of the opposition<sup>41</sup>.

Many of EOM's interlocutors from the opposition parties expressed their dissatisfaction with inadequate treatment of the police in many of the reported cases and low confidence in these cases being properly investigated and addressed.

*Authorities should investigate promptly and proactively allegations of pressure or intimidation on candidates and bring perpetrators to justice.*

Smear campaign and personal attacks were observed often<sup>42</sup>; this increased in intensity ahead of the second round<sup>43</sup>.

The intensity of campaigning was relatively high during the entire campaigning period, for both rounds, especially between the two rounds. The 43 per cent benchmark of support for the ruling party was a key point of campaigning nationally ahead of the first round. In the second round the United National Movement focused on calling on other parties to help defeat the Georgian Dream through unity of the opposition. Conversely, Georgian Dream changed its campaign strategy to the national focus ahead of the second round. While the discourse between ruling and opposition parties remained at the highest level of intensity during the entire campaigning period, it was visible that the cooperation and tolerance among opposition parties has been brought to a new, much more positive and tolerant level. This was confirmed by all interlocutors from opposition parties.

Some of the parties, especially the ruling party, profusely used billboards, city lights, promotional covers of buildings and vehicles, and campaigning posters. This was especially visible in Tbilisi. Some opposition parties expressed complaints that they have been obstructed to present publicly promotional materials of their candidates in Tbilisi.<sup>44</sup> Advertising on social media was also prominent (see the Media section).

<sup>40</sup>"Son of ruling party majoritarian candidate detained for stabbing two in Dmanisi"

<https://agenda.ge/en/news/2021/2940>, "Labor Party supporter stabbed at polling station in Marneuli"

<sup>41</sup>See the [statement of the Ombudswoman](#).

<sup>42</sup>One of the most prominent cases was the use of billboards showing faces of a number of major opposition leaders and former President Saakashvili, with subtitle "No to Nazis. No to evil. No to betrayal". On September 18, a businessman told Rustavi 2 TV that he and his friends are standing behind the billboards and that they do not belong to any political party, and they only wanted to prevent the return of UNM to power. It should be noted that this constitutes a clear example of third-party campaigning. Attacks on the leader of the For Georgia party, Giorgi Gakharia, claiming that he is a drug addict, drew also a lot of attention in the media and inspired discussions on political and media manipulations. Georgian Dream also reported cases of smear campaigns and hate speech against their candidates, high state officials and the party itself. Some of these cases were related to video materials that contained hate speech messages, some of them to abuse in social media and some of them with canvassing or public addressing of opposition leaders that were using the alleged hate speech

<sup>43</sup>This especially goes for the ruling party that intensified negative campaigning through video clips shown on social networks and TV stations, followed by extremely negative rhetoric of ruling party officials, portraying their political opponents in intensified hostile manner of depersonalization, depicting opposition as enemies of the state and people. As an example, the statement of the [Mayor of Tbilisi, Mr. Kakha Kaladze](#), from October 18, posted on his Facebook profile,

<sup>44</sup>According to UNM, one of these examples was where UNM allegedly paid 200 ads for positive advertisements to be placed on minibuses in Tbilisi, but the GD has allegedly intimidated and forced mini-bus drivers Tbilisi-wide to remove these ads from all 200 buses.

The ruling party benefited from the use of incumbency, with announcements of public projects, promises of social benefits and of increasing salaries of public servants, etc. A number of state officials took part in supporting the ruling party in their campaigning through statements or other activities, while some of the findings of relevant NGOs were indicating direct involvement of some officials and governmental employees in campaigning efforts of the ruling party. The overall activity of high and other level officials during the campaign and extensive identification with the line of national and local projects financed from the public funds blurred the line between the ruling party and the state<sup>45</sup>.

*To ensure a level playing field, the legal framework aiming to prevent misuse of state resources should be properly enforced.*

The advantage in use of public recourses, including serious increase of the public funds and spending before and during the election period was also accompanied by uneven spending of campaign funds in favor of the ruling party GD and to the detriment of all other opposition subjects.<sup>46</sup> This was also followed by lack of adequate and fully accountable of the control of the campaign finances, caused by inadequate and imprecise legal framework, on one side, and lack of legal authorization and administrative capacities of the State Audit Office to introduce all necessary measures of the campaign funding and spending oversight.<sup>47</sup> Taken together, these factors determined an uneven playing field throughout the electoral period, favoring the ruling party, Georgian Dream.

## Campaign Finance

Party and campaign finance are regulated by the Election Code, the Law on Political Associations of Citizens, the Law on the State Audit Office (SAO) and supplemented by relevant regulations of the SAO. Political parties receive public funding<sup>48</sup> proportional to their results during the last parliamentary elections and these funds can also be spent for electoral purposes. No public funding is provided for campaigning. Electoral contestants are obliged to open designated bank accounts and all campaign donations and expenditures must be carried out via this bank account.

Individuals and legal entities may donate annually up to 60,000 GEL<sup>49</sup> and 120,000 GEL<sup>50</sup> respectively. Donations may not be made anonymously, through intermediaries or by individuals whose reported income is not considered sufficient for donations. There is a ban on donations from state entities, legal entities of public law, state organizations and enterprises, foreign sources, international and religious organizations<sup>51</sup>. Private entities whose income from simplified public contracting exceeds 15% are also prohibited to donate 48.

Political parties or electoral subjects can spend annually, including during a campaign, no more than 0.1 per cent of the national GDP of the previous year, which was GEL 50 billion (EUR 12.89 billion).<sup>52</sup> An independent candidate may spend up to GEL 15 per voter registered in the

<sup>45</sup>One week before the second round, the Prime Minister made a statement that any municipality won by the opposition would be detached from the central government without a possibility to implement any projects

<sup>46</sup>According to the State Audit Office report from 7 October, out of the 19 million GEL in total, spent by all political subjects, more than 12,5 million went to the campaign costs of the ruling Georgian Dream party.

