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Elections in Georgia

October 27 Presidential Elections

Frequently Asked Questions

Europe and Asia

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Georgian election authorities as of October 21, 2013, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

Who will Georgians elect on October 27, 2013?

Georgians will cast their ballots to elect the next President of Georgia. The President is the head of State and serves a maximum of two, five-year terms. This will be the sixth presidential election in Georgia since the country's independence from the Soviet Union in 1991. The last presidential election, in January 2008, resulted in the re-election of Mikheil Saakashvili for his second and final five-year term.

The President will be elected by absolute majority, and must secure over 50 percent of all valid votes cast on Election Day. The results of the first round will be announced no later than November 21, 2013. In the event that no candidate receives the required amount of votes (more than 50 percent), a run-off election between the two candidates who received the highest percentage of votes will take place no later than December 6, 2013.

Why is the presidential election important? What is at stake?

This election is another significant step toward the normalization of inclusive, competitive politics in a country that saw its first peaceful political transition through the ballot box one year ago during the October 2012 parliamentary elections.

Further, this election is a contrast between party politics and candidate personalities as the dominant force driving voter support. In the past, personality and political presence played an important role when electing a president in Georgia. However, the Georgian Dream (GD) coalition suggests that their brand remains popular with potential voters (50 percent of respondents report Georgian Dream is “closest” to them, over four times higher than any other party or coalition).¹ At the same time, the strong familiarity with the current United National Movement (UNM) candidate from his days as majority speaker of parliament, as well as his favorable rating (49 percent of survey respondents report that they “like” UNM presidential candidate David Bakradze as of September 2013),² suggest personal appeal and individual experience may play a decisive role in the campaign.

While public confidence in the conduct of the presidential election is up 77 percent (compared to 60 percent ahead of the 2012 parliamentary election), Georgia is awash with speculation and uncertainty over the post-election environment.³ Although the country is moving toward a semi-parliamentary system, the newly-elected President will retain significant internal and external powers and political leverages. Therefore, the prospect of an opposition candidate retaining the role of President will have a significant impact on Georgia's political landscape. Moreover, Prime Minister Bidzina Ivanishvili, who led the GD coalition's ascension to power in 2012, has indicated his intention to step down after the presidential election to support civil society and to wean Georgia off of its “messiah complex.”⁴

¹ <http://www.ndi.org/files/Georgia-Sept2013-Political-Survey-Report-ENG.pdf>

² <http://www.ndi.org/files/Georgia-Sept2013-Political-Survey-Report-ENG.pdf>

³ http://www.ndi.org/files/NDI-Georgia-September-2013-survey-Issues_ENG_vf.pdf

⁴ <http://www.chathamhouse.org/publications/twt/archive/view/194561>

Nonetheless, Ivanishvili has been explicit that a vote for GD candidate Giorgi Margvelashvili is a vote for him; thus, the election may serve as a public vote of confidence for the Prime Minister and his government. The GD coalition currently has 86 seats in the 150-seat parliament, and the UNM has 52. Thirteen deputies elected from the UNM have since quit that faction, and the election outcome will be crucial in determining whether or not the UNM, which has dominated the political landscape for the past decade, will continue as an influential political force.⁵

What is the current political situation in Georgia?

The past year has seen a reversal in the Georgian political dynamic, with the Georgian Dream (GD) coalition triumphing in the October 2012 parliamentary elections. Gains were fortified in the April 2013 by-elections at the expense of the formerly-ruling United National Movement (UNM). While the UNM's fortunes took a step back and recriminations and alleged retribution against the former ruling party were numerous in the aftermath of the parliamentary vote, the polarization of the Georgian political spectrum continued to widen. This created what some see as an increasingly under-served political "middle class" dissatisfied with both of the main political groups.⁶ The perception of Georgian politics as zero-sum has possibly opened the door to other political groups unaffiliated with either side to restore balance to the political discussions, although the fate of such groups is cloudy heading into the final days of the presidential campaign.

Other candidates are garnering significant attention during the campaign, likening the GD coalition to the former ruling party, and criticizing the pace of the reconciliation process with the Russian Federation. While the reintegration of Georgia's breakaway regions back into the country has long been a stated goal of the former and current ruling party, both of the main political groups have been criticized for the pace of negotiations with Russia. Simultaneously, economic concerns, including employment, dominate the list of domestic issues and challenges important to Georgian voters.

The campaign has seen civil discourse between the major candidates and their supporters. There is also noticeable progress in the media. Monitoring groups have stated that coverage is politically-balanced on most TV channels. Some outlets are perceived as being pro-government or pro-opposition in their reporting, but coverage has been balanced overall.

