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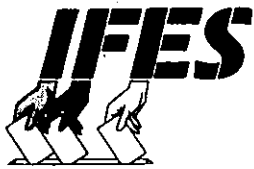
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**GEORGIA**

**IFES Technical Election Assistance Project**

**July 27 - August 3, 1992**

**Susan Atwood Harry Goldberg Clive Kimber  
Michael Meadowcroft Darrell Slider**

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## EXECUTIVE SUMMARY

With parliamentary elections scheduled to take place in Georgia on October 11, 1992, IFES conducted a pre-election technical assessment from July 28-August 3. This assessment included an analysis of the political situation in the country as well as the specific needs of the Central Electoral Commission.

Elections in Georgia were called following the ouster by military force of former President Zviad Gamsakhurdia in January 1992. Since that time Georgia has been administered by an appointed State Council. The Chairman of the State Council, Eduard Shevardnadze, former Soviet Foreign Minister, together with his fellow Presidium members - Tengiz Sigua, former Prime Minister under Gamsakhurdia; Dzhaba Ioselani, leader of the Mkhedrioni (horsemen) and Tengiz Kitovani, leader of the National Guard called for immediate elections.

However that date of the elections, originally foreseen for April or May 1992, was delayed as the leadership found itself faced with problems of unrest in a number of regions of the country, notably in South Ossetia and Abkhazia. As of September 1992, ceasefires are in place in both these regions.

On May 21, 1992 the State Council adopted a new Election Law which provided for elections, under a single transferable system vote (STV) system. However, in the period covered by this report (July 28-August 31), two subsequent amendments of the Election Law took place. The first provided for a change in the election system from STV to a mixed proportional/majority system. This ensured that the parties would have more control over the candidates elected rather than the electorate. The second amendment saw the introduction of a nationwide majority vote for the Chairman of the Parliament. This provided a short-term solution to the distorting effect on the election results of Shevardnadze, with his substantial personal popularity, joining one particular bloc or party.

Despite the substantial political and administrative problems facing Georgia in the period immediately preceding the elections, the IFES delegation was impressed with the effort to solve these problems. The majority of the groups and individuals with whom the team met stressed that the only way for Georgia to move forward was to hold elections.

It appears that elections are likely to take place on October 11 in the majority of the territory of Georgia. The exception will be in Abkhazia where elections have been delayed for two weeks, until October 25, to allow the implementation of the election timetable despite the time lost as a result of the recent violent unrest.

The Central Electoral Commission appears to be well organized and determined that no administrative reasons will delay the elections. The delegation made a couple of minor recommendations concerning the administrative provisions of the Electoral Law. The most important of these is the recommendation to establish permanent electoral commissions, the members of which should not be representatives of any political party. Permanent, independent commissioners would ensure a continuity in the administration of elections in Georgia.

The Georgian Election Law as a whole, notwithstanding reservations concerning the system finally adopted (see Section III), is an impressively detailed document which bears witness to the informed work of the drafters and the background work conducted concerning comparative election systems. Unlike many election laws in East and Central Europe it contains language addressing the election timetable, access to the media for political parties and campaign financing. Georgian election officials at all levels need to look no further than the law itself to find every aspect of their duties specified.

Finally, the IFES delegation would like to make special mention of the immense hospitality of the Georgians with whom we met. Foremost among those to whom we owe a debt of gratitude is Marina Maisuradze, our gifted and versatile translator who made it possible for the IFES team to gain access to all types of institutions, including the State Council. Special mention should also be made of the members of the Central Election Commission who have accepted Clive Kimber, the IFES on-site project manager, as one of themselves.

## I INTRODUCTION

In July 1992 U.S.A.I.D. awarded a grant to the International Foundation for Electoral Systems (IFES) to initiate a Technical Election Assistance Project for Georgia in light of the October 11, 1992 parliamentary elections. A five member assessment team consisting of Clive Kimber, Chief Electoral Officer, London borough of Harrow and Michael Meadowcroft, Executive Chairman of Electoral Reform Society, UK; Darrell Slider, Professor of Soviet Studies, University of South Florida, USA; Harry Goldberg, President, Canadian Election Consultants Inc., Canada and Susan Atwood, IFES Senior Program Officer for East and Central Europe and the former Soviet Union, visited Tblisi from July 28 - August 3, 1992. This report represents the combined assessment of the team.

The team participated in a wide-ranging series of meetings (see Appendix A for details) with election officials, political party representatives, judicial representatives and media representatives in response to the scope of work agreed between IFES and the A.I.D.



Task Force for the Newly Independent States. The scope of work included a detailed review of the following:

- A. The role of the government, the parliament and the Central Election Commission in the parliamentary elections;
- B. Review of the new electoral law and other codes and regulations, taking into account existing analyses in English and Russian;
- C. Establishment and maintenance of voter registries;
- D. Ballot design;
- E. Role and duties of poll workers;
- F. Mechanics of the process and procedures at designated polling places;
- G. Distribution, collection and security of ballots;
- H. Level of training of election officials;
- I. Vote counting and certification of election results;
- J. Civic/voter education and motivation;
- K. Component groups of the electorate, including national minorities, women, the military and opposition groups, as applicable;
- L. Role of domestic and international election observers, and;
- M. Framework for adjudicating grievances before and after the election.

The team arrived in Georgia expecting to find the Central Election Commission in the process of implementing the provisions of the May 21, 1992 Election Law. However, in our first meeting with the Central Election Commission we were informed that the State Council had decided to re-open the debate on a new election law. Registration of parties and all other activity underway in connection with the October 11 elections had been suspended for one week.

For this reason the team was obliged to spend more of its time than anticipated following debates in the State Council on the new election law rather than analyzing an existing law. The part of the election law under review was the system of voting. The May 21 law provided for elections under the single transferable vote system (STV). The majority of parties however, by the time of our

arrival, were favoring a mixed proportional/majority system. Part III of the report therefore deals in detail with the evolution of the election system.

Part IV of the report deals with an analysis of the election law adopted by the State Council on August 31, 1992. The team analyzed the election law on the basis of translations of the Georgian text received after its departure from Georgia.

Clive Kimber remained in Tblisi after the team departed on August 3 and is working directly with the Central Election Commission in the run-up to the October elections. He will assist the CEC in producing a handbook with guidelines for poll workers and in the organization of a training seminar for district election officials. IFES will produce a final report after the elections which will cover additional points concerning the administration of the elections that the pre-election assessment team were unable to cover given the unexpected revision of the election law.

## II OVERVIEW OF THE POLITICAL BACKGROUND TO THE ELECTIONS

Recent political events in Georgia have shown a much wider range of extremes than in virtually any other former Soviet republic. From 1972 until 1985 the republic was led by Eduard Shevardnadze, whose rule as first secretary of the Georgian communist party was marked by an innovative approach to policy-making that included significant economic and administrative experimentation. In a precursor to glasnost, the Georgian media more freely aired discussions of social problems, and Shevardnadze's own role was openly reformist. Public opinion research was used to guide policy and served as a check on the bureaucracy. He met with hostile demonstrators and showed great personal courage in this respect. Georgia under Shevardnadze also experienced a cultural revival that was marked by significant achievements in film-making, theater, and the arts in general.

At the same time, as a representative of Soviet authority and the Kremlin--he was a candidate member of the communist party Politburo--Shevardnadze was responsible for implementing central policies that inevitably led to conflicts with Georgian nationalists. This was particularly true on issues connected with language and the extent of russification in Georgia, as well as issues connected with the role of non-Georgian minorities within Georgia. Leading dissidents criticized Shevardnadze for collaborating with Moscow to destroy Georgia as an independent cultural and political entity. Perhaps the best known of these dissidents was Zviad Gamsakhurdia, the son of one of the most popular Georgian writers. Gamsakhurdia was first arrested in 1956, and in the mid-1970s he was one of the founders of the Georgian Helsinki Watch Group. Gamskhurdia was imprisoned for these activities in 1977 and was released in 1979 after a televised

admission of guilt that he later repudiated.

When Gorbachev named Shevardnadze Soviet foreign minister in 1985, Georgia entered a period of relative stagnation. Repression against dissident groups was stepped up, and the regime took steps to prevent the rise of a "popular front" that might serve as a focal point for a moderate opposition. When elections were held in March 1989 for the Soviet Congress of People's Deputies the communist party kept tight control over the nomination process. In 43 of 75 races, candidates ran unopposed, and elsewhere the pairings were manipulated as in the past. This contrasted greatly with political developments in Russia, the Baltic republics, and Ukraine, where multicandidate elections and the opening up of the political process permitted a number of democratic and nationalist candidates to win seats. The only similar occurrences in Georgia took place in Tbilisi, where grassroots movements succeeded in nominating three candidates. The leaders of these movements were largely young intellectuals (mostly physicists) who had not previously been active in dissident movements. Many later joined together to form a new organization that ultimately became a political party, Democratic Choice for Georgia (abbreviated as DASi in Georgian). The expertise acquired by DASi on issues connected with electoral procedures was widely acknowledged by virtually all political forces in Georgia, and it played a leading role in drafting legislation for the 1990, 1991, and 1992 elections.

The Georgian political scene was galvanized by the events of April 9, 1989 when Soviet interior ministry troops were used to break up a peaceful vigil in front of the parliament building. The protestors had gathered to oppose recent moves by the Abkhaz leadership to declare their sovereignty from Tbilisi. At least 20 Georgians, mostly women and children, were killed in the assault on the demonstrators. In the days that followed, the Moscow leadership sought to calm the outraged local population by sending Shevardnadze on a mission to Tbilisi - he had spent virtually no time in Georgia since 1985 - to remove the party first secretary, Dzumber Patiashvili, and replace him with a Shevardnadze protege, Givi Gumbaridze.

Though Gumbaridze showed great skill in maneuvering between the opposing political forces, his efforts to preserve the Georgian communist party were doomed to failure. In the aftermath of April 9, the vast majority of the population was committed to immediate independence from Moscow, and the communist party was discredited as the chief instrument of Soviet domination. Nevertheless, it continued to have control over the formal instruments of power. In the months that followed, this control was undermined by the actions of the opposition, which used strikes and other forms of pressure to set the stage for de facto separation from the Soviet Union.

Partly as a result of the conspiratorial nature of opposition

activity prior to 1989, opposition groups tended to be small, tightly-knit units organized around prominent individuals. Efforts to merge the groups into a Popular Front proved to be unsuccessful, not least of all because of the personal ambitions of many of the opposition leaders. As the most widely honored and recognized of the nationalist dissidents, Zviad Gamsakhurdia played a key role in Georgian politics well before elections took place. Gamsakhurdia proved to be a difficult person to work with, and the history of the opposition movement was filled with acrimonious disputes and irreconcilable splits between former allies. Gamsakhurdia was the leader and founder of two political parties, the Helsinki Union and the Society of St. Ilya the Righteous, which in April 1990 formed the basis for a political bloc that was named the Round Table.

### **The 1990 Elections**

Elections were held in all republics over the course of 1990 for republic parliaments. This process proved to be the catalyst that dissolved the Soviet Union into independent states. Georgia was actually the last of the republics to hold elections. Initially scheduled for March 1990, protests and strikes over the election law and nominating process led to a postponement of the elections until October.

Despite a number of guarantees written into the law, several prominent opposition parties--including the National Democratic Party of Gia Chanturia and the National Independence Party of Iraklii Tsereteli--decided that they would boycott elections, with the explanation that to participate under existing conditions would be inherently unfair and would only serve to legitimize a continuation of what they described as the "colonial status" of Georgia within the Soviet system. Instead these parties and others decided to hold their own elections for an alternative parliament, the Georgian National Congress. These elections were held in September 1990 without the cooperation of the authorities; and it is quite likely that the minimal turnout required for the elections to be valid was never achieved. Nevertheless, the Congress met and formed a center for potential opposition to any new government.

The elections to the Georgian Supreme Soviet were held on October 28, 1990, and widespread fears of violence or of attempts by the communists to manipulate the outcome proved to be unfounded. The results of the elections were an unambiguous defeat for the communist party, in part because of a provision in the election law that forbade anyone from retaining membership in the communist party while simultaneously running on the list of another party. (In other republics even proponents of radical reform often retained their party membership as they ran with the support of popular fronts or other similar organizations.) The elections proved to be a substantial endorsement of Zviad Gamsakhurdia and the Round Table bloc which he headed.

The pro-Gamsakhurdia "Round Table - Free Georgia" bloc took 54.3% of the list vote (114 seats) and the Georgia Communist Party 29.4% (60 seats), doing especially well in the southern part of Georgia. No other bloc surmounted the 4% threshold hurdle. In the individual seats there were run-off ballots in 59 districts, plus second contests in seven districts where voter turnout did not reach 50%. Two of these, and two other districts, where the poll was boycotted, never held second round elections. The final tally gave the Round Table 155 seats and the GCP 64. Four other lists, and nine independents, secured seats from the individual districts.

### **Gamsakhurdia in Power**

Gamsakhurdia's initial moves after the elections gave some basis for optimism about future political developments. When it became clear, for example, that virtually no one from the Popular Front would be elected, a deal was worked out to withdraw Round Table candidates from those remaining races where the runoff was against a Front candidate. This compromise resulted in the election of 12 members of the Popular Front to the new parliament who, in actuality, provided the only critical opposition to the regime. Gamsakhurdia's choice to head the new government, Tengiz Sigua, was almost universally praised. Sigua, formerly director of a scientific research institute, proved himself to be an adroit and evenhanded administrator during the 1990 elections when he served as deputy chairman of the Central Election Commission. Several former communists were named to significant posts, though only the health minister was retained from the previous government.

Within parliament there was initially no opposition to the new government and, at its first session, Gamsakhurdia was elected unanimously as chairman of the Supreme Soviet. The large number of communist deputies did not act as an opposition or even as an organized bloc in the parliament. The communist party itself rapidly faded from the scene and most of its property and publishing facilities were seized. The large building that housed the Central Committee was taken over by the Council of Ministers. It was apparent that the major attraction of communist party membership was the party's relation to power; once that relationship was severed, the number of active communists dropped to almost none. When the new first secretary of the party ran against Gamsakhurdia for president in 1991, he received less than 2% of the vote. After the August 1991 coup in Moscow, Gamsakhurdia banned the Georgian communist party and deputies elected on its slate were deprived of their deputy mandates (a move that was unsuccessfully protested by the Georgian Supreme Court).

The extra-parliamentary opposition was much more vocal and active. Gamsakhurdia was intolerant of all political opposition and often accused those who dissented from his policies of treason or KGB ties. The low level of political debate in Georgia was characterized

by many such charges and countercharges, including similar ones directed by opposition leaders such as Chanturia and Tsereteli against Gamsakhurdia.

Gamsakhurdia undertook a number of actions to remove the threat of armed formations attached to opposition groups in the National Congress, in particular the Mkhedrioni (meaning "horsemen") led by Dzhaba Ioseliani. Eventually Ioseliani was arrested and held without trial in a cell at the Georgian KGB. Gamsakhurdia took steps to bring the Georgian KGB under his control and in December 1990 began the process of creating an army in the form of the Georgian National Guard. Chosen as leader of the Guard was a friend of Gamsakhurdia's who was formerly an artist, Tengiz Kitovani.

On March 31, 1991, a referendum was held on Georgian independence. Official results were that over 90% had voted and that 99% of those had voted for independence. Zviad Gamsakhurdia was elected President by the deputies in the Supreme Soviet on 9 April and was then popularly elected - with over 87% of the vote - on 26 May 1991. His closest competitor received only 8%), and Gamsakhurdia apparently took this to mean that he had a personal mandate to run Georgia as he saw fit. Gamsakhurdia's policy and personnel decisions became increasingly erratic in the months that followed, while his attitude toward the opposition became more strident. Gamsakhurdia appeared to become increasingly paranoid. Even the mildest criticism was denounced as emanating from the KGB, and all opposition as being communist-inspired. Intense conflicts between Gamsakhurdia and Sigua led the latter to resign in August.

August 1991 marked a turning point not just in Russian and Soviet politics, but in Georgian politics as well. Gamsakhurdia's actions during the time of the attempted coup in Moscow set in motion the events that would lead to his violent overthrow in January 1992. First of all, it was clear from Gamsakhurdia's previous public statements that he believed that the KGB and military were the real forces behind Soviet policy. Thus, to Gamsakhurdia, the coup was an inevitable development, and it was likely to succeed. When Yeltsin's defiant proclamations against the coup were posted on the streets of Tbilisi, Gamsakhurdia ordered them removed. He ordered the National Guard to turn in its weapons, disband, and be reformed as a part of the interior ministry. Opposition leaders immediately denounced this action as capitulation. Kitovani refused to obey the order and left Tbilisi with most of his troops to a safe encampment.

The opposition to Gamsakhurdia, now joined in an uneasy coalition with Sigua and Kitovani, became increasingly bold in their attacks on Gamsakhurdia; they demanded that he resign from his post and call new parliamentary elections. Gamsakhurdia refused to compromise, though new elections would probably still have given him a large share of seats in a new parliament. Although many

members of the Round Table bloc abandoned their support for Gamsakhurdia, there remained sufficient voting support to make it impossible to pass a resolution through the Supreme Soviet impeaching him. It is this fact more than any other that encourages the "Zviadistas" still to maintain their support for Gamsakhurdia, to insist that the assembly elected in October 1990 is only suspended and that the elections planned for October 11, 1992 are illegitimate.

Under circumstances which remain in dispute by the parties involved, an opposition rally was dispersed by force in September 1991. In the ensuing period both sides purchased or confiscated large quantities of weapons (presumably from Soviet military units stationed in Georgia) including heavy artillery, tanks, and armored personnel carriers. On December 22 intense fighting broke out in central Tbilisi, outside the parliament building, again after opposition demonstrators were allegedly fired upon. In any event, the goal of the opposition now became the forcible overthrow of Gamsakhurdia. The principal object of attack and defense was the heavily fortified parliament building, where Gamsakhurdia had gathered with his supporters. The Georgian KGB building was also attacked; Mkhedrioni leader Ioseliani was liberated from his prison cell, and his forces played an active role in the ensuing fighting. Ultimately, on January 6, after withering gunfire and bomb attacks virtually destroyed the central area of the city, Gamsakhurdia and his entourage fled the city and sought refuge outside Georgia.