<sup>47</sup>This lack of legal authorization and inadequate administrative capacities was confirmed to ENEMO mission representatives during the meeting with SAO, where, among other, we have been informed that only 9 auditors from the Political Finance Department are in charge of all monitoring and checking for 42 political parties and 74 independent candidates.

<sup>48</sup>Article 30 of the Law on Political Associations of Citizens, 15 GEL per vote for the first 50,000 votes and 5 GEL per every additional vote

<sup>49</sup>Approximately 15,800 Eur.

<sup>50</sup>Approximately 31,000 Eur.

<sup>51</sup>Article 26 of the Law on Political Associations of Citizens

<sup>52</sup>Article 25 para. 1 of the Law on Political Associations of Citizens

respective constituency, which is commensurate with the expenditure ceiling established for parties. Such expenditure includes campaign expenses incurred by the party as well as by third parties for the benefit of the party or the independent candidate.

Georgian Dream reported having received and spent approximately GEL 15 million, which was 68 per cent of donations and expenditure reported by all contestants together. Combined with the use of incumbency, this has led to an uneven playing field, to the advantage of the ruling majority.

Many opposition interlocutors of the EOM have claimed intimidation of their small and middle scale donors who were allegedly threatened from the side of secret service, police, tax revenue authorities and other public and private stakeholders in order not to provide funds for opposition parties.

The State Audit Office (SAO) oversees party and campaign finance. Interim campaign finance reports are due every three weeks from the call of elections, within 12 days after election day and three days prior to the second round for those contesting it. Interim reports submitted by parties and independent candidates have been published on the SAO website as required by law. The SAO is not required to publish its own results of campaign finance oversight before election day, but it did so ahead of the first round (on 29 September), but not ahead of the second.

*To increase the effectiveness of campaign finance supervision and identify unreported spending, consideration should be given to establishing a mechanism that would independently monitor and identify campaign expenditure. The SAO should be provided with the necessary resources to properly investigate cases of campaign finance violations.*

After the second round, the SAO sought sanctions against five parties and 18 independent candidates for not submitting campaign finance reports. Sanctions for this violation include warnings, fines, deprivation of public funding, and even loss of mandate for violations that could have affected the election results. Lack of expedited deadlines and limited enforcement led to an insufficient supervision and regulation of campaign finances.

*Measures should be considered to facilitate efficient and timely cooperation between SAO and other state institutions, as well as short deadlines for SAO to act upon the identified violations.*

## VII. MEDIA

### Media environment

Overall, the media landscape in Georgia is pluralistic but polarized, with a lack of independence from political interests, affecting the general trust in media and their editorial policies. While most traditional media are accessible online, television is still the main source of information, followed by online and social media. The media includes 101 outlets with broadcasting authorization, of which 11 national TV broadcasters and 82 active radio broadcasters. ENEMO EOM held meetings with the relevant media stakeholders as well as performed a limited social media monitoring, with the focus on the activity of political entities on Facebook. The editorial policies of many media outlets are heavily affected by partisan alignment<sup>53</sup>.

*Private and electronic media should ensure balanced coverage about the participants in the electoral process and all contesting points of view should be fairly and equitably communicated respecting the principles of equal opportunity and non-discrimination.*

Even though the legal framework guarantees freedom of speech and provides for general media freedom, ENEMO EOM noted recent cases of journalists facing threats of violence and intimidation towards the journalists and media outlets, as well as the unequal treatment of politicians. ENEMO interlocutors expressed concerns about a deteriorating media environment, caused by anti-journalist campaign that culminated during the second round of elections, negative public narrative towards the media by political figures, mainly from the ruling party, cases of alleged intimidation and violence against journalists, as well as conditions created by the CEC for the media and voters<sup>54</sup>.

Interlocutors pointed to ENEMO that perpetrators of abuse against journalists were rarely properly investigated. Furthermore, ENEMO EOM interlocutors expressed concerns regarding the lack of investigative journalism, in-depth media reporting and analysis with no space for quality political debating, in particular in the regions.

### Legal framework

The legal framework provides guarantees freedom of expression and provides a sound basis for media freedom. The Constitution guarantees freedom of speech and of the press and prohibits censorship. The 2004 Law on Freedom of Expression decriminalized libel and journalists do not have to disclose their sources of confidential information. The Election Code requires broadcasters to provide fair and impartial coverage during the election period.

In line with the Election Code, free airtime is allocated to 9 political entities on public and private national TV stations based on their previous election results. ENEMO media interlocutors expressed concerns about the limitations imposed by law regarding the qualified and unqualified candidates that get airtime on public broadcasters which creates additional challenges when organizing debates, as well as because general public might be more interested in some candidates who get less airtime.

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<sup>53</sup>Imedi TV, Maestro, and Pos TV support the ruling party; while Mtavari Arkhi, Pirveli TV and Formula TV are critical of the ruling party.

<sup>54</sup>Namely, the Information Security Center of CEC published the Media Monitoring Report for the period from 01.09.2021. – 10.09.2021. Based on the monitoring of more than 200 TV stations (national and regional) and online platforms, as well as over 300 pages and groups on Facebook. Among other data, the Report included 37 media outlets, mainly composed of the media critical to the ruling party categorized as “source of fake news”, potentially causing decrease of public trust in media during the electoral period. Additionally, ENEMO interlocutors expressed concerns regarding the methodology used for the production of the Report.