On September 23, 2013, the Central Election Commission (CEC) of Georgia finished the candidate registration process, registering 23 candidates. Overall, the CEC received 54 applications from parties and initiative groups; 31 were rejected on various legal grounds. This included the former Foreign Minister of Georgia Salome Zourabichvili, whose appeal was rejected by the Tbilisi Court of Appeals. As of October 18, 2013, 57 local and 55 international observer organizations (IFES included), along with 92 media or-

⁵ <http://www.rferl.org/content/georgia-presidential-election/25052676.html>

⁶ http://cec.ge/index.php?lang_id=ENG&sec_id=233

ganizations have been registered by the CEC to observe the poll;⁷ the registration remains open for international observer organizations but closed for local observer organizations.

Will there be public candidate debates ahead of the election?

Live, televised candidate debates through Georgian Public Broadcasting took place on October 17 and 18, 2013. The debates featured seven of the 23 registered candidates based on their party's performance in last year's parliamentary elections and their standing in current national opinion polls.

Georgian Public Broadcasting, partnering with the International Foundation for Electoral Systems (IFES), hosted the debates, which followed a similar format as the Tbilisi mayoral debate in 2010 and political party debate ahead of the parliamentary elections in 2012. All of these debates have been sponsored by IFES.

The debates consisted of an introduction by the moderator; opening statements from each candidate; a series of four questions followed by candidates' responses; one question-response round between candidates; closing remarks; and a conclusion of the debate from the moderator. The sequence of candidates' opening statements, responses, the question-response round and closing addresses were decided by lottery and rotated.

The first pool of candidates included: Giorgi Margvelashvili of Georgian Dream; Davit Bakradze of the United National Movement; Giorgi Targamadze of the Christian Democratic Movement (CDM); and Zurab Kharatishvili, former Chairman of the Central Election Commission representing the European Democrats of Georgia, a party that ran in the October 2012 parliamentary elections in a bloc with CDM.

The second group of candidates debated on October 18, featuring: Koba Davitashvili of the People's Party; Sergo Javakhidze of the Movement for Fair Georgia; and Teimuraz Mzhavia, nominated by the Christian Democratic People's Party.⁸ Former Speaker and acting President Nino Burjanadze declined to participate.

When will the results be announced?

The Central Election Commission (CEC) will officially announce results of the first round of elections no later than November 21, 2013. Under the Election Code of Georgia, the CEC has up to 25 days after Election Day to announce the official results and publish them through the press. At that time, if no candidate has secured more than 50 percent of all votes cast, the CEC will announce a second round of elections. This run-off will be held exactly two weeks after the official announcement of first round results, no later than December 6, 2013, between the top two contenders.

⁷ http://cec.ge/index.php?lang_id=ENG&sec_id=233

⁸ <http://www.civil.ge/eng/article.php?id=26546>

While November 21, 2013, is the deadline for the CEC to officially announce election results, the unofficial results will be available sooner. The CEC is obligated to tally election results no later than November 16, 2013, in a summary protocol to be approved by a CEC ordinance.⁹ Once final results are tallied and certified, the CEC must publish this unofficial result on its website by November 16, 2013. It has an additional day to convey the information to the press and other mass media. Within 60 days thereafter, the CEC must submit the full election results report to the Parliament of Georgia.

What if there is a second round?

If none of the candidates receive the majority of all votes cast on Election Day, the CEC will call a second round of elections no later than November 21, 2013. In this scenario, the two candidates who received the highest percent of all votes cast will participate in a run-off election. The second round of elections takes place two weeks after the CEC announces the official election results, which this year means a second round would take place by December 6, 2013, at the latest.

What laws regulate the presidential elections in Georgia?

There are five key documents regulating presidential elections in Georgia:

- Constitution of Georgia
- Election Code of Georgia
- Law on Political Unions of Citizens
- Central Election Commission Regulations
- Criminal Code of Georgia

Who is eligible to run for office?

According to the Constitution of Georgia, any Georgian citizen who is 35 years old and has lived in Georgia for at least 15 years, and is living in Georgia at the time of the elections, may be elected as President of Georgia.¹⁰ Moreover, candidates for President must have lived in Georgia for the last two years prior to elections. To be eligible, a candidate may not hold dual citizenship.

If a candidate meets the above criteria, that individual must collect at least 26,530 signatures (0.75 percent of the total number of voters) and submit this list of supporter signatures to the Central Election Commission prior to the deadline, which for the 2013 presidential elections was on September 17, 2013.