### **The New Regime**

A military council made up of Sigua, Kitovani, and Ioseliani comprised the new leadership of Georgia after Gamsakhurdia's departure. Shortly thereafter, a Political Consultative Council of approximately 40 members was formed to represent about 10 political parties along with a select group of intellectuals and several former members of the parliament who had joined the opposition to Gamsakhurdia. Obviously the PCC was created to serve as a substitute parliament, though it had only the right to make recommendations. Legislative functions were granted to a new and larger body, the State Council, created in early March 1992. By May, the State Council had 68 members, including representatives of over 30 political parties and 20 social movements. Efforts were also made to bring in representatives of Georgia's ethnic minorities.

One of the most unexpected developments, though one predicted repeatedly by Gamsakhurdia and his followers, was the return to Georgia of Eduard Shevardnadze on 7 March 1992. He ostensibly came to set up a Foundation for Georgian Revival and Democracy, but later it was revealed that the invitation was initiated by Dzhaba Ioseliani who claimed that he had "prepared this matter for a long time." Shevardnadze met almost immediately with the leadership and the newly formed State Council, and on March 10 he announced that

he had agreed to serve as chairman of the presidium of the State Council whose other members included Ioseliani (designated deputy chairman), Sigua, and Kitovani. All four were given the right of veto over State Council decisions.

Almost immediately after Gamsakhurdia was ousted, Sigua recognized the need for elections as a legitimizing device, and he created a working group (again drawing heavily on the DASi group) to draft a new election law. Shevardnadze, for his part, constantly stressed the temporary nature of the new power structure and called for elections as soon as possible. The lack of effective political control over many regions of the country led the leadership to abandon the idea of quick elections, and in May it was announced that the elections would take place only in October 1992.

The registration of political parties, which had been suspended by Gamsakhurdia in 1991, resumed and by mid-1992 over 40 parties had been registered. By the time of the deadline in August, a total of 50 political parties had registered to participate in the October elections (see Appendix E for complete list). Four coalitions, or "blocs," were formed by a total of 17 parties. The largest of these coalitions, the "Peace" bloc, comprises 7 parties but is dominated by the Democratic Union. This bloc, made up in large part of former communist functionaries, is perhaps the least likely to support radical market reforms in Georgia.

The second largest bloc, named after the date elections are scheduled to be held, is the "11th of October" bloc. It comprises a number of centrist, reform-oriented parties including the Popular Front, DASi, the Christian Democratic Union, and the Republican Party. Another, moderate, bloc was planned with four parties, prematurely labelled "Unity". Its two largest components were the Union of National Accord and Renaissance of Georgia (headed by the runner-up to Gamsakhurdia in the 1991 presidential election, the economist Valerian Advadze), and the Green Party, plus two smaller parties, the Liberal Democratic National Party (which in 1990 ran together with DASi, the Greens, and the Republican Party) and a party made up mostly of Afghan veterans, the All-Georgian Party of Peace and Freedom (which in 1990 ran in alliance with Advadze's party. The fourth bloc comprises only a regional party of peoples from mountainous areas and the National Unity Party.

The remaining 33 parties were either unable to agree with potential coalition partners or felt strong enough to run on their own. Among these were Gia Chanturia's National Democratic Party (which has a substantial network of regional affiliates), Irakli Tsereteli's National Independence Party, Charter 91 (led by Tedo Paataashvili, a former adviser to Gamsakhurdia who broke with him in September 1991), the Association of Ilia Chavchavadze (a party that won several seats in 1990 and whose deputies were among the first to form a fraction in the parliament opposing Gamsakhurdia), and an openly socialist party--The Socialist Party of Georgian



Workers. Most of the 33 parties running independently are small, urban-based parties that have little chance of gaining any seats in the new parliament, though it is possible that the Social Democratic Party and the National Democratic Party could pick up a number of second and third preferences in certain proportional list districts.

A number of parties that were formerly part of Gamsakhurdia's Round Table bloc registered, including two that had earlier parted ways with the former president--Akaky Asatiani's Union of Georgian Traditionalists and the All-Georgian Association of Merab Kostava. Of greater potential significance was the Society of St. Ilya the Righteous, which the post-Gamsakhurdia government had earlier refused to register. It has maintained a consistent pro-Gamsakhurdia position and could attract the participation of his supporters. Another pro-Gamsakhurdia party strong in Western Georgia and Abkhazia, the Helsinki Union, did not register, and could be a source for future problems.

Despite the fact that a number of Gamsakhurdia's closest parliamentary supporters have associated themselves with the election process, he continues to enjoy considerable support throughout the country. This has led to concern that voter turnout may be low in October. However, the actual strength of his support continues to be difficult to gauge as individuals are understandably reluctant to respond to public opinion polls. The team heard estimates ranging from 12% to 87% (the latter figure being the support he enjoyed on his election to the presidency). It is also difficult to assess how many of his supporters will confine themselves to boycotting the election and how many will attempt to disrupt the process by violent means. The latest opinion poll evidence however, suggests that a majority of the Georgian electorate intend to vote.

Of vital concern to all parties at the time of the delegation's visit was the role to be played by Eduard Shevardnadze in the election. Virtually all surveys of Georgian public opinion in 1992, (see, for example, the April poll reported in Appendix F) showed Shevardnadze to be by far the most popular political figure and the fact that he would emerge as the new leader of Georgia went unquestioned.

Given the weak organizational base of most parties, placing the names of prominent figures on party lists was perhaps the easiest path to electoral success. Shevardnadze at the top of a party list would virtually guarantee any party or bloc a large number of seats in the new parliament - perhaps even a majority. Immediately after the adoption of the new law, negotiations began over the creation of a large "Democratic Bloc" with Shevardnadze at its head. These talks quickly broke down over disputes in allocating places on the party lists that would be used for the proportional voting (see the following section on election procedures).

Twenty four hours before the final time for the registration of blocs and parties, Eduard Shevardnadze announced that he would be standing as an independent candidate on the "Peace" bloc list. This decision threw the other blocs and parties into confusion. Centrist reformers saw this as a major blow to their electoral chances and to the cause of fundamental political and economic change in Georgia. The "11 October" bloc had written to Shevardnadze urging him not to head any bloc but instead to fight one of the 84 district 'majority' seats, say in Tblisi. This advice was reinforced by personal representations from those within other blocs and parties. Shevardnadze replied that this was not possible, not least because he had emphasized that the 84 seats were particularly for local representation rather than national leaders.

In essence, Shevardnadze was casting his lot with member of the former communists nomenklatura, who were unlikely to champion radical reforms. Shevardnadze undoubtedly calculated that the parties in the "Peace" bloc were the most likely to support him personally in the new parliament. The parties in the "Peace" bloc are made up largely of political figures who began their careers when Shevardnadze was party first secretary, and many are of Shevardnadze's own generation.

Shevardnadze's choice of bloc was widely regarded as a mistake, though some shrewder observers suggested that he was such a clever politician that there must be some specific reason for it. The immediate consequence of his announcement was a split in the "Unity" bloc with the Green Party and the Party of National Accord and Renaissance of Georgia leaving to fight on their own.

### III EVOLUTION OF THE ELECTION SYSTEM IN GEORGIA

#### The 28 October 1990 Elections

The elections to the Supreme Soviet of the Georgian Republic were held immediately after the semi-official elections to the National Congress (held on a party list proportional system). The election law for the Supreme Soviet elections was published on 22nd August 1990 and it provided for 250 deputies to be elected by a mixed election system. 125 deputies were to be elected in single member districts on a simple majority basis - with two provisos, first, if fewer than 50% of the registered electors failed to vote then the election would be declared invalid and would have to be repeated one week later in that district, and, second, if no candidate secured more than 50% of the votes cast in a valid election then there would be a run-off between the top two candidates two weeks later. The other 125 deputies were to be elected proportionally on a national party list system - with the

requirement that a list would have to secure a minimum of 4% to qualify for any seats. This latter provision contributed to the inter-party discussions that led to the thirty-five parties organizing themselves into eleven electoral lists or "blocs".

The electoral system that was adopted in August, a compromise between competing versions put forward by the authorities and the opposition, created that first truly multiparty elections in the Soviet Union. The law combined single-mandate, majority elections in districts with a proportional party list system for the republic as a whole.

### Subsequent Developments

Immediately after the October 1990 elections "Democratic Choice for Georgia" (DASi), which had been formed in May 1989 and had been influential in the constitutional and electoral changes that had transformed Georgia, was in contact with the Electoral Reform Society (ERS) in London, asking for "co-operation to achieve our common goals." In response ERS supplied Russian language material and referred to the 1958 Russian version of an ERS text. According to Vakhtang Khmaladze, vice-chairman of DASi, they had proposed using the Single Transferable Vote (STV) for the October 1990 elections but the opposition parties would not accept it, desiring instead a system which "guaranteed the parties' influence on the candidates' lists".

The Single Transferable Vote system requires the elector to mark the ballot paper with his or her preferences between candidates with 1, 2, 3 etc, rather than with an "X." The voters second and subsequent preferences are not counted unless their earlier preferred candidates are elected or excluded. A quota for election is calculated to determine the smallest number of votes which mathematically guarantees election, ie the total number of votes cast divided by the number plus one of the seats available. This figure, plus one vote, is the "quota." For instance, a four seat district, with 1000 votes cast, gives a quota of 201 because, even in the highly unlikely event of all the votes being distributed as equally as possible between the five most popular candidates, only four of them can secure 201. When an elector's first choice is excluded his or her vote is transferred intact to the second or subsequent choice; when the first choice is elected the second preference is counted minus that portion used to elect the first choice. The principle is simple enough, and the voter's task is easy, but a certain amount of training is required for those conducting the count. [For a description of STV and other voting systems see *Twelve Democracies*, Enid Lakeman, The Arthur McDougall Fund, London, fourth edition 1991.]

During the Gamsakhurdia era, local elections were also held on March 31 1991 by STV, which had been the only system proposed. Merab Aleksidze, current Chairman of the Central Election

Commission, told the delegation that there had been only 2-3% of invalid ballots and that only one village had had difficulties with the counting process. Khmaladze also said that STV had been used as a test for its possible use for national elections and that the system "had proved very easy to handle." Two hundred counters - mainly physicists and mathematicians - were trained and they had briefed some 2000 local election commissions. The counting process was apparently somewhat simplified and did not calculate surpluses to decimal places. Regardless, it had taken up to ten days to complete the counts. Each district contained between three and five seats.

#### **The Proposals of May 21, 1992 and their fate**

In January 1992 one of the first decisions of the authorities was to ask the parties for their proposals for an election system for the forthcoming election for a national assembly. The interim State Council then came into existence, including some fifty parties, and this set up the Central Election Commission. Democratic Choice for Georgia (DASi - see above) put forward eight different systems.

In the period immediately after the seizure of power, the new government's greatest fear was that Gamsakhurdia might return to power--if not by force, then through new elections. There was thus a general antipathy towards party lists because of the October 1990 experience when, under the mixed system detailed above, one list secured a dominant position and, in theory, could do so again, even on a minority of votes. Some, however, favored a list system as this was enshrined in the 1921 constitution of independent Georgia. The Presidium (Cabinet) opted for STV because it provided both proportionality and voting for individual candidates. All but two of the parties in the State Council accepted the Presidium's decision and STV was formally adopted on May 21, 1992 for National Assembly elections on October 11, 1992. The registration of political parties closed with 50 accepted on the official list.

The electoral districts had been drawn up, based on the 72 existing "counties", amalgamated where necessary to produce a sufficiently high electorate whilst still maintaining a community of interest. The published electoral law indicated 47 electoral districts. Four isolated areas, with electorates varying between 3657 and 12975, were allotted one deputy each, eleven districts had two seats, seven had three, eleven had four, eight had five, four had six, and two (both in Tbilisi) had seven. The allocation of seats was not always entirely pro rata as attempts were made to ensure that the number of seats within a smaller multi-member district matched the number of distinct towns it contained. Because under STV hardly any votes are "wasted" and voters are able to indicate by their order of preference the party alliances they support, there is less incentive for formal party alliances. It could be thought, therefore, that a seven member district might attract over two

hundred candidates and thus present a formidable task for electors asked to put them in preference order. In the specific circumstances of this election it might have been better to have kept to a maximum of five or even four seats in a district.

The detailed regulations for counting the ballots under STV had also been published and provided a satisfactory and adequate basis for determining the results under this system. In addition it was proposed to use computers in the counting process and the software was being copied centrally. The ballot paper totals in the boxes would be verified against the number issued in each polling center and only the number of first preferences counted in each center. The papers would then be transferred to 47 regional election commissions - one for each electoral district - before being taken to seven computer centers at which the votes would be entered for each polling centre in strict order. All this was to be overseen by representatives of each electoral list and it was anticipated that complete results would be available within seven days.

The officials were understood to be fully prepared for a STV election and the Regional Election Commissions had been established. Official acceptance of candidates' nominations should have started on July 27 - the day before the delegation commenced its formal sessions - but had not done so. Merab Aleksidze, Chairman of the Central Election Commission was openly opposed to STV and had earlier unsuccessfully tried to have the system changed before the rules for counting had been published. Essentially Aleksidze believed that first preferences were a definitive indication of candidate popularity and he objected to the fact that the distribution of second and subsequent preferences could alter this original order. This view ignores the key principle that under STV electors can vote with confidence for their first preference however unpopular that candidate may be, knowing that if and when excluded, their vote is transferred. Thus the first preference order is only indicative of popularity among all the original candidates and not among those remaining in contention at each stage.

However, further strong pressure from Aleksidze was picked up by some 20 parties which began lobbying for a different system. There was, therefore, further debate on the election system in the State Council on July 29. The ostensible reason for looking at other systems again was that the Gamsakhurdia threat was no longer apparent, even though to reopen the debate at all undermined the legal rule that no changes were to be allowed in the election law once it had been published. The reopening of the debate also reflected concern about the possibility of low voter turnout. A number of State Council members, including Shevardnadze, favored electing representatives from each district so that voters would feel they had direct representation in parliament and that the elections were not just of interest to a small group of politicians in Tblisi.

## A system a day

Once the possibility of abandoning STV was signalled by the willingness of the State Council to re-open the debate, then ideas to "improve" the system inevitably multiplied. The first new proposal, discussed on July 29, was for a mixed system. 150 deputies would be elected on regional party lists, with between five and fourteen seats being elected from each of nine regions - without any threshold - plus thirty deputies elected from single member district seats.

By July 30, the proposals were being amended to accommodate the desire of, among others, Eduard Shevardnadze, Chairman of the State Council, to ensure that independent candidates would be elected from the single member districts. Also, the idea was now being canvassed that the regional party lists should be voted for on a preferential "points" basis whereby an elector would have three choices: his/her first choice would score five points, his or her second choice three points, and the third choice two points. The total number of points thus scored would be divided by the number of seats available to determine the points per seat. Thereafter the appropriate number of candidates from each list would be declared elected according to the order in which the parties or blocs listed them. This particularly ingenious proposal, variants of which are also used in Latin America, survived through to the final proposals. It has one specific drawback: unlike STV, every subsequent preference counts against the elector's earlier ones. The more points that are accumulated the broader the spread of deputies across the parties. This may seem to be advantageous but it leads to a legitimate campaigning tactic of parties - and, more specifically, of candidates lower down a party's list - to persuade the voters not to express any preference beyond that of their party. If the authorities attempted to get around this by stating that voters must express at least two, or three, preferences then parties would simply ensure that two, or three, co-operative allies did not coalesce into one bloc, but would enter into a mutual pact to urge votes for each other's parties.

Debate continued the following day, July 31, and there were difficulties in maintaining a quorum in the State Council to continue the debate. It was acknowledged that details of the system were not yet settled and could be changed still further. The State Council had fixed a deadline of August 3 for final decisions.

On August 1, it emerged that Shevardnadze had put forward a proposal for a third section under which thirty deputies would be elected by "majority" vote nationwide. The plausible idea being to have a way of electing distinguished individuals without them having either a specific party or district constituency. It was eventually agreed, and accepted by Shevardnadze, that it would be

too complicated to expect electors to vote on three separate ballots at the same time. Shevardnadze's over-riding concern was also that every one of the 84 districts should have its own representative in the Assembly. A special commission of the State Council was appointed and worked through the night to present a new scheme. This proposed sixteen additional extra seats for districts with a population of over 60,000. An amendment to put these extra sixteen deputies on a separate national list was proposed and, though receiving substantial support, was defeated, along with the proposal to give extra representation to the larger districts. The final agreement stipulated [a] 84 single member seats, elected by simple majority, but with the top two candidates going into a runoff two weeks later if no candidate reached 50% of the votes cast; and [b] 150 seats elected from ten regional lists with the numbers from each region determined by population, and elected on a preferential "points" basis above. This decision was due to be published on August 3, the day the delegation left Tbilisi.

By Friday, August 28, a number of blocs and parties, frightened by the prospect of the "Peace" bloc sweeping the board as a direct consequence of Eduard Shevardnadze's personal popularity, concocted an amendment to the electoral law. This provided for the Chairman of the Parliament to be elected directly by the whole country. The clear political ploy behind this was to divorce Shevardnadze from a bloc by electing him directly. To avoid the obvious criticism that this would have serious constitutional implications by thus combining - and confusing - the executive and the legislature, it is understood that the "game plan" is for Shevardnadze to be popularly elected as the Chairman of the Parliament, thereafter to be elevated to head the Government and for Parliament then to elect its Chair!