*Media legal framework needs to be improved in a way that ensures equal treatment of electoral subjects.*

## Traditional media

The media landscape was visibly polarized during the electoral period. In the politically influenced and deteriorated media environment, with the presence of intimidation and negative public narratives towards the media, there was a lack of positive political campaigning, which was instead characterized by mutual accusations and criticism between political opponents. No public debates were organized for the second round of elections due to the lack of political interest. The electoral period was characterized by discrediting campaigning and lacking in issue-oriented debate among candidates. Personal accusations among candidates overshadowed the nation-wide and local issues and problems. This affects the ability of voters to make an informed choice due to a lack of access to objective information. ENEMO interlocutors voiced concerns that the campaign environment was affected by disinformation tactics, instances of negative campaigning, hate speech, and intolerant rhetoric.

Political parties were allegedly using instruments such as disinformation and misinformation campaigns, including inauthentic and manipulative behaviors. According to the ENEMO interlocutors, the main source of foreign interference through media comes from Russia and it is manifested by using anti-Western and anti-vaccination narratives, often addressing sensitive topics with sensational rhetoric that consequently causes division among citizens and hatemongering through media channels. Under the threat of such foreign media influence are primarily minorities, who have limited access to Georgian media due to language barriers.

*Political entities should refrain from negative campaigning, as well as the use of manipulative and inauthentic behavior for the purpose of political interests.*

Within its powers delegated by the legislation of Georgia, the Georgian National Communications Commission (GNCC) exercises the oversight of the media outlets during the election campaigns. The GNCC determines the procedure for participation and use of the media in the electoral process, supervises the observance of provisions by any broadcaster, and gives respective responses to violations of those provisions. According to the GNCC report, when it comes to traditional media, there are 56 general broadcasters that during the election period predominantly dedicated their airtime reporting about the Georgian Government followed by Georgian Dream, in positive and negative tone. Furthermore, broadcasters provided political entities with more direct than indirect airtime.

During the 60 days of the pre-electoral period the GNCC conducted media monitoring in terms of the violations of the rules of political coverage by the media outlets, as well as fairness and reporting tone. Based on their monitoring findings and when a violation is recorded, the GNCC holds public hearings and decides upon filing an Administrative Offence Report.

In the mentioned period, the GNCC has issued 11 Administrative Offence Reports, eight of which have been issued in accordance with Art. 82 of the Election Code, which prescribes administrative penalties for the violation of the procedures for publishing election-related public opinion poll results. One broadcaster has been fined three times under Art. 194 para. 2 of the Election Code for refusing to air the political advertisement provided by the United National Movement and European Georgia, thus breaching the requirements defined by the law.

GNCC has issued additional three Administrative Offence Reports during the period in between the first and second round of elections. Two media outlets have been charged for airing the political advertisements that were not in compliance with legal requirements in accordance with the Art. 194 para. 2 of the Election Code of Georgia. One media outlet refused to air the political advertisement provided by the United National Movement, violating the rules of political advertisement defined by Art. 761 para. 21 and 22; Art 186 para. 3 and 5; Art. 194 para. 2 of the Election Code of Georgia.

## Social media

Campaigning was dominant on social media. Georgian legislation does not contain any provisions that are directly applicable to online and social media. Likewise, there are no rules regulating the political parties' behavior on social media during the electoral campaigning.

ENEMO interlocutors noted that online and social media circumstances resemble the general media environment in Georgia. It was characterized by the presence of numerous groups of polarized and radically different pages and accounts, some of them supporting the incumbent party and government, while others supporting the opposition parties and personalities.

ENEMO used the CrowdTangle platform to monitor political parties' activity on social media, with a focus on Facebook, it being the most used social media platform. Political parties conducted their political campaigning on other social media platforms, such as Instagram, TikTok, Twitter, Telegram as well.

ENEMO monitored 11 official Facebook pages of political parties during the period from August 2, 2021, to October 30, 2021. The total number of posts created in the mentioned period, was 4,197, with 1.55M total interactions. When it comes to post activity, the most active was For Georgia, followed by Lelo for Georgia and Georgian Dream<sup>55</sup>. Most interactions came from Georgian Dream, followed by United National Movement<sup>56</sup>. Political parties communicated mostly through Photos (36,9%), Facebook Videos (38,4%), and Facebook Live (23%).

During the campaigning period, political parties were using more than one Facebook page for their campaigning on social media. Besides the official political party's Facebook page, they used different structural units (local and regional pages), including political party's leaders and candidate's pages categorized as "Politician". With regards to that, ENEMO monitored 16 of such Facebook accounts. Data suggests that politicians reached more Facebook users' interactions through their profiles than political parties, counting 9.33M of total interactions<sup>57</sup>.

Political parties used other popular online and social media tools for their campaigning, namely different groups and pages for spreading their ideological messages and opposition-smearing disinformation, using photo manipulations and artificial intelligence. ENEMO interlocutors reported that during these elections a plethora of fake Facebook pages were created, categorized as regional media outlets or civil society organizations, that in fact were spreading pro-government and anti-western disinformation, allegedly trying to damage the reputation and authenticity of CSOs and the media.

<sup>55</sup>For Georgia - 688 total posts, Lelo For Georgia - 633, Georgian Dream - 549, European Georgia - 423, United National Movement - 398, Girchi - More Freedom - 366, Girchi - 355

<sup>56</sup>51,4 percent of all interactions come from only one party - Georgian Dream (878,627 total interactions), United National Movement (345,132 total interactions) or 20 percent of all interactions

<sup>57</sup>The most interactions were reached by pages "Mikheil Saakashvili" (3.55 M), "Kakha Kaladze კახა კალაძე" (1.5 M), "Nika Melia / ნიკა მელია" (1.35 M), and "Irakli Garibashvili" (840.816). Politicians communicated through Facebook Videos (39.8 percent), Photos (33.1 percent), and Facebook Live (20.8 percent).

During the electoral silence day, political parties were active on social media, some of them having active paid ads as well.