⁹ http://cesko.ge/files/2013/Schedule_for_Electoral_Activities_27_October_-_incorporated_-_24_08_2013.pdf

¹⁰ http://www.cec.gov.ge/files/TEA/ELECTION_CODEOF_GEORGIA.pdf

Who are the candidates for President?

On September 23, 2013, the Central Election Commission (CEC) announced that 23 candidates are registered for the presidential election.¹¹ While the deadline for candidate registration was set for September 27, 2013, the CEC was able to check the required lists of supporter signatures for each candidate and complete the registration process four days early. To be approved, lists needed a minimum of 26,530 valid supporter signatures, 0.75 percent of the registered voters in Georgia.

Of the 23 registered candidates, 10 represent political parties. They are:

- Akaki Asatiani, *Union of Georgian Traditionalists*
- David Bakradze, *United National Movement*
- Nino Burjanadze, *Democratic Movement - United Georgia*
- Koba Davitashvili, *People's Party*
- Sergo Dzhavahidze, *Movement for Fair Georgia*
- Zurab Kharatishvili, *European Democrats of Georgia*
- Giorgi Margvelashvili, *Georgian Dream - Democratic Georgia*
- Shalva Natelashvili, *Labour Party of Georgia*
- Georgi Targamadze, *Christian-Democratic Movement*
- Teimuraz Zhvania, *Christian-Democratic People's Party*

Additionally, 13 of the 23 candidates were registered by initiative groups. They are:

- Nugzar Avaliani
- Tamaz Bibiluri
- Teimuraz Bobokhidze
- Levan Chachua
- Nino Chanishvili
- George Chikhladze
- Mamuka Chokhonelidze
- Kartlos Garibashvili
- Nestan Kirtadze
- George Liluashvili
- Avtandil Margiani
- Mamuka Melikishvili
- Mikheil Saluashvili

These 23 registered candidates were approved from a field of 54 applicants who submitted materials to the CEC. Due to various legal deficiencies in the application materials, the CEC refused to register 31 ap-

¹¹ <http://en.trend.az/regions/scaucasus/georgia/2193389.html>

plicants. Reasons for refusal varied. According to the CEC, 12 applicants were rejected because they did not submit signatures of at least 26,530 citizens by the September 17 deadline. Two were rejected because of shortcomings in their lists of citizens' signatures, which they failed to address before the deadline. One applicant had collected an insufficient number of signatures, and several had incomplete documentation.

Most contentiously, five applicants were rejected on the grounds of citizenship. Among applicants rejected for holding dual citizenship were Tariel Khvedelidze and former Foreign Minister Salome Zourabichvili. Zourabichvili, who served as Georgia's Foreign Minister from 2004-2005 (holding dual French-Georgian citizenship), contended that although the Constitution of Georgia bans her from being elected President, the provision does not bar dual nationals from running as candidates. Zourabichvili stated that if she was elected, she would surrender her French citizenship. The CEC refused to register her and others holding dual-citizenship status on the grounds that a provision in the constitution bans dual nationals from serving as President.¹² Zourabichvili's appeal was rejected in court.

A presidential candidate may withdraw his or her candidacy from the election no later than October 17, 10 days before Election Day. After October 17, all remaining candidates will appear on the ballot, even if later withdrawn.

What is the difference between “qualified” and “non-qualified” candidates? How will this affect the elections process?

Presidential candidates are considered “qualified” if their political party – alone or as part of a bloc – received at least 4 percent of votes under the proportional representation system in the last parliamentary elections, or at least 3 percent of votes in the last local elections. Having qualified status entitles presidential candidates to free televised commercial time and participation in televised debates on public broadcasters. Candidates nominated by initiative groups cannot meet the criteria for qualified status. However, a presidential candidate could be considered “qualified” by a broadcaster based on public opinion polls, under conditions described in the Election Code, Article 51 (8).

As of October 17, 2013, there are eight candidates who have qualified status: Sergo Javakhidze, Giorgi Margvelashvili, David Bakradze, Giorgi Targamadze, Koba Davitashvili, Zurab Kharatishvili, Nino Burjanadze and Teimuraz Zhvania.

Since the 2012 parliamentary elections, parliament has increased public funding for qualified political parties, and expanded its funding to include four non-qualified parties.¹³ Other changes the parliament has made since 2012 to the rules governing political finance include:

¹² <http://www.civil.ge/eng/article.php?id=26412>

¹³ <http://www.ndi.org/files/Georgia-PEAM-090613-ENG.pdf>

- Lowered threshold for parties to receive State funding
- Permitted donations from corporations (previously, only individual persons could legally donate)
- Relaxed sanctions for illegal campaign donations and expenditures
- Limited the State Audit Office of Georgia's (SAOG) ability to initiate random audits
- Granted amnesty on fines recommended by the SAOG prior to October 2012

What is the gender balance within the candidate list?