This amendment was duly passed by the State Council on August 29. The Georgian voters will thus have three ballots on October 11, despite previous opposition to this, and will have a similar personality led election to that of October 1990 which the State Council had previously sought to avoid. In addition the electorate will now be electing 235 deputies instead of 234.

Shevardnadze's principled opposition to standing in one of the 84 "majority" districts does not extend to other members of the current Presidium: Sigua, Kitovani and Ioselani have all signalled their intention to contest individual seats and are engaged in securing the necessary 500 signatures to be formally nominated.

#### IV. ANALYSIS OF GEORGIAN ELECTORAL LAW

THE DRAFTERS OF THE LAW, THE LEGAL ADVISORS AND THE PARLIAMENTARY MEMBERS ADDRESSED THE FOLLOWING PRINCIPLES IN THEIR COUNTRY'S ELECTORAL LAW:

1. The rights and qualifications of candidates;
2. The calling of the elections, the registration of parties and electoral blocs;
3. The creation of the electoral districts and electoral precincts;
4. The establishment of the Central, District and Precinct Electoral Commissions;
5. The Voter Rolls, Voter Cards and Voting Rights Certificates;
6. The nomination of candidates, their listings and registration of the form of the ballots;
7. Guarantees for candidates, parties and electoral blocs in the election process;
8. Procedure for voting and establishing the election results;
9. The publication of election results and accreditation of deputies elected to parliament;
10. Run-off elections and procedures for determining the successor to a deputy who withdraws from the parliament.

#### **Main Principles of the Law**

ELECTIONS are to be held on the basis of universal, equal and direct suffrage by secret ballot, with each voter having one vote. 235 deputies are to be elected for a period of three years, 150 to be elected from party lists in multi mandate electoral districts by proportional representation, 84 deputies to be elected in single mandate regions by majority vote and one deputy to be elected Chairman of the Parliament in a single region of the whole country by majority vote.

On October 11 the voters will go to the polls to elect deputies to a constituent assembly for a three year term. The main task of this assembly will be to adopt a new constitution. These elections will thus mark an interim stage, similar to the one that Bulgaria experienced in electing an eighteen month constituent assembly in 1990 followed by the adoption of a new constitution and new parliamentary elections in 1991.

THE CHAIRMAN OF THE PARLIAMENT, who cannot be a member of any political association, will be elected together with the other deputies for a term of three years. The successful candidate must poll at least one third of the votes cast to be elected.



In the event of an equality of votes, but with neither candidate obtaining the required one third of the votes cast, both of them will be considered as members of Parliament and one of the two will be elected as Chairman by means of a secret ballot of the other deputies. If, as a result of this ballot, neither of them obtains more than one half of the votes, a second round of balloting will take place, at which time other candidates may be nominated by at least one fifth of the members of Parliament (a member can only nominate one candidate). If, at this stage, none of the candidates receives more than half of the votes polled, a further poll will take place between the two candidates with the highest number of votes. Balloting will continue until one of the candidates obtains the required 51% of the votes and is declared elected Chairman of the Parliament.

The powers of the Chairman of the Parliament can only be taken away under the laws of the Republic. Should the Chairman who is elected by national vote resign his office, that seat in Parliament is cancelled and a new Chairman is elected by the members of the Parliament.

THE RIGHT TO VOTE is given to all Georgian citizens permanently resident in the country upon reaching the age of 18 years and they can be nominated as candidates if they are 23 years of age by the day of the election, provided they have been permanently resident in Georgia for at least ten years, regardless of origin, social and property status, racial and national affiliation, sex, education, language, political views, religious beliefs, type and character of occupation.

THOSE NOT PERMITTED TO TAKE PART in the election are persons serving in the militia, or parliamentary formations who are not subordinate to the jurisdiction of Georgian State power. Mentally ill citizens who are judged by the courts to be incapable and those persons serving prison sentences are also not allowed to participate in the elections. The elections are organized by the Central Electoral Commission which delegates responsibilities in turn to the District Electoral Commissions and then to the Precinct Electoral Commissions.

CITIZENS PARTICIPATE THROUGH THE VARIOUS REGISTERED PARTIES and organizations which are established and candidates, in the main, are nominated by these parties and organizations. Independent candidates are also encouraged to stand for parliament, particularly in the regions. The parties are required to respect the national and state sovereignty of Georgia. The establishment of any party which aims at violent change to the constitution of Georgia, promotes any form of violence, and any party which is engaged in propaganda of war or the violation of international law, is prohibited.

THE LAW ALSO PROVIDES FOR THE STATE COUNCIL TO PROVIDE FUNDS to

enable the parties to participate in the elections, the actual amount being determined by the Central Electoral Commission.

THE CENTRAL ELECTORAL COMMISSION is required to make known, both on State Radio and Television each day, full details of the arrangements for the elections, including information from the parties participating. Decisions taken by the Central Electoral Commission are published in all the state and local newspapers. ANY PERSON OR PERSONS WHO BY VIOLENCE, deception, threats, bribery or by any other means, impedes the election in any way will be liable to be brought before the Georgian Supreme Court.

#### **Calling of Election and Registration of Parties and Blocs**

FOUR MONTHS PRIOR TO THE END OF THE PARLIAMENT, the date for the next election is fixed and notice given in the press.

THE PARTIES ARE REQUIRED TO REGISTER with the Central Electoral Commission before they can nominate candidates and take part in the election. Registration can be refused, but the party has the right of appeal to the Central Electoral Commission, and, if necessary, to the Supreme Court. Parties can also form Electoral Blocs and these must be registered with the Central Electoral Commission. Similar arrangements apply concerning appeal in the event that a Bloc's registration is rejected.

#### **Electoral Districts, Region and Precints**

THE ELECTORAL DISTRICTS (150 deputies) and THE ELECTORAL REGIONS (84 deputies) are created by the Central Electoral Commission and are based on Georgia's existing administrative districts. In turn, the electoral districts and regions are divided into electoral precincts for voting and the counting of votes. For this purpose, such precincts can be established in hospitals and other medical establishments, and on ships at sea on the day of the election. Precincts can also be established in Georgian institutions which are outside the Republic. The minimum number of voters in a precinct shall be 20 but may not exceed 3,000. Details of the 10 Districts and 84 Regions, together with electorates and the number of mandates in each of the Districts are set out in Appendix D.

#### **Electoral Commissions**

TO ENABLE ELECTIONS TO BE HELD, THE FOLLOWING ELECTORAL COMMISSIONS ARE APPOINTED:

- a) THE CENTRAL ELECTORAL COMMISSION, which has overall responsibility for the election;
- b) DISTRICT ELECTORAL COMMISSIONS;

c)     PRECINCT ELECTORAL COMMISSIONS.

THE CENTRAL ELECTORAL COMMISSION is formed with a Chairman, his deputy, a Secretary and at least twelve other members, and is appointed by the State Council. The parties that have registered with the Central Electoral Commission have the right to appoint one member to serve on the Commission. The minimum membership of the Commission for these elections is 23. Members of the Commission are precluded from being candidates at the election. The Central Electoral Commission is responsible for establishing the electoral districts and regions, allocating funds to the District and Precinct Commissions and the political parties, setting out the form of the ballots, the voter rolls, ensuring equal conditions for candidates participating in the election, providing all the necessary material, equipment and ballots to all districts and regions, and announcing the results of the election.

THE DISTRICT ELECTORAL COMMISSIONS are formed with a Chairman, deputy chairman, a Secretary and at least 4 members, and are appointed by the Central Electoral Commission. Members may be appointed by the parties.

THE DISTRICT ELECTORAL COMMISSION is responsible for determining the Precincts and appoints the Deputy Chairman and Secretary of the Precinct Electoral Commissions, directs their activities and allocates funds to the Precinct Electoral Commissions. They register candidates who are nominated by voter groups and the authorized representatives of these independent candidates, arrange meetings for the candidates with the voters and publish in the local newspapers details of the turnout of voters and the results of the elections.

THE PRECINCT ELECTORAL COMMISSIONS are comprised of a Chairman, deputy Chairman and Secretary and at least two commission members. Again, the registered parties and blocs may appoint a member to serve on these Commissions. The Precinct Electoral Commissions are responsible for drawing up the voters rolls for the precinct, issuing the voter cards and generally organizing and running the election in the precinct. The Precinct Electoral Commission confirms the votes given to the candidates in the precinct before passing the information to the District Electoral Commission.

ALL PARTIES, ORGANIZATIONS AND THE MEDIA ARE REQUIRED to assist the Electoral Commissions in their work.

THE MAJORITY OF THE MEMBERS OF THE COMMISSIONS are also members of the various political parties.

WE RECOMMEND that serious consideration be given to the appointment of permanent electoral commissions, the members of which should have no affiliation to any political party and can, therefore, be completely independent and unbiased, these commissions to be

established on the basis of the administrative districts within the Republic.

### **The Voter Rolls, Voter Cards and Voting Rights Certificates**

THREE COPIES OF THE VOTER ROLLS ARE PREPARED for each electoral precinct and members of the public can be called upon to assist with this work. These rolls show the last name, first name, patronymic, date of birth and address of each voter. Rolls are also prepared for hospitals and other in-patient medical facilities, as well as for ships which are at sea on election day. A voter can be entered on one roll only. Within ten days of the election, voter cards are issued to all voters. The rolls are made available for inspection and corrections, additions and deletions can be made up to the day of the election.

IF A VOTER CHANGES HIS ADDRESS during the election process, upon the production of the necessary documents to confirm such a change, he can be issued with a certificate to enable him to vote in the precinct of his new address.

### **Nomination, Listing and Registration of Candidates**

Each party and/or electoral bloc has the right to submit A LIST OF CANDIDATES for every district to the Central Election Commission. To be acceptable, the number of candidates on the lists must be not less than one half of the number of mandates in each district and no more than the total number of mandates for each district. Candidates may not be nominated by more than one party or bloc. Parties or blocs list the candidates in the order in which they wish them to be chosen, according to the number of mandates they win.

The party and bloc lists for the 10 Districts are submitted to the Central Election Commission for registration. The nominations of the candidates for the 84 regions are submitted to the District Electoral Commissions and again must be supported by the signatures of not less than 500 voters. These registrations become effective providing all the necessary documents are completed correctly and signed by the candidates and the leaders of respective parties or blocs. In the event of the number of names on the party or bloc list being insufficient after the registration of all candidates, that party or bloc list is automatically withdrawn from the ballot. Parties, blocs and candidates have a right of appeal against the refusal of registration to both the Central Election Commission and, if necessary, to the Supreme Court.

After completion of the registration of the party/bloc lists, details of the lists are shown in the order in which they are submitted to the Central Election Commission. Details of the candidates in the regions are published in the newspapers by the

## District Election Commissions.

Candidates on the party/bloc lists, and the independent candidates, may withdraw from the ballot at any time up to 12 noon on the day before polling day.

## Ballots

THE BALLOTS ARE PROVIDED IN THREE COLORS. On one color (blue) are shown the names of the parties and the electoral blocs in the order determined by the Central Electoral Commission according to the drawing of lots. On the second color (white) are shown the details of the local candidates for the majority seats. On the third color (rose pink) are shown the details of candidates for Chairman of the Parliament. The ballots are printed by the Central Electoral Commission in Georgian and any other language considered necessary (i.e. Abkhazian, Russian). The ballots are delivered to the district and precinct commissions five days prior to the election and the number of ballots provided should exceed the number of voters by approximately 5%.

WE RECOMMEND THAT: consideration be given to increasing the excess number of ballots provided to approximately 10%.

## Guarantees for Activities of Parties, Blocs and Candidates

ALL CANDIDATES ARE GIVEN EQUAL RIGHTS in the campaign and have the right to speak at meetings, to the press and on television and radio. All institutions and organizations are required to assist them in this respect. The programs of all the parties, blocs and candidates are printed and published by the Central Electoral Commission and District Electoral Commission. All parties, blocs or candidates may appoint agents to organize their campaigns and these persons can be changed at any time during the campaign. Such persons cannot be members of electoral commissions. Candidates may be granted time off work, with pay, for the duration of the campaign and employers may claim back such costs from the Central Electoral Commission after the election. After registration, candidates are guaranteed free travel throughout the Republic, and cannot be held criminally liable, arrested or subject to measures of a reprimand within the courts, without the approval of the Central Electoral Commission.

ALL ORGANIZATIONS AND INSTITUTIONS are required to provide the candidates with places to hold meetings and locations for the display of posters and other material. Such displays are not permitted on public buildings and can be removed if so displayed. The removal, damaging or defacing of such posters is an offence. Candidates may also use the mass information media for publicity.

The results of opinion polls may not be published during the 7 consecutive days immediately prior to the election.

**WE RECOMMEND THAT:** In addition to opinion poll results not being published during the 7 consecutive days immediately prior to the election that such opinion polls must not be undertaken during that period.

### **Procedure for Voting and Establishing the Election Results**

POLLING IS TO TAKE PLACE on election day between the hours of 7 a.m. and 8 p.m. and no polling place shall be closed or the poll halted between these hours, with the exception of those precincts which have been established in hospitals and other medical institutions, and on ships at sea, which may be closed if all the voters on the voters rolls for those precincts have voted. The Precinct Electoral Commissions are responsible for setting up and equipping the polling places. Before polling begins, and the ballot box is sealed, a control sheet, signed by the Commission members, indicating the number of ballots supplied and the time the sheet is prepared, shall be dropped into the ballot box.

VOTERS ARE REQUIRED TO PRESENT THEIR PASSPORTS or other forms of identification, as well as voter cards, in order to obtain a ballot and must acknowledge receipt of this by signing the voter roll. If any voter is unable to attend the polling place for health or other valid reason, the precinct commission can arrange for such voters to vote at their homes and a portable ballot box shall be provided for this purpose.

VOTING IS CARRIED OUT SECRETLY in the booths provided, with assistance available to any voter who is unable to complete the ballot independently. With respect to Party/Bloc Lists, voters have a maximum of three choices and mark a "1" beside their first choice of Party/Bloc, a "2" beside their second choice and a "3" beside their third choice. On the other ballot, voters place a circle beside the name of the candidate for whom they wish to vote.

Following poll closing in each of the precincts, the different colored ballots for the local candidates and for the candidates for the Chairman of the Parliament are counted, as are the ballots which are considered to be null and void (since it cannot be determined for which Party, Bloc or Candidate the voters have voted for), and the totals recorded. The Party/Bloc Lists ballots are then sorted and the number of first, second and third choices for each are recorded.

Once these figures have been determined, three protocols are prepared, one giving all the information with respect to the individual candidates, one giving all the information with regard to the candidates for Chairman of the Parliament and one giving all

the information with respect to the Parties and Blocs. Copies of these documents are signed by the Chairman of the Precinct Electoral Commission with sufficient copies prepared to enable one copy given to the District Electoral Commission, each Candidate, Party and Bloc and one for retention by the Precinct Electoral Commission.

Following the receipt of this information from the Precinct Electoral Commissions, the District Electoral Commissions proceed to determine the total number of eligible voters, the number of eligible voters who voted, the number of unused and spoiled ballots, the number of null and void ballots and the number of votes given to each of the individual candidates, for their districts. The candidate with the highest number of votes is then declared the duly elected Deputy for the Region. If an equality of votes occurs, the elected candidate will be the one who is a resident of the Region, and if there is still an equality, the elected candidate will be the oldest of those who are involved in the equality.

The District Electoral Commissions then complete sufficient copies of the necessary protocol and distribute them in a manner similar to the Precinct Electoral Commissions.

The reports prepared by the Precinct Electoral Commissions setting out the details of the voting for Parties/Blocs and the candidates for the Chairman of the Parliament must immediately be sent to the Central Electoral Commission which is responsible for establishing the results of the ballot for Chairman of the Parliament and for establishing the total numbers of first, second and third choices for each party or bloc.

By District, the number of (each) choices obtained are awarded points; first choices receive five (5) points, second choices three (3) points and third choices, two(2) points. The points are then totalled to establish how many points each Party/Bloc has obtained. These totals are then divided by the total number of mandates for the District to determine the Party or Bloc quotas. The total points gained by each Party/Bloc are then divided by the quota to establish the electoral quota. In order to establish the number of mandates to be awarded to each Party/Bloc, the total points awarded to the Parties/Blocs are divided by the electoral quota. Candidates elected as Deputies to the Parliament are those whose numbers in the Party/Bloc Lists are less than, or equal to the number of mandates awarded to that particular Party/Bloc.

In the event that a Party or Bloc receives more mandates than candidates on their list, the unused mandates are allocated to the compensation list of candidates. To determine how many additional mandates will be awarded to each Party/Bloc, the number of points awarded to each compensation list is divided by 1,2,3,4,5, etc., up to the total number of mandates to be awarded. After dividing

these points by the final number of mandates, the common divider is thus established. The number of mandates awarded is determined by dividing the number of points by the common divider (the d'Hondt Rule).

The election results and the names of the Deputies elected to Parliament are subsequently announced by the Central Electoral Commission.

#### **Publishing of Results and Accreditation of Deputies**

WITHIN 5 DAYS after calculating the election results, they are officially announced in the newspapers, on television and on the radio, including full details of the number of voters who voted and the number of votes given to each party list or bloc list and each candidate.

AFTER PUBLISHING A FULL LIST OF THE DEPUTIES ELECTED to the Parliament, the Central Electoral Commission issues the necessary credentials to the Deputies, as well as a chest insignia.

#### **Timetable**

The complete election timetable is set out in Appendix C.

### **V OVERALL CONSIDERATIONS**

#### **Political considerations**

A number of factors in the current Georgian political context will complicate or draw into question the holding of elections in October 1992.