From the official political parties' Facebook pages, Georgian Dream had the most political advertisements on social media platforms, counting 630 paid ads and spent approximately 53,263 USD in the period from August 2, 2021, to October 30, 2021, followed by European Georgia with 177 paid ads and 27,960 USD spent, and Girchi with 97 paid ads and approximately 10,514 USD spent. As previously pointed out, it is important to have in consideration that most of the political parties were using more than one Facebook page for the campaigning, thus the exact number of ads vary slightly<sup>58</sup>. Among politicians, "Giorgi Vashadze / გიორგი ვაშაძე" profile had the highest number of political advertisements on social media platforms in the respective period 646 and spent approx. 26,415 USD.

ENEMO notes that lack of transparency and selective application of rules regarding political ads on social media continues to be a challenge. Within an unregulated environment and technical deficiencies of online tools, it is difficult to monitor how many political ads there exactly and how much money political entities actually spend on online campaigning.

*The authorities should enhance the media regulations to address the use of social media during campaigning and take steps to tackle fake news, disinformation campaigning, manipulative and inauthentic behaviors, as well as to effectively monitor online campaign finance during elections.*

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<sup>58</sup>E.g., UNM through their official account had only 13 paid ads and spent approx. 2,711 USD, but among the monitored profiles categorized as "Politician", "Nika Melia/ნიკა მელია" profile had the highest amount of money spent on social media advertising, approx. 131,946 USD for 257 ads.

## VIII. GENDER REPRESENTATION

Georgia ratified the Convention on the Elimination of All Forms of Discrimination against Women, which was followed by adoption of the National Action Plan to Improve the Status of Women. In addition, in 2010 the Law of Georgia on Gender Equality was adopted. Following that, in 2013, in order to protect gender balance and increase women's political participation, the Parliament of Georgia amended the Law on Citizens' Political Associations, introducing the quota system which was not obligatory but more of a stimulating nature, where parties have been promised an increased amount of money from the public funds if more women were included in their election lists (10% more if party lists have at least 20% of candidates of opposite sex among each of the 10 candidates).

Following that, new changes have been introduced in 2020, when provisions of the legislation got an obligatory dimension, where all parties became obliged, for all general and municipal elections to be held before 2028, to create a party list in such manner that one in every two candidates on the submitted list is of an opposite sex. Unfortunately, this provision has never lived in practice since already in June 2021 a new, backsliding change, has been introduced: for all elections to be held before 2028, party lists shall be created with at least one of every three candidates to be of an opposite sex. This could be considered as an act with pure political background even though there were attempts to explain this through legal reasoning for this new solution.<sup>59</sup>

Women are generally underrepresented in public office, and hold 19.3 percent of seats in the parliament, 15.5 percent of the seats in outgoing local councils, and 4 out of 13 ministerial posts in the government. In addition, there is a visible decline in the number of women when it comes to higher levels of institutional bodies. For example, only 4 out of 17 members of the Central Election Commission are women. In contradiction to that, the representation of women at the lower-level commissions is significantly higher and more than three quarters of PECs members are women.

Compared to previous years, women's participation in these elections has increased due to mandatory quotas. For example, a total of 1,731 candidates were nominated by party lists, including 807 (46.62%) women and 924 (53.38%) men, which is strong potential for the significant increase of female political representation in future at local level, if compared with present percentage of women in Sakrebulo.

Gender imbalance was noticeable among mayoral candidates, where the mandatory quota does not apply. In particular, 19 candidates were nominated for the Mayor of Tbilisi – the capital of Georgia, including 4 women and 15 men. Women did not feature prominently in the campaign, with a few exceptions, mainly in Tbilisi.

*To increase the number of women candidates for mayoral positions or majoritarian seats, parties should establish internal mechanisms that would encourage participation of women in party politics.*

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<sup>59</sup>Namely, amendments to the Election Code of July 2021 amendment reduced the number of women candidates in the proportional list. This change appeared during the second reading, while the issue was not raised at all during the first reading. The change was not based on a sufficiently inclusive discussion. According to the authors of the bill, the new norm guarantees almost the same representation of women in the city councils as with the 2020 amendment. This is explained by the fact that the change in the electoral system, in particular, the increase in the share of proportionally elected members in the Sakrebulo should compensate for the reduction of the quota.

According to the above stipulated data, introduction of mandatory quotas had a positive impact on increasing women's representation in overall political/partisan structures and representative institutions of Georgia. However, the present situation is still far from adequate representation of women and their substantially and sustainably proactive role in political and institutional life of the country.

## IX. COMPLAINTS AND APPEALS

The complaints and appeals process is regulated primarily by the Election Code . According to the latest provisions<sup>74</sup> violations of the electoral legislation may be appealed to the respective election commission while the decision of an election commission may be appealed only to a higher election commission or to the court under the procedure and within the time frames as defined in the Election Code.

Only registered contestants and accredited observer organizations may file complaints against decisions of the election commissions and violations of the election legislation while voters may only file complaints if they are not included in a voter list and on the voting procedures in the polling station on election day, which is at odds with good practice.<sup>60</sup>

*The principle of legal standing in election-related cases should be granted as widely as possible and the procedures should be simplified and devoid of formalism, in particular to avoid decisions on inadmissibility, especially in politically sensitive cases.*

Positively, the latest amendments extended the timeframes for filing and reviewing most types of complaints; from one to two days and from two to four days respectively. For campaign violations, including the misuse of state resources, the deadlines for referring cases to court are 10 days for submitting the matter to the court and up to 10 days for adjudication.

Complaints can be filed against the actions/inactions of the PEC bodies with the corresponding DEC. Appeals against actions/inactions of the DEC may be filed to the corresponding district/city court. Complaints against DEC decisions refusing to amend voters' data/lists and refusing to register an observer organization may be filed to the corresponding district/city court while DEC decisions on matters concerning election administration and including establishment of election precincts, must be appealed to the CEC. CEC decisions may be appealed to the Tbilisi City Court. The final instance of the appeal for all election disputes is the Court of Appeals.