There are three women running for President of the 23 registered candidates. They are Nino Burjanadze, leader of the Democratic Movement – United Georgia party, as well as Nino Chanishvili and Nestan Kirtadze, who were nominated by initiative groups.

Of the original 54 candidates who applied, five of them were women.

What is the election management body? What are its powers?

The Central Election Commission (CEC) of Georgia is the supreme election management body of Georgia. The CEC is principally responsible for ensuring preparation and conduct of presidential, parliamentary and municipal elections, as well as referenda and plebiscites. The CEC is also tasked with ensuring that eligible Georgian citizens have the right to vote and run for office in Georgia.

In its activities, the CEC is guided by the Constitution of Georgia, the Election Code of Georgia and other laws that pertain to elections.¹⁴ The CEC is headquartered in Tbilisi and is held accountable by the Parliament of Georgia.

The CEC has authority over numerous facets of elections in Georgia, including:

- Make the final decision in presidential, parliamentary and municipal elections, as well as *Sakrebulo* (local self-governance body), referenda and Tbilisi mayoral elections
- Appoint extraordinary; re-run and by-elections; second ballot; and second round of elections
- Establish timetables and dates of elections that meet terms established in the Election Code of Georgia
- Register candidates, political parties and initiative groups to participate in elections
- Establish the ballot form, type of ballot boxes and other materials used to inform candidates and voters of an upcoming election
- Form and maintain a unified voter list
- Accredite domestic and international election observers
- Oversee conduct and activities of the district election commissions and precinct election commissions

¹⁴ http://cesko.ge/files/2013/Regulations_of_the_CEC-as_of_18_09_2013.pdf

- Determine rules and distribution of election finances, including campaign finances for eligible entities
- Perform election dispute resolution and adjudication
- Determine when a violation to Georgian electoral legislation has occurred
- Implement other authorities granted by the Election Code, when applicable

The CEC is currently composed of 13 members: a Chairperson (Tamar Zhvania), a Deputy Chair (Davit Kirtadze), a Secretary (Gizo Mchedlidze) and 10 members. Five of the 13 members are appointed by the parliament based on their professional background and experience. Seven members are appointed by the top seven qualified parties.

The CEC Chairperson is appointed upon nomination from the President by CEC members. A complete guide to the structure of the CEC can be found on the CEC's website.¹⁵

How many people are registered to vote on Election Day?

According to figures published by the Central Election Commission (CEC) on October 19, 2013, there are 3,537,719 registered voters.¹⁶ This number is lower than during the 2012 parliamentary elections, when the total number of voters was at 3,613,851. The discrepancy between the two figures can be credited to removing deregistered voters from the voter list.

For this poll, 48,458 voters will be able to vote in 52 precincts abroad. During the 2012 parliamentary elections, only 45,100 voters were registered abroad.

Is out-of-country voting allowed?

Yes. Georgian citizens abroad on October 27 may vote in the presidential election in 38 other countries. While Greece will have the most out-of-country voting sites, with seven locations, Georgians may also cast their ballot at multiple polling stations in the United States (3), Azerbaijan (3), Turkey (3), Ukraine (3) and Spain (2).

There are approximately 1.5 million Georgian citizens living abroad, although citizens residing or traveling to countries without polling stations will not be eligible to vote. Georgians residing in Russia will not have the opportunity to vote due to the absence of diplomatic representation in the country.