The biggest question mark surrounds supporters of exiled president Zviad Gamsakhurdia. They view themselves as victims of an illegal and unconstitutional putsch, and for this reason alone many will boycott any election and refuse to accept the legitimacy of a new parliament. It is impossible to say with any accuracy how much support Gamsakhurdia continues to enjoy in Georgia, but it clearly varies by region. There is little support for Gamsakhurdia in Eastern Georgia, but a significant number of his adherents remained in Mingrelia in Western Georgia, and among Georgians in Abkhazia.

Gamsakhurdia continues to play a direct role in Georgian politics from his place of exile in Grozny, in the neighboring Chechen republic. In an interview televised on Russian television at the end of March, he described Shevardnadze as "Moscow's agent for implementing Moscow's policy in the Caucasus" while the actions that put Shevardnadze in power were "a neo-communist putsch."



Gamsakhurdia convened a parliament in exile in Grozny in March and in other ways maintains contacts with his followers in Georgia. Georgian authorities, in turn, accused Gamsakhurdia of a long list of crimes, including the theft of over 40 million rubles from the state treasury, as well as taking hostages and torturing them during the events of December 1990 and January 1991.

Armed supporters of Gamsakhurdia continued to play an active role in Western Georgia, centered in the town of Zugdidi. Attempts by the new regime to establish control over Western Georgia went badly, and National Guard and Mkhedrioni forces were guilty of a number of atrocities against the local population.

Significant abuses of human and civil rights from the side of the government and its military supporters took place in Tbilisi as well. There were many reports of arrests without warrants in the middle of the night, beatings, the violent disruption of pro-Gamsakhurdia rallies, and suppression of newspapers that supported Gamsakhurdia. Initially at least, the two parties formally headed by Gamsakhurdia (the Helsinki Union and the Society of St. Ilya the Righteous) were not allowed to register. In early August an amnesty was announced by the State Council, but it was greeted with skepticism by many Gamsakhurdia followers.

The issue of human rights violations raises the more general problem of the role of the military as a force in Georgian politics. A wide array of centrist parties, at the initiative of the Georgian Greens, issued a declaration in late July that called for the return of the National Guard and Mkhedrioni to their barracks outside of the major cities. Ultimately, both groups were to be disbanded and either subsumed into a unified armed forces or disarmed. There were serious doubts, however, about the separation of the military from politics in the period before the elections. First, two rival members of the presidium of the State Council, Dzhaba Ioseliani and Tengiz Kitovani derive virtually all their power from their connections to military units. Second, it is not clear that either of the military forces have sufficient internal discipline to carry out any such orders. Kitovani's actions in Abkhazia (see below) give further evidence of a lack of control over his actions by Sigua and Shevardnadze.

Other threats of violence that could undermine the electoral process could potentially emerge from legally registered political parties. It was clear that many parties retained what were in effect private armies in the guise of armed bodyguards or security teams.

In addition to the above issues, there are a number of regional problems that will likely prevent elections from being held in at least four electoral districts, a pattern which would replicate the experience of the 1990 elections when boycotts blocked the election in two districts of Abkhazia (Gudauta and Tkvarcheli) and in two

districts of South Ossetia (Dzhava and Tskhinvali). It is already accepted that at least these four districts will not be in a position to poll on October 11. Abkhazia and South Ossetia are regions that under communist rule were given the status of "autonomous" regions within Georgia.

In Abkhazia, the ethnically Abkhaz population harbors fears that Georgians want to eliminate their political autonomy and destroy the Abkhaz as a cultural entity. There is a long history of ill will between the two peoples made more difficult by the fact that the Abkhaz represent only about 18% of the current population of Abkhazia; Georgians make up about 46% of the population, according to the 1989 census. Georgians living in Abkhazia also feel discriminated against because political and administrative posts in the region are disproportionately in the hands of the Abkhaz, a fact for which many blame Shevardnadze because of the policies he adopted in the aftermath of an ethnic crisis in 1978.

Recent events in Abkhazia have exacerbated tensions to the point of open warfare. A Georgian military expedition was sent to Sukhumi in August 1992, with the purpose of finding and freeing the Georgian Minister of the Interior and other hostages taken earlier in the month by supporters of Gamsakhurdia and believed to be held in Abkhazia. Abkhaz authorities reacted violently to this transgression of their self-proclaimed sovereignty. In the ensuing fighting between Abkhaz and Georgian forces, over 70 were reportedly killed. Georgian forces led by Kitovani at one point shelled the Abkhaz parliament building, in a operation reminiscent of the ouster of Gamsakhurdia, and the Abkhaz government and parliamentarians fled to safer ground in Gudauta. (Gudauta is the traditional center of Abkhaz culture and an area with a concentrated Abkhaz population.) Thus, areas with significant Abkhaz populations will undoubtedly act to prevent elections from taking place. The local Georgian population in Abkhazia is also not enthusiastic about elections, since Gamsakhurdia remains popular there.

It was in fact agreed by the Central Electoral Commission on August 24, that the election for the fourteen seats on the proportional list in the Abkhazia region should be postponed for two weeks, until October 25. In other unstable regions it is currently anticipated that electors will be able to vote in neighboring towns if they so wish.

Another area of Georgia that has presented even greater problems over the past two years is South Ossetia, or Shida Kartli, as the Georgians call it. South Ossetia, unlike Abkhazia, was largely populated by Ossetians. The local parliament took steps to separate from Georgia in December 1990, and Gamsakhurdia responded with military countermeasures. The resulting conflict created many tens of thousands of refugees on both sides.

A successful ceasefire was achieved only in July 1992, but is now threatened by the knock on effect of the renewed fighting in Abkhazia. Future prospects depend therefore on the willingness of the two sides to achieve a political settlement. It is highly unlikely that the fragile peace currently in place would permit elections to a Georgian parliament from any districts within South Ossetia, since it presumes a settlement of territorial and jurisdictional questions that have hardly been addressed.

### Considerations regarding the election system

Election systems are not value free, nor is there a perfect system. They have an effect on the political process for good or ill and this applies to Georgia as it does to every other democracy. The paramount need of a state emerging from an authoritarian history, particularly one like Georgia that as a consequence of its more recent history, currently functions under a *de facto* government, is to gain popular consent for the elected Assembly and for the administration that emerges as a consequence of its elections. Four main criteria are usually accepted as being essential to democratic legitimacy and for that popular consent. They are *proportionality*: votes cast must bear a relationship to the seats won by different parties and groups; *accountability*: those elected must recognise their responsibility to their electors; *equal value*: as far as possible one vote must not have a greater value than another; *effective choice*: the elector must be able to influence directly the political composition of the Assembly, and thus the government.

Judged by these criteria the election system chosen for the elections to the Assembly contains a number of potential hazards:

[a] The points system for determining seats won on the ten regional lists does not, of itself, guarantee proportionality. It is too much of a lottery for that, quite apart from the fact that a party, or a list/bloc, will be under considerable pressure from candidates in the lower half of the list to campaign for voters only to use their first preference and not to vote for any other list. Depending how disciplined voters can or will be, the more they are the more proportionality will be diminished. Also, because, the 84 single member seats are meant to encourage independents, it is not proposed to use the lists to mitigate any disproportionality in the district results. The motive behind the 84 single seats is admirable. However, the aim of encouraging every district to participate in the elections by guaranteeing direct local representation, may have unforeseen consequences, not least that in a number of areas it may well be a disruptive local power elite that can win enough seats to form a very negative group in the Assembly. Alternatively, given that candidates do not have to have a residential qualification in a local district, candidates from a very popular national list may carry seats

against local, more independent, candidates, causing disillusion amongst local leaders.

[b] There will be considerable accountability from the 84 deputies elected from the local districts, particularly if there are only a few seats that are "safe" for one list/bloc. However, there will be no direct accountability from the 150 deputies elected through the ten lists. They rely for their election and re-election on their party placing them high up on the list.

[c] The wide variations in electorate for the 84 local seats means that it will take many more votes in some areas than in others to elect one deputy. Also, the two types of deputy, one with a constituency responsibility and the other with more of a party link, may diminish the equal value criterion.

[d] Inevitably, with 50 parties registered, of which only fifteen are grouped into four blocs, it is clearly difficult for a voter to make a clear choice for one force to be dominant rather than another. Still less is it possible to choose a government.

#### **Consideration of the preparations undertaken by the Central Electoral Commission**

At the outset, the delegation found the Central Electoral Commission well advanced with preparations for the election and this work has continued, despite the somewhat difficult conditions imposed by the election law being amended twice within one month. Circumstances notwithstanding and although none of the CEC members have previous experience in administering elections, the work appears to be carried out with determination and enthusiasm. A few of the Commission staff have been employed during previous elections and, therefore, do possess some institutional memory of election procedures. In this respect special mention must be made of Georgi Zassashvili, the Deputy Chairman of the Central Electoral Commission, without whose patience and help the IFES Project Manager could not have effectively carried out his tasks. These tasks have included providing information on any and all aspects of election administration as well as channeling requests for election commodities to possible outside donors and coordinating the expedition of invitations to international election observers.

The Commission has a number of computers to assist its work and these were used to great advantage in producing the English translation of the Election law, in the recording and registration of the parties/blocs and candidates, and in the drafting of the appropriate report forms which the District and Precinct Electoral Commissions will be required to complete after the counting of the

votes.

At all times the election timetable was maintained within the limits of the possible, given the substantial changes to the Election Law itself after the timetable had officially started to operate. Certain deadlines were extended by the Commission, as legally permitted, in order to accommodate these changes.

### **Conclusion**

The potential problems inherent in the election system outlined above are the consequence of drawing up the details of an election system virtually overnight. The need to work against the clock was inevitable once the debate was re-opened and it is greatly to the credit of Shevarnadze and the State Council that there was an eventual broad acceptance of a compromise system after four days of intensive debate. The delegation would be relieved and delighted if the problems mentioned did not materialise, indeed they may well be regarded as relatively unimportant in comparison with the huge problems of security and stability. One party official told us that the greatest obstacles in the way of free and fair elections were "corruption and violence" and it was regularly suggested that, without clear evidence of an ability on the part of the government to ensure sufficiently peaceful conditions for polling, the elections may not be able to take place on 11 October as planned. In the Georgian political situation it is vitally important to secure a high voter turnout in order to legitimize the results and the difficult decisions that face the elected Assembly. Nothing in the election system now in place should discourage voter participation.

In light of the information gathered by the IFES delegation during its meetings in Georgia, it was the feeling of the whole team that the presence of large numbers of international observers would serve a crucial role in the forthcoming elections. Given the existing tensions of both political and military nature, international observers can, by their presence all around the country, offer reassurance to voters and act as a potentially calming influence by offering an independent assessment of the elections. It should be noted that those Gamsakhurdia supporters who intend to boycott the elections will characterize the role of international observers as legitimizing, by their presence, a process which they consider to be illegitimate. However, as previously noted, many of Gamsakhurdia's former supporters are participating in the election process.

In a meeting with officials from the Georgian Foreign Ministry the IFES delegation therefore urged the speedy expedition of invitations to international election observers. The officials welcomed the delegation's suggestions on the range of institutions to be invited and asked IFES to distribute these invitations. This

was a role that IFES willingly performed and the latest information received from Georgia is that some 200 international observers are expected from such organizations as the Council of Europe, the National Democratic Institute, the CSCE and the Inter Parliamentary Union.

The delegation was also informed that the Georgian Academy of Sciences is planning a two day seminar on election systems on 13 and 14 October. The organizers hope that international observers coming to Georgia for the 11 October elections will stay on to participate in the seminar. It will be an opportunity to make a preliminary evaluation of the election campaign.

The IFES team members were greatly impressed by the substantial research, consideration and debate preceded the present status of the Georgian Electoral Law. We applaud the excellent work that has been performed by the Georgian drafters, legal advisors and parliamentary members. The few recommendations that have been prepared by the IFES team members are respectfully proposed in the belief that their inclusion will strengthen what is already a solid foundation upon which to continue the building of a strong and lasting democratic electoral law.

It is IFES' conclusion that there is no administrative reason why, given the continuing determination and enthusiasm of the members of the Central Electoral Commission, and the continuing cooperation being given by the representatives of the parties serving on the Commission, the elections will not proceed smoothly on October 11.

Additional sources list:

Darrell Slider, "The Politics of Georgia's Independence," Problems of Communism, v. 40, no. 6 (November-December 1991), pp. 63-79.

Jonathan Aves, brochure published by London School of Economics on 1990 elections.

American Bar Association, "Report on Election Observations of the October 28, 1990 Soviet Georgian Election".

PROGRAM FOR IFES GEORGIA  
PRE-ELECTION ASSESSMENT TEAM

Tuesday, July 28

10.00AM Candy Green and David Mark, US Embassy  
2.00PM Central Election Commission, Chairman Merab Aleksidze

Wednesday, July 29

10.00AM Ada Marshania, member of the State Council, Abkhazian political scientist  
11.00AM Dato Usupashvili, member of State Council, co-author of election law  
12.00PM Vakhtang Khmaladze, Chairman of State Council commission on election regulations  
3.00PM State Council debate on election law

Thursday, July 30

8.30AM Breakfast meeting with German ambassador  
10.00AM Zurab Zhvania, leader of the Green party  
11.30AM Zviad Koridze, Editor of newspaper 7 Days  
2.00PM Central Election Commission

Friday, July 31

9.30AM Vasov Kacharava, U.S. desk, Ministry of Foreign Affairs and colleagues  
11.00AM Guran Muchaidze, Leader of the Social Democratic party  
3.00PM Mindia Ugrekhelidze, Chairman of the Supreme Court  
6.30PM Tedo Patishvili, Charter 91, member of State Council

Saturday, August 1

12.00PM Irina Sarishvili, National Democratic party

3.00PM Akaky Asatiani, Chair, Traditionalist party

Sunday, August 2

11.00PM Lana Gogoberidze, film maker, member of State Council

1.00PM Meeting with Gamsakhurdia supporters

Monday, August 3

11.00PM Meeting with US Deputy Chief of Mission, Norma Harms



NOTES OF THE MEETINGS OF THE IFES PRE-ELECTION TECHNICAL ASSESSMENT TEAM, GEORGIA July 28-August 4, 1992

MEETING WITH THE CENTRAL ELECTION COMMISSION

The delegation met with three representatives of the Central Election Commission, including Chairman, Merab Aleksidze. Aleksidze informed us that in the 1990 parliamentary elections the system had been a mixed proportional/majority one. In the 1991 local elections the single transferable vote system had been used. On May 21, 1992 the State Council adopted an election law providing for the single transferable vote system.

However, Aleksidze considered this too complicated a system - in the 1991 local elections counting took 10 days - and the State Council were redebating the law.

The CEC informed us that they now have seven computers at voting centers around the country which will be used to tabulate the October 11 parliamentary election results. Voter registries are compiled by representatives of the local election commissions who conduct a house-to-house survey. Two weeks prior to the election every voter receives a card informing them where they are entitled to vote. The voter registration lists are posted publicly so that voters can check for errors.

The Central Election Commission comprises 5 officials appointed by the State Council. These five are already in place. All registered political parties (approx. 44) are allowed one representative. The CEC has 10 staff.

Any resident of Georgia over the age of 18 is allowed to vote. Candidates must be 22 and have been resident in Georgia for at least 10 years.

The meeting ended in order to allow Aleksidze to go to the meeting of the State Council to debate the revision of the new election law. It was agreed to have a follow up meeting later in the week, once the outline of the new election law was clear.

This follow up meeting, with a new election law adopted, was of a much more concrete nature and allowed Clive Kimber, IFES Georgia Project manager to enter into much more detailed discussions with the CEC members concerning the type of concrete assistance that IFES could offer in the three months prior to the elections.

MEETINGS WITH DATO USUPASHVILI and VAKHTANG KHMALADZE, authors of the Election Law

The delegation met with Dato Usupashvili and Vakhtang Khmaladze at

the State Council. In addition to being members of the State Council, they are the main authors of the May 21 election law.

He explained that immediately after Gamsakhurdia was ousted, Tengiz Sigua, former Prime Minister, asked the parties to prepare proposals for a new Election Law as new elections were a priority. The initial idea was to hold elections in March or April, however this proved unrealistic.

A special commission on elections was established to choose one of the eight drafts presented to the State Council. The draft which was accepted was presented by DASi - Democratic Choice for Georgia - the same party which had drafted the 1991 local election law. Both Khmaladze and Usumashvili are members of this party. For the local elections DASi, aware of the potential complications in the counting process for the STV system, trained 200 local election commission members in different regions of the country in the procedures. Training materials were also published in the local press.

The State Council adopted the single transferable vote system proposed by DASi in May 1992, largely because it was felt at that time that the mixed majority/proportional system used in 1990 had contributed to the political crisis by overemphasizing the importance of parties. At the time all but two political parties voted in favor of the STV system. The Ministry of Justice started to register parties and five officials were appointed to the Central Election Commission.

However, at the beginning of July when registration closed and regional election commissions were being appointed, the newly appointed head of the Central Election Commission, Merab Aleksidze, Director of the Geo-Physics Institute, signalled his concern that the vote counting procedures under the STV system were too complicated for the Commission to administer. Meanwhile a number of the parties which had been in favor of the STV system in May had begun to rethink their support as they realised such a system gives more influence to the voter than the party in deciding who will be elected.

(Postscript : the State Council did eventually decide to adopt a new election law, changing the system to a mixed proportional/majority system - see section II on the Evolution of the Election System in Georgia).

#### MEETINGS WITH POLITICAL PARTIES

The IFES delegation met with a number of different political parties to discuss their analysis of the political situation.

These parties included the Green party which is affiliated to the European Green Movement; the National Democratic party, affiliated

to the Christian Democrat International; the Social Democratic party, affiliated to Socialist International; the Traditionalist party which favors the restoration of the monarchy and Charter 91, former Gamsakhurdia supporters. In addition we had a meeting with current Gamsakhurdia supporters. These meetings enabled us to gain a wide perspective of the current political situation in Georgia.