The CEC manages an online database of complaints and appeals that can be filed electronically or in hard copy at DEC's, CEC and court levels. Following the recent amendments, the CEC was obliged to create an electronic registry of persons authorized to represent stakeholders in election disputes. The aim of the registry was to establish an exhaustive database of representatives therefore relieving the observer or party representatives from the burden of proving that they really represent their respective electoral stakeholder.

Based on the official information provided by the CEC before the first-round election day over 468 complaints were submitted on the CEC complaints and appeals database out of which 228 were filed by electoral subjects and 190 by observer organizations. Of them 47 complaints were submitted on CEC level, 408 on DEC and 8 cases to courts.

Some 520 complaints were filed on the first-round election day, 324 of which by election contestants and 193 by observer organizations concerning electoral procedures at the PEC and DEC level. Complaints concerned mainly violation of election campaign, use of administrative resources and some cases of restriction of the rights of the observers.

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<sup>60</sup> See Venice Commission, Code of Good Practice in Electoral Matters, CDL-AD(2002)023rev2-cor; Guideline II. 3.3 b and Explanatory Report

After the first round, DEC's received approximately 1,300 complaints, including over 900 requests for recounts<sup>61</sup>, over 200 requests for disciplinary sanctions on PEC members and 60 for the annulment of results. DEC's reviewed almost all complaints on their merits and within the legal deadlines, in open sessions, and complainants had the opportunity to present their cases. Most of the complaints were rejected. In the absence of criteria for granting recounts, DEC's cited various reasons for the rejections<sup>62</sup>, 15 DEC's granted some 50 requests and held mostly partial recounts only of the signatures or the invalid ballots. No request for the annulment of voting was granted.

A number of decisions to deny the recount were appealed to the district courts and all but two were rejected on merits. Recounts for two additional PEC's were held following a court decision. The courts reviewed all complaints in public hearings, respecting due process.

Following the completion of the tabulation of results by DEC's, the UNM requested the annulment of the results protocol of DEC Kobuleti. The complaint was rejected by the CEC on the grounds that requests for recounts of individual PEC's had already been reviewed by the DEC and the first-instance court, hence, no further examination was needed.

After the second round, some 230 complaints were filed with DEC's<sup>63</sup>. Most of the complainants alleged contested invalidation of ballots and imbalances in PEC result protocols, tracking of voters at PEC's, unsealed elections materials, including PEC logbooks or packages of invalid ballots, amendment of PEC protocols without correction protocols and one alleged ballot stuffing by a PEC. Almost all complaints were reviewed within the legal deadlines, and most were rejected. No requests for recounts or annulment of voting were granted. DEC's granted some 65 complaints mainly requesting disciplinary sanctions on PEC members, mostly issuing warnings.

UNM challenged 20 DEC result protocols to the CEC citing irregularities at PEC's. The CEC rejected all of them stating that UNM should have filed complaints to the PEC's on election day and that DEC's and the court had already ruled and rejected UNM complaints on the same cases. ENEMO deems that this interpretation of the law is at odds with international good practice, as it deprived the contestants of the right to contest election results.

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<sup>61</sup>Approximately 450 recounts were requested because number of ballots cast did not match the number of signatures on the voter list. Approximately 80 were based on the fact that PEC results protocols were incomplete or changed without an amendment protocol, in breach of the law.

<sup>62</sup>E.g., that the requested PEC's were already recounted, that no complaint had previously been filed to the corresponding PEC's, that imbalance in protocols was not a violation of the law.

<sup>63</sup>Approximately 100 of which requested recounts and annulment of voting results.

## X. ELECTION DAYS

On 2 October, in the first round of mayoral and municipal elections, ENEMO deployed 20 international observers, who monitored the opening procedures in 20 polling stations, voting in 263 polling stations, and counting in 20 polling stations. In addition, ENEMO short-term observers observed the delivery and intake of polling materials in 20 district election commissions.

Most PECs conducted their work in line with relevant regulations and in an orderly manner. However, the presence of party activists in the vicinity of a number of polling stations was noted as problematic. Observers noted that polling stations generally opened on time with few exceptions of minor delays. The opening procedures were largely followed, and overall conduct of the opening was assessed positively.

Overall, the polling process was assessed as good or very good in 95% of polling stations observed. While voting procedures were generally followed, ENEMO observers noted instances of breaches of secrecy of the vote due to the layout of voting booths, close presence of PEC members next to the booths, voters taking photographs of marked ballots and two voters marking ballots together in the same booth. Voter identification, inking and ballot issuing procedures were in some instances not followed properly and attempts of multiple voting were reported. Mobile box voting irregularities included applications on behalf of voters by party representatives, pre-stamped ballot papers for mobile voting and violations regarding sealing and placement of mobile ballot boxes.

The atmosphere inside polling stations was mostly calm, however, ENEMO observers noted, especially in rural areas, partisan activities in the vicinity of polling stations with possible influence on voters such as discussions with voters, organized voter transportation and voter participation tracking.

*To ensure that voters are able to cast their vote free from undue influence on Election Day, consideration should be given to restricting the activity of party activists within a certain perimeter in the vicinity of polling stations.*

Election administration developed comprehensive COVID-19 prevention measures for the conduct of local elections, and they were mostly implemented by PECs. Shortcomings in social distancing were noted in some polling stations that were too small and overcrowded.

Only half of observed polling stations were easily accessible for the voters with disabilities. Voting templates and magnifying glasses to facilitate voting of visually impaired voters were available in most polling locations. Women were well represented in the precinct election commission, making 80 per cent of PEC members including positions of chairpersons, deputy chairpersons and PEC secretaries.