¹⁵ http://cesko.ge/files/2012/Structure_Eng.pdf

¹⁶ <http://civil.ge/eng/article.php?id=26585>

Table 1: Georgian Out-of-Country Polling Locations by Country

	Country	Region	Number of Polling Stations Operating	Cities
1	Armenia	Europe	1	Yerevan
2	Austria	Europe	1	Vienna
3	Azerbaijan	Europe	3	Baku (3)
4	Belarus	Europe	1	Minsk
5	Belgium	Europe	1	Brussels
6	Bulgaria	Europe	1	Sofia
7	Canada	North America	1	Ottawa
8	Cyprus	Europe	1	Nicosia
9	Czech Republic	Europe	1	Prague
10	Denmark	Europe	1	Copenhagen
11	Egypt	Middle East	1	Cairo
12	Estonia	Europe	1	Tallinn
13	France	Europe	1	Paris
14	Germany	Europe	1	Berlin
15	Great Britain	Europe	1	London
16	Greece	Europe	7	Athens (4), Thessaloniki (3)
17	Hungary	Europe	1	Budapest
18	Ireland	Europe	1	Dublin
19	Israel	Middle East	1	Tel Aviv
20	Italy	Europe	1	Rome
21	Jordan	Middle East	1	Amman
22	Kazakhstan	Asia	1	Astana
23	Kuwait	Middle East	1	Kuwait
24	Latvia	Europe	1	Riga
25	Lithuania	Europe	1	Vilnius
26	Moldova	Europe	1	Kishinev
27	Netherlands	Europe	1	The Hague
28	Poland	Europe	1	Warsaw
29	Portugal	Europe	1	Lisbon
30	Romania	Europe	1	Bucharest
31	Slovakia	Asia	1	Bratislava
32	Spain	Europe	2	Madrid, Barcelona
33	Sweden	Europe	1	Stockholm
34	Switzerland	Europe	1	Bern
35	Turkey	Europe	3	Ankara, Istanbul, Trabzon
36	Ukraine	Europe	3	Kiev, Odessa, Donetsk
37	United States	North America	3	New York (2), Washington, D.C.
38	Uzbekistan	Asia	1	Tashkent

Out-of-country voting is important to Georgia, due to a significant Georgian diaspora. A complete list of election precincts, polling stations and addresses is available on the CEC website.¹⁷

Who will be observing during Election Day?

There are currently 57 local and 55 international organizations registered with the Central Election Commission to observe the upcoming elections.

As of October 18, 2013, the following organizations were registered:

*Local Observer Organizations:*¹⁸

- Association of Free Development and Rights Protection
- Association of Georgian Scientists
- Barristers and Lawyers International Observatory
- Borjghali
- Center of Democracy
- Center for Legal Assistance and Civil Integration
- Center of Development and Democracy
- Choice of the Future
- Civil Initiative-Legal Elections
- Civil Society and Democracy Development Center
- Coalition for Independent Living
- Community and Self-governance
- Democracy and Legal Development Center
- Election Environment Development Centre
- Eurasian Institute of Conflict Analysis and Management
- Euro-Caucasian Cooperation Association
- European Democratic Centre
- Faith in Justice
- Former Political Prisoners for Human Rights
- Free Choice
- Georgian Alternative
- Georgian Democratic Institute
- Georgian Democratic Principles and Human Rights Defense Union
- Georgian Idealists Together for Unity
- Georgian Professional Educational and Qualification Staff Trade Union of Workers and Students
- Georgian Women Democracy Network

¹⁷ www.cesko.ge/files/TEA/dan_g_348.pdf

¹⁸ http://www.cec.gov.ge/index.php?lang_id=ENG&sec_id=233&info_id=12435, as of October 10, 2013.

- Georgian Young Constitutionalists' Association
- Georgian Young Lawyers Association (GYLA)
- Green Earth
- Healthy World
- Human, Law, Freedom
- Human Rights Center
- Independent Journalist Association-Free Press
- Institute for Refugee and Minority Problems
- International Centre for Civic Culture
- International Network for Civil Development
- International Organization for Human Rights Defense and Social Security of Prisoners
- International Organization of Defense of Truth and Rights of Oppressed and Prisoners and Social Maintenance
- International Society for Fair Elections and Democracy (ISFED)
- New Generation Democratic Elections
- New Generation for Democratic Georgia
- New Generation New Initiative
- NGO Coalition Kindness
- Public Advocacy
- Public Movement – Multinational Georgia
- Rights and Freedoms-Union
- Transparency International-Georgia
- Unanimity for Public Rights
- Union “Ndoba” of People’s Rights , International Defend and Help
- Union for Constitution Protection
- Union for Fighting against Economic Crime, Corruption and Smuggling
- Union of Assistance of Single Persons, Single Invalid Pensioners and Single Mothers of Georgia
- Union of Georgian Youth Development
- Union of Human Rights Defenders
- Union of Unemployed People for Employment
- Vejini
- Young Barristers

*International Observer Organizations:*¹⁹

- Aland Islands Peace Institute
- Association of European Election Officials
- Baltic Assembly
- Barcelona International Peace Resource Center

¹⁹ http://www.cec.gov.ge/index.php?lang_id=ENG&sec_id=233&info_id=12419, as of October 10, 2013.