All the above parties except the Traditionalist party, were participating in the State Council and all considered the October elections as a crucial stage in Georgia's transition to a multi-party democracy. The Gamsakhurdia supporters took the position that the State Council, being an illegitimate body could not call elections and called for the reinstatement of the former Parliament.

Concern was expressed about the security situation and the extent to which the armed forces were under the control of their leaders. A number of inter-party meetings have taken place to discuss this concern and the best means to deal with it. The State Council passed a resolution during the time we were there ordering the troops to return to the barracks by August 10 to allow the election campaign to go ahead under normal circumstances.

The party representatives stressed that the October elections would elect a constituent assembly rather than a Parliament. This constituent assembly would have the task of drafting a new constitution and of calling new elections. It is still unclear whether Georgia will have a parliamentary or a presidential system although most of the parties favor the former. At least three parties favor the restoration of the monarchy.

#### MEETING WITH ZVIAD KORIDZE, EDITOR of 7 DAYS

This weekly newspaper was founded in October 1991 by five independent individuals who borrowed the money necessary to launch the publication. The paper is described as a 'paper of comment' with a circulation of 50,000.

Although the paper has experienced printing and distribution problems, no harassment has been experienced from the government. The paper will try to encourage voter participation in the forthcoming elections by publishing non-partisan information about the election process.

#### MEETING AT MINISTRY OF FOREIGN AFFAIRS

The delegation met with the heads of the various regional bureaus at the Ministry of Foreign Affairs.

The Prime Minister of Turkey had just left Tblisi after a visit to

normalize relations. The relationship with Turkey is considered to be the door to Europe, both economically and politically. A treaty to normalize relations with Russia, Georgia's other important neighbor, is expected shortly.

Concerning the conflict in South Ossetia, we were informed that an informal agreement between Shevardnadze, Yeltsin and the north and South Ossetian representatives had resulted in a ceasefire which appeared for the moment to be holding.

In Abkhazia, Georgian deputies in the Abkhazian Supreme Soviet had objected to the recent declaration by the Abkhazian deputies of independence from Georgia and reversion to the 1925 constitution. Both in Abkhazia and in Mingrelia in western Georgia where Gamsakhurdia support remains strong, elections are unlikely to take place.

In response to queries concerning international observers to the October 11 elections, the officials were most enthusiastic and requested IFES to provide the names and addresses of interested organizations so that invitations could be issued promptly.

#### MEETING WITH SUPREME COURT CHAIRMAN, MINDIA UGREKHALIDZE

Mindia Ugrekhalidze has been chairman of the Supreme Court since 1990. He presides over 30 criminal and 9 civil court judges.

He stressed that under the communists no judges or lawyers were needed, dictates were simply passed down from Moscow to the communist party authorities in Tblisi.

In November 1990 notice was sent to Moscow that their dictate would no longer be heeded and a law was adopted forbidding any political party to be involved in the judiciary.

However, under Gamsakhurdia no new constitution was adopted and he never met with the Supreme Court. The Supreme Court remains powerless today with regard to the State Council. If the constitution is violated the Supreme Court currently has no powers to intervene.

The Supreme Court does however have powers accorded under the Election Law to hear appeals from political candidates that are refused registration by the Central Election Commission. In 1990 many refusals were overturned.

Regulations on Elections to the Parliament of the Republic of Georgia

"Sakartvelos Respublica" Tbilisi, Republic of Georgia August 4, 1992.

(amended August 29, 1992)

I General Provisions

Article 1. Election Principles.

The elections to the supreme state representative body of the Republic of Georgia -- The Parliament are held on the basis of the universal, equal & direct suffrage with secret balloting. The Parliament of the Republic of Georgia is elected for a 3 - year term. 150 deputies are elected by the party lists according to multimandate electoral districts on the basis of proportional representation, 84 are elected according to single-mandate electoral districts on the basis of majority electoral system and one deputy -- the Chairman of the Parliament -- is elected by the Entire Georgia on the basis of majority electoral system.

Article 1'. The Chairman of the Parliament.

The Chairman of the Parliament of the Republic of Georgia is elected together with the Parliament for the term of 3 years. The Chairman of the Parliament can not be member of any political association of citizens.

The candidate which received most of all votes, but no less than 1/3 of participants of voting, is considered elected The Chairman of the Parliament.

In the case if two or three candidates receive the same number of votes, but not less than 1/3 of participants of voting, each of them will be considered a member of the Parliament & The Chairman of the Parliament will be elected from them by secret balloting by the majority of the entire membership of the Parliament. If then none of the candidates receives more than a half of votes, the second tour of the elections will be held, in which along with these candidates also candidates nominated by at least 1/5 of the members of the Parliament have the right to participate (while nominating a new candidate a member of the Parliament can participate in only one nomination). If in the second tour none of the candidates receives more than a half of votes, the third tour of the elections will be held, in which candidates with the two best results have the right to participate & candidate which receives the most votes will be considered elected. If in this case the Chairman of the Parliament is not elected again, the balloting will go on until one candidate receive the most votes.

In the case none of the candidates receives number of votes greater or equal to 1/3 of participants of voting, a seat of one member of the Parliament is cancelled & the Chairman of the Parliament is elected from the members of the Parliament by secret balloting by the majority of the entire membership of the Parliament. The group which consists of at least 1/5 of the members of the Parliament has the right to nominate a candidacy the Chairman of the Parliament. If the Chairman of the Parliament is not elected in the 1st tour the 2nd tour will be held ; if in the 2nd tour the Chairman is still not elected, the elections will go on according the rule set

by the part 2 of the current Article.

The procedure of termination & lifting of the powers of the Chairman of the Parliament is determined by the Law of the Republic of Georgia.

In the case of withdrawal of the Chairman of the Parliament elected by the Entire Georgia from the membership of the Parliament, the appropriate seat of a member of the Parliament is cancelled.

In the case of removal of the Chairman of the Parliament from his (her) position, termination of powers or withdrawal from the membership of the Parliament the Chairman of the Parliament is elected by the Parliament from its membership by secret balloting by the majority of the entire membership of the Parliament.

Article 2. Universal suffrage.

Elections to the Parliament are universal: The right of election is given to citizens of the Republic of Georgia upon reaching the age of 18 by the election day, and the right to be elected has the citizen of the Republic of Georgia upon reaching the age of 23 by the day of elections and residing in Georgia permanently for no less than 10 years regardless of origin, social and property status, racial and national affiliation, sex, education, language, political views, religious belief, and occupation.

Article 3. Equal Suffrage

The elections to the Parliament are equal: citizens of the Republic of Georgia participate in the elections on equal grounds.

Article 4. Direct Suffrage.

The elections to the Parliament are direct; the deputies are elected directly by the voters to the Parliament.

Article 5. Secret Balloting

The elections of deputies to the Parliament are carried out by secret balloting; control over the expression of voter's will and open voting is not permitted.

Article 6. Persons Who Are Not to Participate in the Elections

Persons serving in a military or militarized formations of other countries, citizens judged by the court as incapable as well as persons accused to imprisonment under a court sentence are not to participate in the elections.

Article 7. Holding of the Elections by Electoral Commissions.

Holding of the elections to the Parliament are provided by electoral commissions which, as a rule, are formed of the representatives of the political unities of citizens of the Republic of Georgia ( hereinafter in the text "Parties"), public unities, bodies of power & administration & voter groups.

Article 8. The Right of Putting up Candidates of Deputies to the Parliament & Candidates of the Chairman of the Parliament.

The right to put up candidates of deputies to the Parliament belongs to parties legalized and registered according to the legislation of the Republic of Georgia & autonomous Republics, after electoral registration, also to their associations - electoral blocks & groups of voters & the right to nominate candidates of the Chairman of the Parliament -- to the groups of voters.

Article 9. Incompatibility of the Status of the Member of the Parliament & Official Position

The member of the Parliament is not permitted to do another permanent paid job simultaneously, serve in military or militarized formations. The member of the Parliament is relieved of his (her) former position after the moment of recognition of his (her) deputy power.

As an exception the member of the Parliament can simultaneously:

- a) hold the position of prime-minister of the Republic of Georgia.
- b) Be a member of the Supreme Soviet of autonomous republic.
- c) Do other job, if it is scientific, pedagogical or art occupation or is related to his (her) Party activities.

In the case of expiration or preterm termination of deputy power within the month term from this moment he (she) must be restored to his (her) former position on the basis of his (her) personal application or, if impossible, given the equal job, except that case, when the termination of the deputy power is related with appointment (election) to another position.

Article 10. Material Support for the Elections.

Expenditures related to the preparation and holding of the elections to the Parliament are borne mainly by State. At the same time, parties independently participating in the elections, electoral blocks, and local candidates can establish electoral funds for which they have the right to use money set up by State, their own money, contributions from enterprises, public organizations and citizens of the Republic of Georgia.

Article 11. Responsibility for Violation of the Election Regulations.

Person who breaks the provisions established by these regulations are to be subjected to criminal or administrative responsibility according to the current Law.

The candidates from the parties and electoral blocks, as well as local candidates, who exceed the determined amount of the election fund set by the central electoral commissions are to be deprived of the mandates secured by them and the right of participation in the elections to replace withdrawn deputies, as well as the right to participate in next nearest elections to the Supreme State Body of power of the Republic of Georgia. The cases of the above indicated violations are examined by the Supreme Court of the Republic of Georgia, whose decision is last and is not indictable to appeal.

II. Setting the Elections. Registration of Parties and Electoral Blocks Participating in the Elections.

Article 12. Setting of the Elections.

Elections of the Parliament are set by the State Council of the Republic of Georgia. The announcement of election day is published in the republic and local newspapers no later than 2 days after the setting of the elections.

Article 13. Electoral Registration of Parties.

For gaining the right to put up candidates of deputies of the Parliament in electoral commissions, the parties must be registered in the Central Electoral Commission no later than Thursday of the 3rd week after publication of the resolution about setting of the elections (hereinafter in the text "after setting of the elections") they must present the appropriate application signed by the leader of the party, note given by Ministry of Justice of the

Republic of Georgia (Ministry of Justice of an appropriate autonomous republic) or certificate of registration about the registration of the party according to the legislature of the Republic of Georgia (appropriate autonomous republic) or documents which verify the fact of legalization of party according to the current legislature. In the application there must be stated the personality of the leader (leaders) of the party and family name, name, patronymic, address and telephone number of the authorized person of the party, which will be given dated note of reception of the application by the Central Electoral Commission.

In 3-day term after fulfillment of the above mentioned conditions the Central Electoral Commission makes decision on the question of electoral registration of the party and gives the appropriate note to its authorized person. A party activities which are suspended according the rules set by the law is refused to registration.

In the case of the refusal of being registered the party has the right within a 3-day period after obtaining the refusal to appeal the decision of the Commission in the Supreme Court of the Republic of Georgia. The court must make decision within a 3-day period after receiving the appeal.

Within the 2-day period after completing the registration period, the Central Electoral Commission publishes in republic newspapers the list of the registered Parties in order of accepting the applications, also the list of those parties which were refused to be registered and the reasons of the refusal.

Article 14. Electoral Blocks and their Registration.

Parties registered by the Central Electoral Commission have the right to unite into electoral blocks. (Block can be given a name, which is not to repeat the name of the earlier registered block or party, it can not include the name of the party which does not join the current block), registration of which by the Central Electoral Commission begins on the 4th day after the beginning of the registration of the parties and ends on Saturday of the 9th week before the elections.

The appropriate application submitted to the Commission must be signed by the leaders of all the parties joining the block, there must be named the authorized person of the block to the Central Electoral Commission, his (her) address and telephone number, whom the commission gives the dated note about the reception of the application. The application must be followed by the regulations of the Electoral block signed by the leaders of all the parties joining the electoral block, in which the decision making rules of electoral block related to electoral activities must be mentioned, among them the rules of putting up and elimination of decisions of putting up the candidates of deputies, leaving of the block by the party, entering the new member of the block and expelling the party from the block, persons must be mentioned who have the right to sign the applications of the block.

Within the 3 day term after accepting the application the Central Electoral Commission publishes in republic newspapers the note about the registration of the electoral block.

Right after the registration of the electoral block the power of the authorized persons of the parties united in the block, ceases. Party joining the electoral block can not at the same time join



another electoral block or participate in the elections independently.

### III. Electoral Districts & Electoral Precinct

#### Article 15. Electoral Districts

To the elections of the Parliament, 10 multimandate & 84 single-mandate electoral districts are formed taking into account historical-geographic factors & administrative-territorial division. Number of deputies to be elected from multimandate electoral district is determined in proportion to the number of voters in the district (list of electoral districts see in the appendix)

#### Article 16. Electoral Precincts

For conducting the voting & counting the votes in the elections of the Parliament, the electoral districts are divided into electoral precincts. Electoral precincts are formed for not less than 20 & not more than 3000 voters no later than 45 days prior to the elections. In hardly accessible regions, on vessels being at sea on the election day electoral precincts are formed at the same time, & in exceptional cases - no later than 5 days prior to the elections.

The electoral precincts are formed by the district electoral commissions upon submission of the authorities operating on the territory of region (city, city region) or local authorities & upon agreement with them. On vessels being at sea on election day, the electoral precincts are formed in the same procedure for the place of the vessel's home port. In institutions of the Republic of Georgia located outside the republic, the electoral precincts are formed upon submission of the Government of the Republic of Georgia, & the problem of belonging to any electoral district is solved by the Central Electoral Commission.

The electoral precincts can be formed at hospitals & other permanent medical institutions & in hardly accessible regions. District electoral commission within 5 days from setting up precincts publishes in the local newspapers numbers of the electoral precincts, addresses of the precinct electoral commissions & buildings where to voting will take place.

### IV. Electoral Commissions

#### Article 17. The System of Electoral Commissions

For holding elections to the Parliament, electoral commissions are formed:

- a) The Central Electoral Commission of the Republic of Georgia;
- b) District Electoral Commissions;
- c) Precinct Electoral Commissions.

#### Article 18. Membership of Electoral Commission.

To the membership of electoral commission citizen of the Republic of Georgia having the voting right can be submitted.

Member of the representative state body of the Republic of Georgia, leaders of state power & executive bodies & their deputies, candidate of deputy to the representative state body, authorized person of the party or electoral block taking part in the elections, accredited representative of the candidate of deputy can

not be appointed to membership of electoral commission.

The powers of the chairman, his (her) deputy, secretary & member of the electoral commission terminate:

- a) in the basis stipulated by the part 2 of the current article;
- b) in the case of resignation (application of retirement is submitted to the superior electoral commission, & for the member of the Central Electoral Commission - to this commission itself & is satisfied no later than 3 days after acceptance);
- c) in the case of recall or lifting of powers;
- d) in the case of prohibition or liquidation of the party, by which the member of the commission was appointed;
- e) in the case of unification of those parties, by which he (she) was appointed, if a new party was established as a result. In such case, party established as a result of unification after registration in the Central Electoral Commission has the right to appoint one person per each electoral commission within 30 days after registration.

Article 19. Organization of the Work of the Electoral Commissions  
The work of the electoral commissions are stipulated by current regulations & regulation of the commissions carried by the Central Electoral Commission by a majority of two-thirds of participating members.

Deputy chairman & secretary of the Central Electoral Commission & chairmen & secretaries of the district electoral commissions are elected at the session of the appropriate commission.

A meeting of the electoral commission is considered to be a quorum if at least two-thirds of the commission's membership participates in it. Decision is carried by the majority of participating votes. With a tie in the votes, the vote of the chairman is considered decisive. Members of the commission who do not agree with the decision of the commission, have the right to express their special opinion which in a written form is appended to the minutes & is forwarded to the superior electoral commission for consideration. An electoral commission is represented by its chairman. In the case when a commission does not have a chairman or he (she) is unable to perform his (her) functions, His (her) duties are carried out by his (her) deputy.

For the purpose of organizational, Legal & technical provision of the elections, work groups attached to the Central Electoral Commission can be formed. Members of the work groups are appointed & their work is paid by the Central Electoral Commission.

Article 20. Powers & Duties of the Member of the Electoral Commission.

Chairman, deputy chairman & secretary of the Central Electoral Commission within the whole term of their powers have wages assigned by the Parliament & before its election - by the Government of the Republic of Georgia from the state budget. At the same time, above mentioned persons keep their occupations previous to the appointment (election) to the above mentioned positions.

All the members of the electoral commissions within the whole term of preparation & holding of the elections are given the right to have the holidays without pay.

At the same time, all the members of the Central Electoral Commission, 4 members of district electoral commission, & 2 members

of precinct electoral commission - within the whole period of preparation & holding of the elections, the other persons from the precinct electoral commissions during the last 10 days of the elections preparation period may have their wages assigned in the amount fixed by the Central Electoral Commission from funds set for holding elections. Number of paid persons for the Central & district electoral commissions is set by the Central Electoral Commission, & for precinct electoral commission - by district electoral commission. Wages of the persons including membership of the Central & district electoral commissions are assigned by the Central Electoral Commission, & for persons including membership of precinct electoral commissions - by the district electoral commission; At the same time the superior commission must take into consideration proposals of that commission, members of which are assigned wages. Work done in the commission in time off will be paid in the amount fixed by the Central Electoral Commission from funds allocated for holding elections.

Members of the Central Electoral Commission during the other time of their powers may have their wages assigned upon submission of the Central Electoral Commission & by the decision of the Parliament from the state budget. Staff schedule of the Central Electoral Commission is ratified upon submission of the Commission by the Parliament, & before its elections - by the Government of the Republic of Georgia.

Chairman & bookkeeper of the commission, & also director of the financial department in the Central Electoral Commission in the name of the commission operate with funds allocated to electoral commissions & are responsible for their usage for proper purposes. Members of the electoral commissions during the elections have no right to take part in agitation for or against parties, taking part in the elections, electoral blocks & candidates of deputies.

Article 21. The Central Electoral Commission of the Republic of Georgia.

The Central Electoral Commission of the Republic of Georgia is formed of chairman, deputy chairman, secretary & no less than 20 members of the commission.