Counting at the polling stations was conducted in a largely transparent manner in the presence of observers and was video recorded. The overall conduct of the counting process was assessed positively by ENEMO observers. Negative assessment of vote counting in three polling stations were related to procedural irregularities, while in one observed count ballot papers were not displayed for the videorecording. Precinct election results were displayed publicly and given to observers in all observed polling stations. Transfer of election materials and tabulation of results at the observed DEC were assessed as well organized and transparent.

The CEC reported a turnout of 51,9% and started publishing the preliminary results for candidates and political parties within hours after closing, including posting PEC protocols on the CEC website, thus enhancing the transparency of results.

The counting video recording procedure, intended to contribute transparency increasing, due to the advisory nature of the recording technical aspects, has suffered from ambiguous interpretation of some PECs. Video recording devices were not placed near the desk/placement for ballot papers and ballot counts, so that the entire vote-counting process and placement of ballot papers was not well-visible; counting officers did not announce loudly for whom the vote was cast or their invalidity; did not hold the ballot paper in such a way so that the camera could record the front page of the ballot paper. In addition, the video recording at some polling stations did not provide continuous video filming or the entire counting process from the opening the ballot box/boxes until the sealing of the packages.

During the second round of mayoral and municipal elections held on 30 October, ENEMO did not deploy short-term observers on the ground and the Core Team members had already left the country, however the mission conducted online interviews with election stakeholders. Domestic nonpartisan observers reported on technically administered second round of elections in line with legal requirements, however with notable violations of inking and ink-checking procedures, repeat voting, ballot paper invalidation and pressure targeting observers and journalists, gatherings of persons outside of polling stations and alleged vote buying. Given a small margin of victory in some of the municipalities, these irregularities may have affected the results.

## Post-election day recounts

Data of 1,080 summary protocols from 360 randomly selected polling stations revealed by casting lots by 72 DEC's were recounted before October 9. Based on the recount, data of 239 polling stations remained unaltered. Data on 121 polling stations (33,6 %) have changed slightly. Additionally, DEC's, at their initiative and based on complaints, recounted the results of 194 polling stations.

By the recommendation of the CEC, 68 District Election Commissions recounted the results of 258 PECs where were submitted on recount/reconsideration of results by observer organizations complaints, the summary protocols showed a high number of invalid ballot papers according to concrete electoral districts or the sum of invalid ballots and actual votes exceeded by 5 the number of voters participating in the polling. Based on the results recount, no changes were made in 198 precincts; as for 60 PECs (23,2 %), minor changes concerned actual votes and invalid ballots<sup>64</sup>.

Due to quorum failure, in three electoral districts (Dmanisi, Tskaltubo, Martvili) the recount procedure did not take place in 12 polling stations of given districts.

In total, results of 812 polling stations (21,69 % of all PSs) were recounted, and the number of votes of concrete candidates and electoral subjects were slightly increased or decreased.

On November 1st, the results of 201 polling stations were recounted. Upon the CEC recommendation, instead of mandatory 5 polling stations, DEC's recounted the results of 7 Polling Stations per Electoral District. Data was slightly changed in some polling stations but did not affect the result of the election. In addition, was organized recounting of the election results for 2 polling stations randomly by casting the lots at all DEC's where video recording was not conducted in more than 2 polling stations.

<sup>64</sup>In total, at 60 precincts contestants lacked 24 votes and gained 53 votes; Mayoral candidates lacked 5 votes and gained 41 votes; Majoritarian candidates lacked 13 votes and gained 82 votes.

## XI. OBSERVERS

The Electoral Code of Georgia provides for election observation by National and International Observers, representatives of the Contestants and Media<sup>65</sup>. The Election Code contains detailed provisions on the rights and responsibilities of observers and grants them unhindered access to all stages of the electoral process. National CSOs could request to observe Elections if they were registered as legal entities aimed at defending human rights and/or monitoring of Elections no later than one year before Election Day.

Observers, representatives of the Contestants may be present at the polling place at any time during the polling day, move without restrictions within the precinct territory and observe all stages of the polling process from any point in the precinct in a free and unhindered manner<sup>66</sup>.

The 2021 Local Elections were observed by a high number of observers, both domestic and international. For the First Round the CEC accredited 22,973 observers from 88 National Organizations and 662 observers from 52 International Organizations. 13 Local CSOs had been accredited by DEC with some 56 observers.

35,198 observers of National Observer Organizations from 88 National Organizations<sup>67</sup> and 1,102 Observers of 52 International Observer Organizations were registered for the Second Round of Elections.

Domestic observer organizations deployed short-term observers on Election Days. The most established organizations, such as the International Society for Fair Elections and Democracy (ISFED) and the Georgian Young Lawyers Association (GYLA) also conducted long-term observation .

CEC and DEC accredited for the first round 2,616 representatives from 74 National Media Outlets and 80 representatives from 20 Local Media Outlets. In addition, 3,711 representatives of 119 Media organizations were accredited for the Second Round.

In the polling stations on Election Days, ENEMO IEOM observers and interlocutors noted multiple instances of persons who were accredited as citizen observers while being affiliated with contestants<sup>68</sup>. This indicates that some contestants did not respect the legal provision that limits their presence to one proxy per Polling Station by accrediting additional representatives as Citizen Observers and Media. Such practice contradicts international principles governing of non-partisan citizen election observation<sup>69</sup>. Such misuse of Citizen Observation for political interest negatively impacted the perception of impartiality of Citizen Observers and their role in the electoral process.

*Contestants should refrain from registering their activists as citizen observers and media representatives and respect the principle of an equal and limited presence in Polling Stations. Civil society organizations should ensure that their representatives in the Polling Stations maintain strict impartiality while carrying out their functions.*

*Consideration could be given to introducing a mechanism to prevent the misuse of citizen observation by contestants.*

<sup>65</sup>Art. 44.1, 5 the Organic Law of Georgia "Election Code of Georgia".