- Belarus Watch
- British Embassy Tbilisi
- Center for Legal Studies and Mediation
- Central Commission of Kyrgyzstan on Elections and Holding Referenda
- Central Commission of the Republic of Belarus on Elections and Holding Republican Referenda
- Central Electoral Commission of Armenia
- Central Election Commission of Lithuania
- Central Election Commission of the Republic of Kazakhstan
- Central Election Commission of the Republic of Latvia
- Central Election Commission of the Republic of Moldova
- Central Election Committee of the Republic of Uzbekistan
- Central Election Commission of Ukraine
- Committee of Voters of Ukraine
- Community of Sant'Egidio
- Embassy of Hungary
- Embassy of Italy
- Embassy of Sweden
- Embassy of Switzerland in Georgia
- Embassy of the Kingdom of the Netherlands
- Embassy of the Republic of France
- Embassy of the Republic of Latvia in Georgia
- Embassy of the Republic of Poland
- Embassy of the United States America
- European Exchange
- European Parliament
- Federal Electoral Institute of Mexico
- Helsinki Citizens' Assembly- Vanadzor Office
- Independent High Electoral Commission of Iraq
- International Center of Parliamentary Studies
- International Foundation for Electoral Systems (IFES)
- International Republican Institute (IRI)
- International Society for Human Rights
- League of Arab States
- Marmara Group Strategic and Social Research Foundation
- Ministry of Foreign Affairs of the Republic of Malta
- National Democratic Institute for International Affairs (NDI)
- National Election Office of the Republic of Korea
- National Human Rights Committee of State of Qatar
- NATO Parliamentary Assembly
- Organization for Democracy and Economic Development

- OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)
- OSCE Parliamentary Assembly
- Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC)
- Parliamentary Assembly of the Council of Europe
- Permanent Electoral Authority of Romania
- Sejm of the Republic of Poland
- Senate of the Republic of Poland
- State Electoral Commission of the Republic of Croatia
- Support Initiative for Liberty and Democracy
- Supreme Electoral Council of Turkey
- Youth Press of German

What are the rules governing the rights of international observers?

According to Article 41 of the Election Code of Georgia, international observers may observe sessions of the election commissions and be present at the polling place at any time during polling day. They may unrestrictedly move within the precinct territory and observe all stages of the polling process from any point of the precinct in a free, unhindered manner.

An observer may take part in the inspection of ballot boxes before they are sealed and after they are opened. They may also observe registration of voters; issuance of ballot papers and special envelopes; and certification without disrupting the polling process.

Conversely, an international observer is prohibited from interfering with the functions and activities of the election commissions. They may not exert undue influence upon the free expression of will of voters, wear symbols or signs of any election subject, nor may they breach other requirement of the Election Code.

What is the legal process for electoral dispute adjudication?

The new Election Code requires all complaints regarding violations of polling procedures to be filed at precinct election commissions (PEC) on Election Day. Polling day complaints must be “resolved immediately” by the PEC, while complaints related to the vote counting process are to be forwarded to district election commissions (DEC) within three days.²⁰

The application/complaint must be registered and addressed within one day of registration at the DEC level. DEC-level decisions may be appealed to the relevant court or the Central Election Commission.

²⁰ See Articles 73 and 74 of the Election Code. Applications/complaints may also be filed directly at the district election commission-level.

The decision of the court may be appealed within one day of its delivery to the Court of Appeals.²¹ Decisions by the Court of Appeals are final.

What are the rules that govern the media?

In the course of the pre-election campaign, a broadcaster must remain fair and impartial, pursuant to the Law of Georgia on Broadcasting, the Code of Conduct of Broadcasters.

A general broadcaster intending to broadcast the pre-election campaign must transmit pre-election debates in a non-discriminatory manner with the participation of all qualified election subjects in the course of the campaign, within its coverage zone.²²

The Georgian National Communications Commission determines the participation of media and associated rules as related to the electoral process. This commission also monitors broadcasters' observance of norms established by the Law of Georgia on Broadcasting and responds to violations.

The Georgian National Communications Commission also purchases the service necessary for conducting media monitoring in accordance with legislation in Georgia.²³

Who is eligible to vote?

Georgian citizens registered on voter lists who have reached the age of 18 by Election Day are eligible to vote in the 2013 presidential election. Also, Georgian-born European Union (EU) citizens who have been residing in Georgia for the last five years will also be eligible to vote in Georgian elections until January 1, 2014.²⁴

After that date, a provision allowing Georgian-born EU citizens to vote will expire.

Voter eligibility is restricted for Georgian citizens who are currently serving a prison sentence of more than five years. Citizens who are deemed mentally incompetent by a court are also not allowed to vote.²⁵

What is the state of political parties in Georgia?

Georgia has a multi-party system composed of over a dozen political parties. These parties compete in parliamentary and municipal elections to gain representation in the respective legislatures, which are

²¹ See Article 77 of the Election Code.

²² Article 51 (1 and 2) of the Election Code.

²³ Article 51 (15) of the Election Code.