Chairman & 4 members of the commission are appointed no earlier than Saturday of the next week & no later than Monday of the 2 nd week by the State Council of the Republic of Georgia, taking into consideration proposals of the Government, executive & regional & township (except the cities of regional subordination) bodies, parties citizens' public unities of the Republic of Georgia. The above mentioned organizations must submit their proposals to the State Council no later than Friday of the week next to the setting of the elections. The State Council immediately publishes its decision in the republic newspapers.

The right to appoint one person per commission have the Supreme Councils of the autonomous republics or their presidiums no later than Saturday of the 3 rd week after setting the elections.

Parties, after they pass the electoral registration, have the right to appoint one member each to the Central Electoral Commission. Parties must submit their decisions to the Central Electoral Commissions no later than Sunday of the 3 rd week after setting the elections. If membership of the commission is not filled up within

this term, the State Council appoints additional members of the commission in 3-day term for filling it up to 23 members.

In 2-day term after formation of the commission, but no earlier than Monday of the 4<sup>th</sup> week after setting the election, the commission elects deputy chairman & secretary of the Central Electoral Commission from its membership.

Terms of powers of the Central Electoral Commission last till setting the next elections of the Supreme Executive State Body of the Republic of Georgia.

The Central Electoral Commission publishes its membership, address & telephone numbers of the commission in the republic state newspapers of Georgia.

Article 22. Powers of the Central Electoral Commission

Prior to the forming of the full membership of the Central Electoral Commission, its sessions are considered to have a quorum if they are attended by at least two-thirds of the actual commission membership on the day of the session.

The Central Electoral Commission:

- 1) within the bounds of its competence controls carrying out of the current regulations & ensures their uniform usage on the whole territory of the Republic of Georgia; by a majority of two-thirds of its membership makes directions for solution of questions necessary for carrying out the election campaign & not covered by the current regulations;
- 2) in the case of necessity, by the decision of the majority of 2/3-s of its membership delegates the part of its powers to the specially formed group for solution of previously defined question;
- 3) appoints deputy chairman & two members, & in the case of necessity, additional members of the district electoral commissions, publishes the membership & addresses of the commissions;
- 4) solves the question of registering electoral precincts located outside of Georgia at electoral districts;
- 5) publishes the dates of the beginning & end of the election measures;
- 6) registers parties & electoral blocks, participating in the elections;
- 7) registers the authorized person of the party independently participating in the elections (electoral block) in the Central Electoral Commission & gives him (her) the appropriate certificate;
- 8) registers the party lists of parties independently participating in the elections & electoral blocks according to the electoral districts, compensatory lists, candidates of the Chairman of the Parliament ; issues appropriate certificates to the candidates of the Chairman of the Parliament & candidates of deputies;
- 9) directs the activities of the electoral commissions, hears their information;
- 10) checks the legitimacy of decisions of the electoral commissions, in the case of necessity cancels them & makes final decisions; in exceptional cases by the majority of two-thirds of its membership makes a decision about cessation of powers of the lower-level electoral commission & delegation of the power of this electoral commission to the group formed by the Central Electoral Commission;

- 11) establishes the rules of allocation & usage of expenditures related to the elections, allocates money among district electoral commissions & parties participating in the elections, controls provision of electoral commissions with buildings, transport, communications & considers other questions of material-technical supply of the elections;
- 12) establishes the forms of electoral documents, models of the ballot boxes & seals of the electoral commissions, procedure for storing electoral documents;
- 13) takes measures for ensuring equal conditions for parties & electoral blocks, candidates of deputies in participating in the election campaign;
- 14) determines the procedure for participation of mass media in the election campaign, & its usage according to the current regulations & other laws of the Republic of Georgia, also Abkhazian ASSR & Autonomous Republic of Abkhaz on questions related to the preparation & holding of the elections & hears their information;
- 16) approves the texts of electoral bulletins, ensures their preparation & supply to the district electoral commissions by the bulletins;
- 17) establishes the results of the elections in the multimandate electoral districts & results of the elections of the Chairman of the Parliament, summarizes the results of the elections in the republic, publishes no later than 20 days after the election day note about the results of the elections & list of the deputies elected to the Parliament of the Republic of Georgia; registers the elected deputies & the Chairman of the Parliament & issues appropriate certificates to them;
- 18) organize the meeting of the 20 elder newly-elected members of the Parliament for election of the temporary chairman of the first session;
- 19) submits documents necessary for checking the powers of the deputies & the Chairman of the Parliament to the Credential Committee of the Parliament of the Republic of Georgia;
- 20) in the case of necessity sets up new balloting in the precincts, where balloting was considered to be null & void;
- 22) in the case of the withdrawal of a local deputy sets up the elections in the electoral district & ensures their holding;
- 23) examines statements & complaints relating to the decisions & actions of the district electoral commissions & carries resolutions on them;
- 24) in exceptional case - if it is impossible to follow requirements stated by the current regulations sets new terms of the election measures in the electoral district, sets the new date of holding of the elections by the majority of two-thirds of its membership;
- 25) carries out other powers according to the current regulations & other laws of the Republic of Georgia.

#### Article 23. District Electoral Commission

The District Electoral Commission is formed of chairman, deputy chairman, secretary & no less than 4 members of the commission. Not earlier than Tuesday & no later than Saturday of the 9 th week after setting of the elections the Central Electoral Commission

appoints deputy chairman & two members of the district electoral commission taking into consideration submissions of the appropriate regional, city & city regional state & executive bodies, of public unities, parties, groups of voters. The above mentioned organizations must submit their proposals to the Central Electoral Commission no later than Monday of the 9<sup>th</sup> week prior to the elections. The Central Electoral Commission immediately publishes in the republic & regional (city) newspapers membership of the commissions, their location & telephone numbers.

Parties registered by the Central Electoral Commission can appoint one member each to the district electoral commission. Parties must inform the Central Electoral Commission about their decision no later than Thursday of the 9<sup>th</sup> week before the elections. Person appointed by the party will be considered a member of the electoral commission from the moment of his (her) appearing at the appropriate commission.

If by this time there are less than 7 members in the membership of the commission, the Central Electoral Commission in 6 day term appoints additional members for filling it up to 7 & immediately informs the appropriate district electoral commission.

In 4 day term after formation of the commission but no earlier than Monday of the 8<sup>th</sup> week before the elections, it elects the chairman & secretary of the district electoral commission from its membership & immediately informs the Central Electoral Commission. Terms of powers of the district electoral commission last till setting the elections of the Supreme Executive State body of the Republic of Georgia.

District electoral commission immediately publishes its membership, address & telephone numbers of the commission in appropriate local newspapers.

#### Article 24. Powers of the District Electoral Commission

The district electoral commission:

- 1) within the bounds of its competence controls carrying out of the current regulations & ensures their uniform usage on the territory of the electoral district;
- 2) forms electoral precincts & publishes their lists;
- 3) appoints deputy chairman & two numbers, & in the case of necessity, additional members of the precinct electoral commissions, publishes the membership & addresses of the precinct electoral commissions;
- 4) directs the activities of the precinct electoral commissions. hears their information;
- 5) appoints the bookkeeper of the district electoral commission; allocates money among precinct electoral commissions; controls providing of the precinct electoral commissions with buildings, transport, communications & considers other questions of material-technical supply of the elections in the electoral district;
- 6) registers local candidates of deputies, issues them the appropriate certificates, allocates money funds;
- 7) registers the authorized person of the party independently participating in the elections (electoral block) in the current electoral district, issues them the appropriate certificates;
- 8) takes measures for ensuring equal conditions for candidates of

deputies, parties & electoral blocks in participating in the election campaign, provides publication of the information materials & their dissemination with lists of the registered candidates of deputies, their biographical notes & main principles of election programs;

9) supervises carrying out of the requirements of the current regulations by the local mass media;

10) hears information from the local executive & administrative authorities, leaders of the state enterprises, institutions & organizations on questions connected with the preparation & holding of the elections;

11) provides aid in organizing of meetings of candidates of deputies & voters with each other;

12) ensures provision of the precinct electoral commission with electoral bulletins;

13) determines & publishes in the local press number of voters, number of persons participating & balloting in the elections, final result of the elections in the electoral district;

14) in the case of necessity sets up new balloting in the precinct, where balloting was considered null & void;

15) sets up balloting in the electoral district to replace the withdrawn deputy;

16) examines statements & complaints relating to the decisions & actions of the precinct electoral commissions & carries resolutions on them;

17) carries out other powers according to the current regulations.

#### Article 25. Precinct Electoral Commissions

The precinct electoral commission is formed of chairman, deputy chairman, secretary &, as a rule, at least two members of the commission no earlier than the 7th & no later than the 10th day after publishing the list of the electoral precincts. Minimum number of membership of the commission is set by the appropriate district electoral commission & is published in local press together with publishing information about the electoral precincts. Deputy chairman & two members of the precinct electoral commission are appointed by the district electoral commission taking into consideration proposals of the executive & administrative local bodies operating on its territory, public unities, parties & groups of voters.

Parties registered by the Central Electoral Commission can appoint one member each to the precinct electoral commission.

If by the 7th day after publishing the list of electoral precincts, membership of the precinct electoral commission is less than it had been set, the district electoral commission appoints additional members of the commission for filling it up within the 3-day term. Statements of submission & appointment of persons to the precinct electoral commission must be submitted to the district electoral commission no later than the 6th day after publishing the list of electoral precincts.

In two-day term after formation of the commission it elects the chairman & secretary of the precinct electoral commission from its membership & immediately informs the districts electoral commission.

Terms of powers of the precinct electoral commission terminate immediately upon the end of the elections.

District electoral commission immediately publishes membership, address & telephone numbers of the precinct electoral commissions in local newspapers.

#### Article 26. Powers of the Precinct Electoral Commission

The precinct electoral commission:

- 1) makes lists of voters by precincts;
  - 2) acquaints voters with the list & solves questions of making appropriate changes in them;
  - 3) issues voter cards &, upon demand, voting rights certificates to the voters;
  - 4) informs the population about location & working hours of the elections & location of polls;
  - 5) provides preparation of buildings for voting, ballot boxes & cabins, information stands;
  - 6) organizes the balloting in the electoral precinct on the election day;
  - 7) determines number of voters, number of persons participating & balloting in the elections at the electoral precinct & number of votes given to each candidate of deputy & each party list;
  - 8) examines statements & complaints on questions of preparation of the elections & organization of balloting & carries appropriate resolutions;
  - 9) carries out other powers according to the current regulations;
- Article 27. Procedure for Appointment & Submission of Members of Electoral Commissions.

A party registered by the Central Electoral Commission has the right to appoint one member to each electoral commission, if more than one organ of the party appoints its representative to the same commission, preference is given to the representative of the superior organ.

Right to submit candidates to electoral commissions is given to:

- 1) parties, public unities, registered or legalized in accordance with the current law;
- 2) Government of the Republic of Georgia & local executive or administrative bodies in accordance with articles 21, 23 & 25, part 2 of the current regulations;
- 3) voters by submitting a request to the appropriate electoral commission - district electoral commission, if request is signed by not less than 50 voters residing on the territory of the appropriate electoral district, precinct electoral commission, if request is signed by no less than 10 voters residing on the territory of the appropriate electoral precinct.

For submission or appointment of a member to electoral commission, a statement, including last (family) name, first name, patronymic (middle name), date of birth, occupation ( position), place of employment, home address & telephone number (hereinafter " personality & address ") of the person submitted (appointed) to the electoral commission, must be submitted to the appropriate body.

In case defined by item 3 of the 2nd part of the current article first name & last name, date of birth, home address, date of signature & signature of initiations of the submission must be indicated in the statement.



Article 28. Procedure for Changing the Membership of Electoral Commissions

A member of an electoral commission is released from performing his (her) duties by the commission on the basis defined by items a)-e) of the article 18 of the current regulations.

The right to recall a member of a commission is given to those who had appointed him (her) the commission.

The right of depriving a commission member of his (her) powers belongs to the superior electoral commission (for a member of the Central Electoral Commission - to this commission itself) in the case of his (her) gross violation of the regulations to the elections to the Parliament or systematic violations of the commission rules. The question of deprivation of powers is decided at the session of the commission by secret voting with a majority of votes from its entire membership. In such case this person can not be appointed to the membership of the electoral commission till the next elections to the Parliament.

In the cases stipulated by the current article upon releasing of a commission member from performing his (her) duties or his (her) death, new member is appointed to the commission at any time, by the body or organization, which had appointed the withdrawn person, also by the superior electoral commission, if the membership of the commission is less than it had been set. In such case, if no more than 9 weeks are left before the day of the elections the person must be appointed to the district electoral commission in 10-day term; if no more than 3 weeks are left, a new person must be appointed to the precinct electoral commission in the same terms.

**Article 29. Assistance to Electoral Commissions in Carrying Out Their Powers.**

Carrying out of the decisions of the electoral commissions is obligatory for the officials of all state bodies, enterprises & institutions & mass media being on state financing.

Decisions & actions of electoral commissions can be appealed at the superior electoral commission, & in the cases stipulated by the current regulations - in the court.

**Article 30. Expenses Connected with the Elections, Electoral Fund.**  
Estimated amount of expenses is determined by the Central Electoral Commission & ratified by the Government of the Republic of Georgia. Actual amount of expenses is determined by the Central Electoral Commission of the Republic of Georgia within two-month term after the end of the elections. After the election it is ratified by the newly-elected Parliament.

The sum for preparation & holding of the elections to the Parliament determined by the Central Electoral Commission & ratified by the Government of the Republic of Georgia, is allocated & transferred to the account of the commission by the republican Ministry of Finances no later than 2 months prior to the elections. Financing of the electoral commission, its material-technical supply is charged only to the state budget.

The amount of the sum spent from the electoral fund for the election campaign of the party independently participating in the elections, electoral block, candidate of the Chairman of the Parliament & local candidate must not exceed the amount determined by the Central Electoral Commission (the amount of the sum set for parties & electoral blocks is equal to the multiple of the number of candidates named by them & the amount set for the local candidate). The board of an electoral fund with the membership of the person in charge, bookkeeper & cashier, who are appointed by the leader of the parties independently participating in the election, leaders of the parties joining the electoral blocks, local candidates of deputies, is in charge of the electoral fund. Person in charge of the electoral fund is responsible for the use of the fund for proper purposes.

The sum, assigned for the electoral fund, is transferred to the account of party, independently participating in the elections, electoral block, candidate of the Chairman of the Parliament, local candidate which is opened in banks of Georgia ( their appropriate branches) after their registration in the Central (district) electoral commission.

Procedure for distribution & use of the expenses related to the elections is set by the Central Electoral Commission of the Republic of Georgia no later than 8 weeks prior to the elections. The sum assigned for district electoral commissions must be transferred to their current accounts by the Central Electoral Commission no later than the 8 th week prior to the elections. Chairman & bookkeeper of the commission are in charge of the funds allotted to the commission in behalf of it & are responsible & accountable for their proper use. No later than 4 weeks after the end of the elections district electoral commissions cease any

accounts with organizations & individuals & in 10-day term after this transfer to its account the remainder existing on their own accounts & in 2-week term submit report to the Central Electoral Commission following the form set by it.

No later than 30 days after the end of the elections to the Parliament any accounts with electoral funds are ceased & the remainder of the electoral fund of candidate of the Chairman of the Parliament & local candidate is transferred to the account of the Central Electoral Commission. At the same time, if at least one candidate from the party, electoral block is elected a member of the Parliament, after recognition of his (her) powers the remainder of the electoral fund is transferred to the account of the party, for electoral block - equally to the accounts of the parties joining the block; in the opposite case, the sum is transferred to the account of the Central Electoral Commission.

No later than 2 months after publication of the results of the elections the Central Electoral Commission & parties independently participating in the elections, electoral blocks, candidates of the Chairman elected members of the Parliament & local candidates elected members of the Parliament publish their reports on the funds used for the elections following the form set by the Central Electoral Commission. Legitimacy of the usage of electoral funds by the parties independently participating in the elections, electoral blocks, candidates of the Chairman of the Parliament & local candidates is controlled by the Central & district electoral commissions, expenses of the inferior electoral commissions connected with preparation & holding of the elections is controlled by the Central Electoral Commission, & those of the latter - by the Parliament.

State enterprises, institutions, organizations, state & public bodies place buildings & equipment necessary for preparation & holding of the elections at the disposal of the electoral commissions free of charge. Mass media on the state financing, the list of which is set by the Central Electoral Commission, free of charge publishes materials submitted by the electoral commissions, election programs of the parties independently participating in the elections, electoral blocks, candidates of the Chairman of the Parliament & candidates of deputies & other materials within the limits set by the current regulations.

Article 31. Publicity in Preparing & Holding of the Elections.

Electoral commissions prepare & hold the elections to the Parliament openly & publicly. Electoral commissions inform citizens about their work, formation of electoral districts & precincts, membership of the electoral commissions, their location & working time, lists of voters, lists of parties & electoral blocks participating in the elections, lists of candidates of deputies submitted by them & local candidates, their electoral programs, give information about candidates of deputies & about the results of the elections.

The right to attend sessions of the electoral commission & polls (polling places) is given to authorized persons of the parties independently participating in the elections & electoral blocks in the appropriate electoral district, accredited representatives of the candidates of deputies & one person per each public unity,

representatives of press, television & radio, observers from other states & international organizations, & on the day of the elections in the polls from the moment of sealing of ballot boxes until the final summarizing of the results of the elections - one observer per candidates of deputies & parties (electoral blocks).

Powers of the representative of public unity must be verified by the submission signed by the leader of this unity, & for the observer - by the submission of the candidate of deputy (authorized person of the party, electoral block). The submission must be presented to the appropriate electoral commission no later than 2 days prior to the session. The electoral commission must make its decision in 24 hour term. In the case of refusal, the electoral commission gives substantiated written reply, which can be appealed in the superior electoral commission.