<sup>66</sup>Art. 41.1 the Organic Law of Georgia "Election Code of Georgia".

<sup>67</sup>Five of them did not accredit observers.

<sup>68</sup>According to different interlocutors citizen observers accredited by some organizations could be suspected of affiliation with contestants.

<sup>69</sup>Paragraph 8 of the Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations states that "no one should be allowed to be a non-partisan citizen election observer or monitor unless she or he is free from any political, economic or other conflict of interest that would hinder that person from conducting her or his election observation and monitoring activities in a non-discriminatory, impartial accurate and timely manner".

# RECOMMENDATIONS

## Priority Recommendations

1. The legal framework needs to go through a comprehensive and inclusive reformation process to harmonize it, address gaps and inconsistencies, as well as previous unaddressed recommendations from international and domestic stakeholders. The reformation process must initiate as soon as possible, to provide ample time for due consultation and timely adoption of the amendments ahead of the next elections.
2. In line with international standards and best practice, the delineation of majoritarian constituencies should be done on a regular basis, outside of election periods.
3. Authorities should investigate promptly and proactively allegations of pressure or intimidation on candidates and bring perpetrators to justice.

## Other Recommendations

### To the Parliament

4. To enhance public confidence in election management bodies, criteria that ensure impartiality of non-partisan DEC members should be reviewed, in order to provide sufficient safeguards for political neutrality and impartiality
5. Consideration should be given to improving procedures and increasing the transparency of the selection process for lower-level commissioners through the development and publication of clear criteria and public selection.
6. To ensure universal suffrage, the denial of voting rights of persons recognized by a court to lack legal capacity on the grounds of mental disability should be reconsidered.
7. To increase women's political participation and promote balanced gender representation, an increase in the gender quota could be considered.
8. To increase the effectiveness of campaign finance supervision and identify unreported spending, consideration should be given to establishing a mechanism that would independently monitor and identify campaign expenditure.
9. Measures should be considered to facilitate efficient and timely cooperation between SAO and other state institutions, as well as short deadlines for SAO to act upon the identified violations.
10. The media legal framework needs to be improved in a way that ensures equal treatment of electoral subjects.
11. The principle of legal standing in election-related cases should be granted as widely as possible and the procedures should be simplified and devoid of formalism, in particular to avoid decisions on inadmissibility, especially in politically sensitive cases.
12. To ensure that voters are able to cast their vote free from undue influence on Election Day, consideration should be given to restricting the activity of party activists within a certain perimeter in the vicinity of polling stations.
13. Consideration could be given to introducing a mechanism to prevent the misuse of citizen observation by contestants.

## To the Election Management Bodies

14. All PEC members should be provided with adequate training, in order to guarantee the professionalism and efficiency of the electoral administration and to strengthen the integrity of the electoral process.
15. The Information Protection Center should only be used to combat disinformation and provide correct information to the public, and not to target credible media and civil society organizations.

## To the Government and Other Institutions involved in the Electoral Process

16. To ensure a level playing field, the legal framework aiming to prevent misuse of state resources should be properly enforced.
17. The SAO should be provided with the necessary resources to properly investigate cases of campaign finance violations.
18. The authorities should enhance the media regulations to address the use of social media during campaigning and take steps to tackle fake news, disinformation campaigning, manipulative and inauthentic behaviors, as well as to effectively monitor online campaign finance during elections.

## To Political Parties and Candidates

19. To increase the number of women candidates for mayoral positions or majoritarian seats, parties should establish internal mechanisms that would encourage participation of women in party politics.
20. Political entities should refrain from negative campaigning, as well as the use of manipulative and inauthentic behavior for the purpose of political interests.
21. Contestants should refrain from registering their activists as citizen observers and media representatives and respect the principle of an equal and limited presence in Polling Stations. Civil society organizations should ensure that their representatives in the Polling Stations maintain strict impartiality while carrying out their functions.

## To the Media

22. Private and electronic media should ensure balanced coverage about the participants in the electoral process and all contesting points of view should be fairly and equitably communicated respecting the principles of equal opportunity and non-discrimination.

## To civil society organizations

23. Civil society organizations should ensure that their representatives in the Polling Stations maintain strict impartiality while carrying out their functions.

## ABOUT ENEMO

The European Network of Election Monitoring Organizations (ENEMO) is an international nongovernmental organization that represents a network of national nongovernmental civic organizations founded on September 29, 2001, in Opatija, Croatia. It consists of 21 leading domestic monitoring organizations from 17 countries of Central and Eastern Europe and Central Asia, including two European Union countries.<sup>70</sup>

ENEMO seeks to support the international community's interest in promoting democracy in the region by assessing electoral processes and the political environment and offering accurate and impartial observation reports. ENEMO's international observation missions use international benchmarks and standards for democratic elections to evaluate the electoral process and the host country's legal framework. ENEMO and all its member organizations have endorsed the 2005 Declaration of Principles for International Election Observation and the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations. Each ENEMO observer signed the Code of Conduct for International Election Observers.

ENEMO member organizations have monitored more than 250 national elections and trained more than 240,000 observers.