²⁴ http://www.cec.gov.ge/?sec_id=55&lang_id=ENG

²⁵ http://www.cec.gov.ge/?sec_id=55&lang_id=ENG

determined by a mixed system of direct and proportional voting. Additionally, many parties nominate a candidate to run for President.

For the 2013 presidential election, there are 10 political parties and 13 initiative groups who have registered candidates.

Currently, two political subjects dominate the political landscape in Georgia. They are the United National Movement (UNM) and the Georgian Dream (GD). The presidency has been controlled by the UNM since 2004, when President Mikheil Saakashvili assumed office. Until the 2012 parliamentary elections, UNM held the majority of the seats in parliament. The power dynamics within parliament changed in 2012, when the GD coalition gained a majority share of seats. The GD coalition was formed in 2012, when six political parties of diverse ideological orientations banded together. The coalition is led by billionaire businessman-turned-politician Bidzina Ivanishvili, who was sworn in as Prime Minister on October 25, 2012. This resulted in what has been called the “cohabitation” of the President and Prime Minister. The 2012 parliamentary elections were a watershed moment for Georgia, marking the country’s first peaceful transition of power through a popular vote since gaining independence from the Soviet Union in 1991.

Cohabitation can only take place in semi-presidential systems, where both the President and Prime Minister have executive powers and must make many decisions together.²⁶ This differs from a divided government, such as in the U.S. – where the President and Congress are controlled by two opposing parties – because the President does not share executive powers with Congress. A potential benefit of cohabitation is its ability to moderate a divisive political environment by forcing different parties to find a middle ground.

However, cohabitation has its downsides. According to Radio Free Europe, “a common problem is that the rival political parties regard their cohabitation as a period in which to discredit the other before the next election”²⁷ in a bid to control both the positions of the President and Prime Minister in the next elections.

What are the changes to the presidential powers taking effect in 2013?

This presidential election represents a turning point in Georgian politics. It will usher in profound constitutional changes that will enhance powers of the Prime Minister and parliament, while weakening the power of the President. After the inauguration of a new President, a series of constitutional amendments passed by parliament from 2010 to 2013 will enter into force. The amendments affect a wide range of issues concerning the State budget, foreign policy and legislative powers, requirements to amend the Constitution of Georgia and the procedure to dissolve the current government.

²⁶ <http://www.rferl.org/content/georgia-cohabitation-saakashvili-ivanishvili/24728103.html>

²⁷ <http://www.rferl.org/content/georgia-cohabitation-saakashvili-ivanishvili/24728103.html>

When regarded as a whole, the changes to the constitution envisage a significant reduction of the President's powers in favor of the Prime Minister. Reforms to the judiciary and more lax requirements to run for President of Georgia have also been introduced.

The President will no longer have the right to hold additional posts outside the presidency, suspend acts issued by the government, convene an emergency session of parliament or initiate draft laws.²⁸

On October 4, 2013, parliament unanimously passed a Georgian Dream (GD) proposed constitutional amendment that would cut the Prime Minister's powers vis-à-vis parliament when changing Cabinet members in a new constitutional model, which will go into effect after the presidential elections.

The amendment will keep a provision stipulating that, in case of change of one-third of Cabinet ministers, the entire government and the Prime Minister must be re-confirmed by parliament. Without this amendment, a new constitutional model, which will go into force after presidential elections, would have given the Prime Minister the right to change the entire Cabinet without authorization of parliament.

The newly-confirmed amendment also removes a clause from the new constitutional model, which formerly gave the Prime Minister the right to initiate a non-confidence vote against the Cabinet in respect of any government-sponsored bill.²⁹

Changes to the President's Powers³⁰

- **Executive Powers:** The President will remain the head of State and commander-in-chief, but the government will now serve as Georgia's supreme representative in foreign relations.
- **Legislative Powers:** The President will not have the right to initiate draft bills, convene an emergency session of parliament or call for a referendum.
- **Foreign Policy:** The President will no longer be the supreme representative in foreign relations. The President will no longer direct and exercise the domestic and foreign policy of the State (this authority shifts to the government). The President now requires the government's consent to sign international treaties or convene international talks.
- **Budget:** The President is no longer involved in writing or submitting the State budget.
- **Control of Military:** The President now needs the agreement of the government to appoint or dismiss the Chief of Staff of the armed forces or other top military commanders
- **Party Affiliation:** The President will no longer have the right to hold a decision-making post in a political party. The President retains the right to be a member of a political party.

²⁸ <http://feradi.info/en/visualizations/how-the-role-of-the-president-will-change-in-georgia>

²⁹ <http://civil.ge/eng/article.php?id=26516>

³⁰ <http://www.civil.ge/eng/article.php?id=22757>

- **Candidacy:** A citizen of Georgia who has resided in the country for at least five years and has lived permanently in Georgia for the last three years at the time of the elections is eligible to run for President. Under the old constitution, only natural born citizens of Georgia who lived in Georgia for 15 years were eligible.