Mass media covers the course of preparation & holding of the elections to the Parliament. They have unimpeded attendance at all meetings & sessions related to the elections guaranteed. Electoral commissions, parties & electoral blocks participating in the elections, state & public bodies, enterprises, institutions give them information connected with preparation & holding of the elections.

The Central Electoral Commissions is given the opportunity to broadcast & televise everyday the current information using Radio & TV of Georgia, & for district electoral commissions using local networks. Information is transmitted by the chairman, deputy chairman of the appropriate electoral commission or person chosen by the commission for this purpose.

Electoral commissions systematically publish their decisions in the republic newspapers.

V Lists of Voters, Voter Card and Voting Right Certificate

Article 32 Lists of Voters and Procedure of Its Formation

The voter list is made in two copies for each electoral precinct and is signed by the chairman and secretary of precinct electoral commission. Electoral commission may invite representatives of the public for making the list.

Local authorities of the state and executive bodies of the public provide registration of voters and transfer to the precinct electoral commissions data about voters living on their inferior territories, which are necessary for making lists of voters.

List includes the first name, patronymic and family name of voters, their date of birth and addresses.

List of voters for electoral precincts formed in hospitals and other permanent medical institutions, also on vessels which on the election day are at sea and in Georgian institutions located outside the Republic of Georgia are made on the basis of data submitted by the leaders of the designated institutions and by the ship captains.

Article 33. Procedure for Entering Citizens in the Lists of Voters  
All citizens of the Republic of Georgia who by the moment of making the list reside on the territory of the current electoral precinct and have the voting right are included in the list of voters. Voter must be include in only one list of voters.

Article 34. Acquainting the Citizens with the List of Voters,

Issuing the Voter Cards and the Right to Appeal Errors in the List of Voters.

Lists of voters for general acquaintance are made public in the electoral precinct 10 days prior to the elections, and in the electoral precincts formed in hospitals and other permanent medical institutions - 3 days prior to the elections.

Precinct electoral commissions issue voter cards to the voters which must include the first name and family name of the voter, serial number in the list of voters, number and address of the electoral precinct.

The citizen has the right to appeal inaccuracies in the list of voters. The statement (appellation) about inaccuracies in the list is considered by the precinct electoral commission which must no later than 2-day term and on the day of the elections and previous day - immediately consider the statement, make necessary corrections in the list or give substantiated written decision to the applicant. The decision can be appealed no later than 5 days prior to the elections at the region (city) court which must consider the appeal in 3- day term. The decision of the region (city) court is final.

Article 35. Voting Right Certificate. Additional List of Voters.

If the voter changes his (her) residence within the Republic but not within the settlement during the period between the general publicizing of the lists of voters and the beginning of the balloting, the precinct electoral commission upon his (her) request and on the basis of submission of his (her) passport or any other identification document issues the voters right certificate to the voter after which he (she) is withdrawn of the list of voters. Receiving the certificate and withdrawal from the list is verified in the list by the signature of the voter.

On the basis of the voting right certificate the voter is included in the additional list in the electoral precinct by the place of his (her) location on the day of elections.

VI. Submission of Candidates of Deputies to the Parliament of the Republic of Georgia, Their Registration & Election Ballots

Article 36. Incompatibility of the Status of Candidate of Deputy & Official Position.

Leaders of self-administrating & administrative bodies of the republic regions, cities, city regions & their deputies, officers of the Ministry of Internal Affairs & local bodies of the information-intelligence service, judges, procurators, their deputies, assistants & investigators can not be submitted to the candidate of deputies to the Parliament of the Republic of Georgia in the electoral district, including the corresponding region, city or city region, if they do not retire from their position before submission to the candidate. They can hold the above mentioned positions again only a year after their retirement

Article 37. Submission of Party Lists

The right of submission of party lists is given to parties independently participating in the elections & electoral blocks. Each party independently participating in the elections & electoral

block has the right to submit one party list in each multimandate electoral district & a compensatory list to the Central Electoral Commission. Number of candidates of deputies submitted in the electoral district can not be less than half the number of mandates in the district & can not exceed the number of mandates in the district , & number of candidates in the compensatory list can not exceed 150.

It is not permitted to put in the party list such persons who are at the same time members of another party except the parties united in the electoral block. It is not permitted to put one person in different party lists, except the lists submitted in the electoral district & the compensatory list submitted by the same party (electoral block). It is not permitted to put local candidate of deputy in the party list.

The procedure of submission of party lists is determined by the parties (electoral blocks) themselves. The list must be made taking into consideration that mandates received by the party (electoral block) as a result of the elections are distributed in order from the beginning of the list.

Number of the electoral district & for each candidate of deputy family name, name & patronymic; date of birth; profession & occupation (employment), party affiliation must be mentioned in the party list. It must be verified by signature of the leader of party independently participating in the elections & a party list of an electoral block - by signatures of leaders of all parties united in the block.

Party lists (list submitted in electoral districts - in two copies, compensatory lists - in one copy) must be submitted to the Central Electoral Commission no later than Monday of the 7 th week prior to the elections, & compensatory lists - no later than Monday of the 5 th week prior to the elections. The lists must be accompanied by the record cards (in two copies) signed by each candidate of deputy, in which along with the biographical data of the candidate it must be mentioned that he (she) agrees to stand for the elections in the current electoral district as a candidate of the party (electoral block) by which he (she) had been submitted (record cards are given to the authorized person of the party by the Central Electoral Commission beforehand). Authorized person of a party (electoral block) is given a dated note about acceptance of the documents immediately after their acceptance.

Article 37'. Nomination of a Candidacy of the Chairman of the Parliament.

An initiative group of at least 5 voters has the right to nominate a candidacy of the Chairman of the Parliament. Each initiative group has the right to nominate 1 candidate, if he (she) is supported by no less than 5000 voters.

For nomination of the Chairman of the Parliament the initiative group of voters must apply to the Central Electoral Commission with the appropriate statement no later than Saturday of the 6th week prior to the elections. The statement must be signed by all the members of the group of voters. Personality & address of the members of the initiative group , also family name, name & patronymic, date of birth, profession & occupation of the candidate

of the Chairman of the Parliament must be mentioned in the statement. The statement must be accompanied by the record card (in two copies) signed by the candidate, in which along with the biographic data of the candidate it must be mentioned that he (she) agrees to stand for elections as a candidate of a current group of voters ( record cards are issued to those who want to nominate a candidate by the Central Electoral Commission beforehand).

Immediately upon accepting the documents the person who submitted them is given a note about their accept & forms of signatures.

Filled & numerated forms of signatures together with the statement of the group of voters, in which the total number of forms of signatures & signing voters must be mentioned, no later than Saturday of the 5th week prior to the elections must be submitted to the Central Electoral Commission.

A candidate of the Chairman of the Parliament can not at the same time be a candidate of deputy of the Parliament, he (she) can not be a member of any political association of citizens.

#### Article 38. Submission of the Local Candidates of Deputies in Electoral Districts

The right to submit local candidates of deputies in the electoral district is given to the groups of voters of no less than 5 persons.

Each initiative group of voters has the right to submit one candidate of deputy in the electoral district if he (she) is supported by no less than 500 voters of the appropriate electoral district.

A person can be submitted to the candidate of deputy to the Parliament in only one electoral district.

To put up a local candidate of deputy initiative group of voters must fill an application to the district electoral commission no earlier than Monday of the 8th week & no later than Monday of the 7 th week prior to the elections. The application must be signed by all the members the initiative group & their personalities & addresses must be mentioned in it, also family name, first name & patronymic of the candidate of deputy, date of birth, profession & position (occupation); party affiliation, number of the electoral district, where he (she) is submitted. The application must be accompanied by the record card of the candidate of deputy (two copies), in which along with the biographic data it must be mentioned, that he (she) agrees to stand for the elections in the current district (record cards are given to the initiative group by the district electoral commission beforehand). One copy of the record card district electoral commission transfers to the Central Electoral Commission no later than Friday of the 7 th week prior to the elections.

Immediately upon acceptance of the documents the group of voters is given a dated note about the acceptance of the documents & the right to collect signatures of supporters, also the sample of the form of signatures.

Filled out & numerated forms of signatures together with the application of the group of voters, in which the entire number of forms of signature & signing voters must be mentioned, must be submitted to the district electoral commission no later than Monday

of the 6 th week prior to the elections.

Immediately upon submission of the above mentioned documents the group of voters is given the note about putting up the candidate of deputy. Date & time of the acceptance of the documents must be mentioned in the note. The order of putting up candidates of deputies in the electoral district is determined by this time.

Article 39. Lists of Supporters of Candidates of the Chairman of the Parliament & Candidates of Deputies & Their Checking  
Support of the candidate of deputy in the electoral district must be verified by the voters of the current district by signatures in the form of signatures.

Support of the candidate of the Chairman of the Parliament nominated by the initiative group must be verified by the electors by signatures in the form of signatures.

District electoral commissions check the authenticity of signatures upon the procedure set by the Central Electoral Commission. All signatures in the form, which is not verified by the person collecting signatures upon the set procedure, as well as signatures, which are not followed by the other data determined by the form of signatures or these data are incorrect, are considered null & void. Signatures made by fraud, by threat or by force, if it is in written form verified by the signing voter, as well as forged signatures (made by another person), if it is in written form verified by the voter, are considered null & void. Checking the authenticity of the signatures & making decisions about them ceases the day before the end of the term for registering candidates of deputies.

Checking the signatures of supporters of candidates of the Chairman of the Parliament by the Central Electoral Commission ceases no later than Saturday of the 4th week prior to the elections. The procedure of checking the signatures is set by the Central Electoral Commission. Candidate is not to be registered if after checking the number of authentic signatures in the list of supporters is less than five thousands.

If the number of the authentic signatures in the list of supporters of the candidate of deputy after checking is less than 500, the candidate is not registered.

The right to be acquainted with the lists of supporters is given only to the electoral commissions & in the case of appeal to the court.

Lists of supporters are destroyed 20 days prior to the elections.

Article 40. Registration of Party Lists, Candidates of Deputies & Candidates of the Chairman of the Parliament.

A party list & a candidate of the Chairman of the Parliament are registered by the Central Electoral Commission, & local candidate of deputy - by the appropriate district electoral commission, which immediately transfer minutes of registration to the Central Electoral Commission. Registration of Party lists & candidates of deputies begins on Tuesday of the 6 th week prior to the elections & ends on Saturday of the same week, & registration of candidates of the Chairman of the Parliament is held on Monday of the 3rd week



prior to the elections.

The question of registration of party lists & local candidates of deputies is considered & decision is made if all the documents determined by the articles 37-39 of the current regulations are submitted.

Candidate of deputy is not registered, & if having been registered, is dismissed by the Central Electoral Commission, if documents submitted to the electoral commission do not meet all the requirements determined by the current regulations, particularly, if the given data are not correct or complete, or if the agreement of one person exists or existed to stand for the elections as a candidate of deputy in more than one party list of different party (electoral block) in more than one electoral district, or as a candidate of a party (electoral block) & a local candidate.

Registration of the party list is cancelled, if in the list submitted to the electoral district by 12 a.m on the day previous to the elections the number of candidates is less than is set by the article 37.

In the case of cancellation of the electoral registration of the local candidate of deputy & any other reason of his (her) withdrawal from the elections, the rest of local candidates keep their numbers in electoral bulletins given to them by the electoral commissions.

In the case of refusal of registration or cancellation of the decision about registration the persons submitted as a candidate of deputy & candidate of the Chairman of the Parliament, authorized persons of the parties (electoral blocks) who had submitted party lists have the right within the 3-day term to appeal the decision of the district electoral commission to the Central Electoral Commission, & that of the latter - to the Supreme Court of the Republic of Georgia. The Central Electoral Commission & the Supreme Court must make their decisions in 3-day term after accepting the appellation.

Registered party lists & family names of candidates of the Chairman of the Parliament are published by the Central Electoral Commission in republican press & family names of the local candidates of deputies together with the data which is included in electoral bulletins are published by the district electoral commission within the 7-day term after the end of the registration. Lists & family names are published in the order which is given to them by electoral commissions. Order of party lists & ordinal numbers of candidates of the Chairman of the Parliament are determined after the end of the terms of registration by the Central Electoral Commission by casting of lots. Party list of a party (electoral block) is given the same number in all districts, & if a party list in any district is not submitted, it is not put in the ballot, & for local candidates - by the appropriate district electoral commission.

Article 41. Cancellation of the Decision About Submission of the Candidate of Deputy & Candidate of the Chairman of the Parliament of the Republic of Georgia, Self-Elimination of a Candidate of Deputy.

Party independently participating in the elections (electoral block) has the right to cancel its decision about submission of the

candidate of deputy in the electoral district, by compensatory list or by both, at any time until 12 noon of the day previous to the elections or after registration of the elected deputies. His (her) candidacy is expunged by the Central Electoral Commission on the basis of the statement signed by the leader of the party independently participating in the elections (by the person determined by regulations of the electoral block & by the application).

Person nominated as a candidate of the Chairman of the Parliament has the right to remove his (her) candidacy until 12 noon of the day prior to the elections by submitting the appropriate statement to the Central Electoral Commission.

Local candidate of deputy at any time until 12 a.m. of the day previous to the elections, can remove his (her) candidacy, in the electoral district, in compensatory list or both by submitting the appropriate statement to district electoral commission, which must immediately inform the Central Electoral Commission about it. Candidate submitted by the party list can remove his (her) candidacy in the electoral district, in compensatory list or both at any time, for what he (she) must apply to the Central Electoral Commission with the appropriate statement.

The above mentioned information is published by the electoral commission within the 3-day term after acceptance of the statement, & if less than 4 days are left before the elections - immediately

#### Article 42. Electoral Ballots

Electoral ballots of three colours are prepared to the elections: a) in the first ballots number of the electoral district, number of deputies to be elected, names of parties independently participating in the election & electoral blocks (after the name of block names of parties united in it must be mentioned) in the order, which was determined by the Central Electoral Commission by casting of lots, must be shown;

b) the following data are included in the second ballots: number & name of the electoral district; family names, first names & patronymics of the candidates of deputies; year of birth; profession; occupation (type of employment); party affiliation. Family names of the candidates of deputies in the ballot are presented in the order, which was determined by the appropriate district electoral commission by casting of lots;

c) in the third ballot the same data of candidates of the Chairman of the Parliament are included, which are listed in the item b) of the current article.

Electoral ballots are published by the Central Electoral Commission in Georgian & Apkhazian languages (for Apkhazia), also in the case of necessity, in other languages understandable for the population of the electoral district.

Electoral ballots are subject to the exact registration. The Central & district electoral commissions ensure transferring of the electoral ballots accordingly to district & precinct electoral commissions. To each district electoral commission approximately 5 per cents more electoral ballots must be transferred than the number of voters in the corresponding district. Acceptance of the ballots is verified by the chairman (deputy chairman or secretary)

of the commission by signature.

VII Guarantees for the Activities of Parties & Electoral Blocks, Candidates of Deputies Participating in the Elections to the Parliament of the Republic of Georgia

Article 43. Election Programs of Parties & Electoral Blocks, Candidates of the Chairman of the Parliament & Local Candidates Participating in the Elections to the Parliament of the Republic of Georgia.

A candidate of deputy from a party (electoral block) has the right to appear publicly with a program of his (her) party, candidate of the Chairman of the Parliament, a local candidate - with a program of his (her) future activities. Program of the party (electoral block), candidate of the Chairman of the Parliament, local candidate must not contain war propaganda, appeal for the violent change or overthrow of the current state & public system, for violating the territorial integrity of Georgia, for national hate & hostility, must not foment religious discord.

The Central Electoral Commission provides publication of the election programs of parties & electoral blocks, candidates of the Chairman of the Parliament in republic & local newspapers, district electoral commissions provide publication of the information materials & their distribution in the appropriate multimandate districts with the submitted party lists, with the lists of local candidates of deputies registered in the district, these candidates' biographical data & the main principles of election programs, if the above mentioned materials are transferred to the appropriate commissions no later than 30 days prior to the elections.

Candidates of the Chairman of the Parliament must submit the mentioned materials to the Central Electoral Commission not later than Tuesday of the 3rd week prior to the elections.

Article 44. Authorized Person of a Party Independently Participating in the Elections to the Parliament of the Republic of Georgia & Electoral Block, Accredited Representative of a Candidate of the Chairman of the Parliament & Candidate of Deputy.

Each party independently participating in the elections and electoral block after registration in the Central Electoral Commission can appoint one authorized person per district electoral commission who together with their authorized person in the Central Electoral Commission represent the interests of the party (electoral block) before the appropriate electoral commissions, state and public bodies in relationship with voters, conduct election campaign of the party (electoral block) in the appropriate electoral district. Authorized person in the district electoral commission is appointed by the authorized person of the party (electoral block) in the Central Electoral Commission.

A candidate of deputy can have no more than 10, & a candidate of the Chairman of the Parliament -- one per electoral district accredited representatives who conduct election campaign of them in the appropriate electoral district, represent these candidates in all affairs relating to elections.

Candidates of deputies & candidates of the Chairman of the Parliament appoint accredited persons and issue them certificates received from the appropriate electoral commission.

Party (electoral block), candidate of deputy, candidate of the Chairman of the Parliament can at any time terminate the powers of his (her) authorized person, accredited representative and change him (her) confirming the appropriate electoral commission about it. The authorized person, accredited representative can at any time lift their powers.

Authorized persons of parties (electoral blocks), accredited representatives of candidates of deputies, candidates of the Chairman of the Parliament are given holiday without pay during the election campaign on the basis of personal statement and submission of the appropriate certificate. At the same time leaders of enterprises, institutions, organizations are given the right to keep their average salary.

Article 45. Releasing a Candidate of Deputy, Candidate of the Chairman of the Parliament From Performing of His (Her) Official Duties for Participation in the Election Campaign.