To date, ENEMO has conducted 36 international election observation missions to ten countries.<sup>71</sup>

<sup>70</sup>ENEMO member organizations are: Center for Civic Initiatives CCI, Bosnia and Herzegovina; Center for Democratic Transition – CDT, Montenegro; Centre for Monitoring and Research – CeMI, Montenegro; Center for Free Elections and Democracy – CeSID, Serbia; In Defense of Voters' Rights 'GOLOS', Russia; GONG, Croatia; International Society for Fair Elections and Democracy – ISFED, Georgia; KRIIK Association, Albania; Citizens Association MOST, Macedonia; Promo- LEX, Moldova; OPORA, Ukraine; Society for Democratic Culture SDC, Albania; Transparency International Anti-Corruption Center (TIAC), Armenia; Election Monitoring and Democratic Studies Center (EMDS), Azerbaijan; Belarussian Helsinki Committee (BHC), Belarus; FSCI, Kazakhstan; Kosovo Democratic Institute (KDI), Kosovo; Coalition for Democracy and Civil Society, Kyrgyzstan; Center for Research, Transparency and Accountability (CRTA), Serbia; Obcianske OKO (OKO), Slovakia; Committee of Voters of Ukraine (CVU), Ukraine.

<sup>71</sup>Albania 2021, Parliamentary Elections; Moldova 2021, Parliamentary Elections; Moldova 2020, Presidential Elections; Ukraine 2020, Local Elections; Montenegro 2020, Parliamentary Elections; Serbia 2020, Parliamentary Elections; Moldova 2019, Local Elections; Ukraine 2019, Early Parliamentary Elections; Ukraine 2019, Presidential Elections; Moldova 2019, Parliamentary Elections; Armenia 2018, Early Parliamentary Elections; Moldova 2016, Presidential Elections; Ukraine 2015, Local Elections; Ukraine 2014, Parliamentary Elections; Ukraine 2014, Presidential Elections; Ukraine 2013 – re-run of Parliamentary Elections 2012 in 5 DEC; Kosovo 2013, Local Elections; Ukraine 2012, Parliamentary Elections; Kosovo 2011, Re – run of Parliamentary Elections; Kosovo 2010, Parliamentary Elections; Kyrgyzstan 2010, Parliamentary Elections; Ukraine 2010, Presidential Elections, second round; Ukraine 2010, Presidential Elections, first round; Kosovo 2009, Local Elections; Moldova 2009, Parliamentary Elections; Georgia 2008, Presidential Elections; Kyrgyzstan 2007, Parliamentary Elections; Ukraine 2007, Parliamentary Elections; Ukraine 2006, Local Elections in Poltava, Kirovograd and Chernihiv; Ukraine 2006, Parliamentary Elections; Kazakhstan 2005, Presidential Elections; Albania 2005, Parliamentary Elections; Kyrgyzstan 2005, Presidential Elections; Kyrgyzstan 2005, Parliamentary Elections; Ukraine 2004, Presidential Elections, second round rerun; Ukraine 2004, Presidential Elections.

# LIST OF ABBREVIATIONS

<b>CEC</b>	Central Election Commission
<b>DEC</b>	District Election Commission
<b>EG</b>	European Georgia
<b>GD</b>	Georgian Dream
<b>GFG</b>	Gakharia for Georgia
<b>PEC</b>	Precinct Election Commission
<b>SAO</b>	State Audit Office
<b>UNM</b>	United National Movement

# ANNEXES

# ANNEX I – Election results

## Mayors

Party	Number of mayors
Georgian Dream	63
United National Movement	1
<b>Total</b>	<b>64</b>

## Proportional component of local councils

Party	Percentage of votes	Number of seats
Georgian Dream	46.7	777
United National Movement	30.7	447
Gakharia for Georgia	7.8	107
Lelo	2.7	27
European Georgia	1.7	13
Alliance of Patriots	1.5	5
Girchi More Freedom	1.4	1
Labor Party	1.4	3
Third Power	1.3	7
Girchi	0.9	1
ADFP - Ana Dolidze - for People	0.8	2
Citizens - Aleko Elisashvili	0.8	1
Peoples' Party	0.2	3
European Socialists	0.2	3
Tamaz Mechiauri for United Georgia	0.1	5
Progress and Freedom	0.1	2
Others (no seats)	1.6	0
<b>Total</b>		<b>1404</b>

## Majoritarian component of local councils

Georgian Dream	584
United National Movement	60
Gakharia for Georgia	8
European Georgia	4
European Socialists	2
Third Power	1
Tamaz Mechiauri for United Georgia	1
Free Georgia	1
Independents	3
Total	664

# Annex II – ENEMO Observers

## Short-term observers

Name	Country	ENEMO member Organization
Daniel Kerekes	Slovakia	Občianske oko
Tymur Mykhailovskyi	Ukraine	CVU
Mariana Focsa	Moldova	PROMO LEX
Pavel Levinau	Belarus	BHC
Mihael Rukavina	Croatia	GONG
Ana Mihajlovic	Serbia	CESID
Maria Cazacu	Moldova	PROMO-LEX
Almer Kardovic	Montenegro	CDT
Arpine Yeritsyan	Armenia	TIAC
Uladzimir Krauchanka	Belarus	BHC
Rigers Bena	Albania	SDC
Dmitry Chernyh	Belarus	BHC
Ostap Matkivskiy	Ukraine	CN OPORA
Peter Nemeth	Slovakia	Občianske oko
Siarhei Chaika	Belarus	BHC
Ismayil Hajiyev	Azerbaijan	EMDS
Maja Bjelic	Montenegro	CeMI
Besmira Mino	Albania	KRIIK
Alena Sankovic	Belarus	BHC
Choplon Babaliev	Kyrgyzstan	CDCC

## Core Team

Name	Position	Country	ENEMO member Organization
Dritan Taulla	Head of Mission	Albania	KRIIK
Stanislav Zholudiev	Election Analyst	Ukraine	CVO
Peter Novotny	Election Analyst	Slovakia	Občianske oko
Momcilo Radulovic	Political Analyst	Montenegro	CeMI
Cristina Chebes	Legal Analyst	Moldova	PromoLex
Milica Zrnovic	Media Analyst	Montenegro	CeMI
Ana Lakic	Finance and Logistics Officer	Montenegro	CeMI