How will persons with disabilities cast their vote?

The Election Code of Georgia stipulates that persons with disabilities must have equal access to the electoral process. To facilitate an equal electoral environment for persons with disabilities, the Central Election Commission (CEC) has implemented the following initiatives:

- **Adaptation of Poll Centers for Voters Using Wheelchairs:** Voters with disabilities may apply to the precinct election commission (PEC) for the adaptation of their polling place no later than October 2, 2013. The CEC will then be responsible for the provision of permanent and temporary ramps at electoral precincts, as well as the provision of special accessible voting booths and their distribution to 600 precincts across Georgia.
- **Election Materials for Deaf and Hard of Hearing Voters:** The CEC has translated videos and other informational voting materials into sign language. These materials will also be available for use at polling stations on Election Day.
- **Tactile Ballot Guides for Visually Impaired Voters:** The CEC will make tactile ballot guides available at each PEC, enabling visually impaired voters to cast their ballots without assistance.
- **CEC Call Center:** The CEC is running a call center to provide persons with disabilities information about the 2013 presidential elections over the phone or by text message. The call center currently employs 22 operators who have been trained on electoral matters, electoral legislation and have also completed social-psychological trainings.

Information is available in Georgian, Armenian and Azerbaijani. Some services offered by the call center include processing voter requests for mobile ballot boxes; temporarily adapting the polling place for access to voters using wheelchairs; and providing video clips on election procedures in sign language to deaf or hard of hearing voters.

What, if any, role does the State play in campaign finance?

Only presidential candidates deemed “qualified” are entitled to free airtime at the public broadcaster. An election subject (party, bloc) is qualified to receive State funding if it received 4 percent in last parliamentary election and 3 percent in last local elections. For presidential elections, the same rules apply to be qualified for free airtime and debates, although a broadcaster may recognize an election subject’s popularity and grant qualified status for free airtime/debate participation (which has nothing to do with State funding).

A broadcaster may also recognize a qualified election subject according to public opinion poll conducted within the whole territory of Georgia in compliance with terms set forth in the Election Code of Georgia:

a candidate has gained no less than 4 percent of votes in no less than five public opinion polls held during the election year, or in an opinion poll held no later than one month before elections.

According to the Election Code of Georgia, any candidate who receives at least 10 percent of votes in the first round of the presidential elections will receive a maximum of GEL 1,000,000 (\$600,000 USD) from the country's State budget (Paragraph 1 of the Article 56). These funds are to cover election campaign costs and are valid for both the first and second round of the elections.³¹

To be eligible for State funding, a presidential candidate must apply to the Central Election Commission by September 19, 2013, and submit a report with election campaign expenditures to the State Audit Office of Georgia (Article 57).

What language will ballot papers be printed in?

The ballots will be printed in Georgian throughout the entire country. Additionally, ballots will be available in Azerbaijani, Armenian and other languages comprehensible for the local population, where necessary. These provisions are envisaged in Article 63 of Georgia's Election Code.³²

To ensure voters belonging to ethnic minorities have access to voting materials in their native language, the Central Election Commission (CEC), with support from IFES, is conducting trainings and providing materials to election administrators in minority languages. The CEC and IFES are jointly reaching out to voters in minority regions by conducting voter education and outreach activities in cooperation with civil society organizations that represent the rights of ethnic minority populations.

³¹ http://www.cec.gov.ge/index.php?lang_id=ENG&sec_id=235&info_id=13630

³² http://cesko.ge/files/2013/2013-09-20_Election_Code_of_Georgia-Final-EN.pdf

Resources

- Constitution of Georgia ([English](#))
 - Key Points of Newly Adopted Constitution ([English](#), [Georgian](#), [Russian](#))
 - Changing Role of the President ([English](#))
 - Law on Political Unions of Citizens ([English](#))
 - Criminal Code of Georgia ([English](#))
- Central Election Commission ([English](#), [Georgian](#), [Russian](#))
 - Central Election Commission Regulations ([English](#))
 - Election Code of Georgia ([English](#))
 - Schedule of Electoral Activities ([English](#))
 - Number of Voters According to Districts ([English](#))
 - Registration Rules and Rights of International Observer Organizations ([English](#))
- For Voters with Disabilities:
 - CEC Planned Activities ([English](#))
 - CEC Action Plan ([English](#))
 - Data Graph ([English](#))
 - Voting Procedure ([English](#))