Candidates of deputies, candidates of the Chairman of the Parliament after registration are released upon their own request from performing of their official duties for the period of the election campaign or for the time of holding meetings, by radio and television. A candidate of deputy, a candidate of the Chairman of the Parliament is released on the basis of submission of the personal statement and the certificate of the candidate. At the same time a leader of the enterprise, institution, organization is given the right to keep his (her) average salary.

A candidate of deputy, a candidate of the Chairman of the Parliament after registration can not be called up for active military service or military training. If he (she) is on active military service or military training, service is ceased until the day next to the elections. An elected deputy is released from active military service for the term of his (her) power.

Article 46. Immunity of Candidate of Deputy.

A candidate of deputy can not be held criminally liable, defamed, arrested, searched or subjected to measure of an administrative reprimand by the court unless there is agreement of the Central Electoral Commission to the notification of the prosecutor's offices, except those cases when the candidate of deputy is detained at the place of crime what the Central Electoral Commission must be immediately informed about.

Article 47. Election Agitation

Candidates of deputies, candidates of the Chairman of the Parliament participate with equal rights in the election campaign from the moment of their registration as candidates of deputies, candidates of the Chairman of the Parliament.

Citizens of the Republic of Georgia, parties, public unities of the citizens, labour & educational foundations collectives, authorized persons of parties, & initiative groups of voters, accredited representatives are guaranteed the opportunity to conduct agitation

in favour of or against a party, electoral block, candidate of deputy, candidate of the Chairman of the Parliament.

Electoral commission together with the appropriate executive & administrative local bodies, public unities of citizens must contribute to holding of election meetings, announce the time & place of their holding in time.

From the time of registration at the appropriate electoral commission parties, electoral blocks, candidates of deputies, candidates of the Chairman of the Parliament have the right to prepare election slogans, statements, inscriptions, leaflets, photo materials. etc. (hereinafter "posters").

District electoral commissions together with the appropriate state institutions no later than 15 days prior to the elections provide publication & distribution of information materials with the party lists submitted in the appropriate multimandate district, lists of local candidates of deputies, candidates of the Chairman of the Parliament, these candidates' biographical data & election programs according the procedure set by the Central Electoral Commission, for what the text of the volume set by the Central Electoral Commission must be submitted to district electoral commission. In the case of exceeding the time limit only official data, submitted for nominating the candidate, will be published. Each family, residing in the electoral district must be provided with the information materials, & these materials must be distributed by the post-offices.

Local executive & administrative bodies can prohibit hanging election posters on individual public buildings for reasons of protection of architectural & cultural monuments & reasons of traffic safety. The removal, tearing, painting over or damaging of election posters is prohibited & will be punished properly, if these posters have not been put up in prohibited places.

The posters must not contain war propaganda, appeal for the violent change or overthrow of the current state & social system, for violating the territorial integrity of Georgia, for national hate & hostility, must not foment the religious discord, must not contain information defaming the honor & dignity of the individual. Any agitation on the election day, except the agitation materials previously put up on the walls (of the building) of the poll, is prohibited.

Article 48. Participation of Mass Media in the Election Campaign. A party, independently participating in the elections, an electoral block has the right no later than 5 days prior to the elections to publish its election program & platform in republic & local press, while a candidate of deputy may publish letters, related to the election campaign, in local press, for what program & platform must be submitted to the appropriate newspaper no later than 30 days prior to the elections, & the other letters - no later than 10 days prior to the elections. Candidate of the Chairman of the Parliament has the same right, for what he (she) must submit materials to the appropriate newspaper no later than 10 days prior to the elections. The order of submission must be observed in publication of these documents.

The list of those mass media which publish material connected with

the elections campaign free of charge, & the procedure for their work is established by the Central Electoral Commission in connection with preparation & holding of the elections. During the last 7 days prior to the election it is prohibited to publish results of public opinion survey connected with the elections.

VIII. Procedure for Voting & Establishing the Results of the Elections. Elections to Replace Withdrawn Deputies & Procedure of Determining of Successors of Withdrawn Deputies.

Article 49. Time & Place of Voting.

During the elections of deputies to the Parliament of the Republic of Georgia voting is carried out on the election day from 7 to 20 o'clock. Precinct electoral commission informs voters about time & place of voting no later than 5 days prior to the elections.

During the voting it is not permitted to close the building of the poll & to cease balloting, except the cases determined by the Central Electoral Commission.

In electoral Precincts established in hospitals & other permanent medical institutions, at vessels being at sea on the election day & in hardly accessible regions precinct electoral commission may announce the voting complete at any time, if all voters included in the lists have voted.

Article 50. Organization of Voting.

Voting is carried out in specially assigned buildings which are not to be used by only one party (electoral block). In these buildings there must be sufficient number of cabins or rooms for secret balloting, places of issuing the election ballots must be determined and ballot boxes must be set up. Ballot boxes are set in such a manner that the voters in approaching them must pass cabins or rooms for secret balloting. There should be pens in the cabins (rooms) for secret balloting. In the buildings & rooms for voting lists of candidates submitted in the appropriate electoral district & instructions on how to fill out the election ballots must be put up.

If a party (electoral block), candidate of the Chairman of the Parliament, candidate of deputy shown in the election ballots does not participate in the elections any more, the corresponding announcement must be put up in conspicuous place in the electoral precinct as well as in the voting cabins (rooms).

Responsibility for organizing of voting, for ensuring the secret expression of voter's will, for equipping the buildings & maintaining the necessary order is borne on the precinct electoral commission. The chairman of the precinct electoral commission is responsible for observing the order in the voting building & its surroundings on the election day. Carrying out of decisions taken by him (her) for the purposes of observing the order are obligatory for everybody. Armed persons are prohibited to enter the voting buildings. An on-duty police official can be in the voting building only with the permission of the commission chairman. A voter can stay in the voting building only for the time required to vote.

On the election day prior to the start of voting the chairman of the precinct electoral commission announces the number of received

ballots, in the presence of the commission members & persons having the right of attendance inspect & seals ballot boxes, after which a control sheet signed by the commission members & the first voter coming for balloting is dropped in the box; on the sheet the time it was dropped must be mentioned.

Each voter votes personally. It is prohibited to vote on behalf of other persons. The ballots are issued by the precinct electoral commission on the basis of the voter lists or the voting right certificate upon submission of the identification documents.

The voter verifies the receipt of his (her) election ballot by signing the voters list. The voting right certificate is attached to the additional voters list.

Citizens residing in the district who have not been put on the lists of voters by error are entered in the additional list of voters on the basis of the identification document & the document from the place of residence.

In cases, when individual voters can not come to the voting buildings because of the state of health or other reasons, the precinct electoral commission upon their request, which must be confirmed to the precinct electoral commission before 12 noon on the election day & (must be) registered in the precinct electoral commission, must organize the balloting at the place of residence of the voters, about which the appropriate note is made in the list of voters. In this case, at least two commission member participate in organizing of the voting; persons having the right to attend in the electoral precinct also can participate in it. For voting in this manner one portable ballot box is used. Voting is carried out by the same procedure in cases when the voter is in a place of incarceration without a court sentence.

#### Article 51. Holding of the Voting

The election ballot is filled out by the voter in the cabin or room for secret balloting. Noone can be present in filling out the ballots. A voter unable to fill out the ballot independently has the right to invite into the cabin or room any person, except the commission member, the authorized person, the accredited representative & observer of the party & electoral block.

On the ballot for a local candidate of deputy, the voter marks an ordinal number of that candidate of deputy, whom he (she) votes for, & crosses out the family names of the other candidates.

While filling out the second election ballot where names of parties & electoral blocks are put the voter has right to vote for one, two or three parties (electoral blocks), for what he (she) must put numbers in empty boxes before the name of the party (electoral block), in following order: number "1" - before the name of the party (electoral block) whom the voter prefers most of all; number "2" - before the name of the party (electoral block) whom he (she) gives the preference before the others after the first one; number "3" - before the name of the party (electoral block) whom he (she) gives preference before the others after the first two. The voter has the right to stop at any number. The other boxes left must be crossed by the voter.

In the third ballot, where candidates of the Chairman of the Parliament are put, the voter marks an ordinal number of the candidate, whom he (she) votes for, & crosses out the family names of the other candidates.

If the election ballot is spoiled by the voter because of lack of the attention, he (she) can ask the chairman or secretary of the precinct electoral commission, leave the spoiled ballot & receive the new one. The corner of the spoiled ballot is cut in the presence of the voter & is kept separately.

The voter drops the filled ballot in the ballot box.

The members of the commission & persons having the right to attend the electoral precinct, have the right to require the voter to show that he (she) has only one ballot of each colour. The voter must satisfy this requirement.

The voting building is closed at 20 o'clock. Voters, being inside the building by this time, can vote.

#### Article 52. Counting of Votes at the Electoral Precinct.

The following sequence must be observed in counting the votes;

- 1) after the end of the voting the electoral commission counts & packs up the unused ballots. Name & number of the electoral precincts, the number & type of unused ballots must be written in the pack. It must be signed by the chairman or deputy & secretary of the commission & sealed by the commission seal. After the end of the voting the electoral commission counts & packs up the spoiled election ballots & register in the above-mentioned way;
- 2) on the basis of the main & additional lists of voters the precinct electoral commission sets the total number of voters in the electoral precinct & the number of the election participants, that is, the voters who received a ballot;
- 3) the chairman of the precinct electoral commission in the presence of the commission members inspects the integrity of the



seal on the ballot boxes, opens them & verifies the presence of the control sheet in ballot boxes. If there is no control sheet in the box, the minutes must be accompanied by the explanatory note of the commission about it;

4) the commission separately counts the number of ballots of different colours of established form. Ballots of the unidentified form are counted separately. Ballots considered null & void & those of the unidentified form colour by colour are put in separate envelopes & sealed in such a manner that it would be impossible to put in or out a ballot from the envelope without damaging the seal. The name & number of the electoral precinct, the number of ballots put in them & their type must be written on the envelopes;

5) the election ballot must be considered valid if the voter voted for at least one party (electoral block) according the procedure set by the current regulations, otherwise the ballot will be considered null & void;

6) The electoral ballot must be considered null & void if it is impossible to determine which local candidate the voter voted for, in all the other cases the ballot is considered valid;

6')

7) the commission classifies & separately counts number of votes given to each candidate. After this ballots must be put in the same way as mentioned in the item 4; name & number of the electoral precinct, family name of the candidate of deputy (candidate of the Chairman of the Parliament) , number of ballots put in them must be written on the envelopes.

8) the commission classifies & counts first the number of "3"-s written to each party (electoral block), then the number of "2"-s & at the end - the number of "1"-s. After this ballots in which "1"-s are written to the current party must be put in separate envelopes (as it is mentioned in item 4). Name & number of the electoral district, name of party (electoral block), number of ballots put in them must be written on the envelopes;

9) the precinct electoral commission on its session considers the results of counting the votes, puts three minutes, in one of which number of votes received by each local candidate must be mentioned, in the second -- number of votes received by each candidate of the Chairman of the Parliament & in the third - numbers of "1"-s, "2"-s & "3"-s received by each party (electoral block). The number of copies of the record must exceed the number of the candidates, parties (electoral blocks) submitted in the ballots by two. Each copy of the record must be signed by the chairman, his (her) deputy, secretary & members of the commission & sealed by the commission seal.

10) one copy of the record & all the election ballots are immediately sent to the district electoral commission according to the procedure established by it, one copy is kept in the precinct electoral commission itself, & one copy must be given to the accredited representatives of each candidate of deputy & parties (electoral blocks).

In the case of doubt in validity of electoral ballot the question is solved by casting of votes in the precinct electoral commission, it puts the results of the casting of votes on record & packs such ballots separately in the above mentioned way.

Article 53. Summing up the Results of the Elections by the District Electoral Commission.

The district electoral commission on the basis of the record received from the precinct electoral commissions sets for the single-mandate electoral district: the number of spoiled & unused ballots, the number of participants in the elections, the number of ballots considered valid & null & void & of unidentified form, number of votes given to each candidate & the election results. From the local candidates of deputies that one will be considered elected, who receives votes more than the others. In the case of receiving the equal number of votes the candidate permanently residing in the appropriate electoral district will be considered elected, & if this condition is similar, too, - the elder candidate.

The district electoral commission considers the cases of flagrant violation of the current regulations in the electoral district & immediately confirms its opinion about considering the elections null & void to the Central Electoral Commission. The complaint of violation of the current regulations can be submitted to the district electoral commission no later than the next day after the elections. The latter must consider it the very next day & submit its considerations no later than the next day to the Central Electoral Commission.

The district electoral commission in its session sets the results of the elections & verifies the records.

The number of copies of the records must exceed the number of candidates of deputies shown in the ballots, by two. Each copy of the record is signed by the Chairman, his (her) deputy, secretary & members of the commission & it must be sealed by the seal of the commission.

The first copy of the record no later than the 7<sup>th</sup> day after holding of the elections is sent to the Central Electoral Commission according to the procedure set by it, & one copy is kept in the electoral commission itself, & accredited representatives of the candidates of deputies are given one copy each.

Those minutes of precinct electoral commission, in which the results of the elections by party lists & elections of the Chairman of the Parliament are summarized, must be immediately sent to the Central Electoral Commission according to the procedure set by it.

Article 54. Summing up the Results of the Elections by the Central Electoral Commission.

The Central Electoral Commission on the basis of the minutes received from district & precinct electoral commissions no later than 20 days after holding of the elections sums up & puts on record (inserts in the minutes) the results of the elections to the Parliament of the Republic of Georgia.

The first copy of the minutes is kept by the Central Electoral Commission, & the second copy is transferred to the Credentials Committee, one copy is given to the authorized persons of the parties (electoral blocks). On the basis of the records of district electoral commissions the Central Electoral Commission for each multimandate electoral district sets the number of valid, null &

void ballots & ballots of unidentified form, number of "1"-s, "2"-s, "3"-s written to each party list, number of points received by them, the electoral quota, number of mandates received by a party (electoral block) & number of points & mandates to be transferred to compensatory lists.

For setting the number of points received by a party list number of "1"-s must be multiplied by 5, number of "2"-s - by 3, number of "3"-s - by 2 & the figures must be added.

To establish the electoral quota, the total number of points received by a party list must be divided by the number of mandates in the district. The integer part of the quotient is the electoral quota.

For setting the number of mandates received by the party list the number of points received by this list must be divided by the electoral quota. The integer part of the quotient is the number of mandates received by the list. The difference of the number of mandates allocated to the district & the total number of mandates received by all party lists is the number of mandates to be distributed by compensatory lists.

Number of points transferred to the compensatory party list is the difference of the number of points received by the list & multiple of the electoral quota & number of mandates received by this list. Those candidates of deputies, whose ordinal number in the list is less than or equal to the number of mandates received by this list, are considered to be elected by the party list. If the list gets more mandates, than there were candidates in it, these mandates are transferred to this party's compensatory list.

The Central Electoral Commission sets the number of mandates to be distributed by compensatory lists, number of points received by the compensatory list of each party, the common divisor, the number of mandates received by the compensatory list of each party.

For setting the common divisor the number of points received by each compensatory list must be consecutively divided by 1, 2, 3, & so forth. The quotients must be placed in decreasing order in such way that their total number must be equal to the number of mandates to be distributed. The least of these numbers is the common divisor.

Number of mandates received by each compensatory list is determined by division of the number of points received by this list by the common divisor. The integer part of the quotient is the number of mandates received by the current list. If the current party (electoral block) list gets more mandates in the electoral districts, than they had candidates in it, this extra number of mandates is added to the number of mandates to be distributed by this party's compensatory list.

Those candidates of deputies, whose ordinal number in the list is less than or equal to the number of mandates received by this list, are considered to be elected by the compensatory list.

If the candidate of deputy is elected in the electoral district he (she) is expunged from the compensatory list & the following candidates will move up in the list. If at that time the number of candidates of deputies in the list is less than the number of mandates to be distributed, the extra mandates are cancelled.

The Central Electoral Commission can consider the elections null &

void in those precincts, where the fragrant violation of the current regulation took place. This case must be considered by the Commission no later than the 5 -th day after the elections.

In the case of considering the elections in the electoral precinct null & void the Central Electoral Commission appoints the repeat voting in this precinct for local candidates if the results of the elections in the precinct can influence the final results of the elections, & the repeat voting by party lists, if the total number of voters in them is greater than 10 per cent of the total number of voters in multimandate electoral district. The repeat voting must be held in 2 week term after the common elections. If in this case the elections again are considered null & void, the final results will be summed up without considering such precincts.

Names & numbers of those electoral districts & precincts, where the elections were considered null & void & number of voters in them, reasons for considering the elections null & void; for each electoral district - total number of voters, number of voters participating in the elections, number of deputies to be elected number of elected deputies, their list in alphabetical order, also results of the elections of the Chairman of the Parliament must be mentioned in the minutes.

Within the 5 day term after summing up the results the Central Electoral Commission publishes the note about the results of the elections in republican newspapers, television & radio.

#### Article 55. Repeat Voting in Electoral Precinct.

Repeat voting in the precinct is appointed by the Central Electoral Commission.

Repeat voting must be held within two week term after the common elections under the guidance of the appropriate district electoral commission. In such case district electoral commission has the right to charge holding of the repeat voting to the precinct electoral commission with new membership.

#### Article 56. Registration of Deputies Elected to the Parliament of the Republic of Georgia & the Person Elected the Chairman of the Parliament.

Within the 7 day term after summing up the results of the elections the Central Electoral Commission registers deputies elected to the Parliament & the person elected the Chairman of the Parliament & issues them the temporary certificate about election as a member of the Parliament of the Republic of Georgia.

#### Article 57. Elections to Replace Withdrawn Deputies & Procedure of Determining of Successors of Withdrawn Deputies.

In the case of consideration of powers of the individual local deputy null & void by the Parliament of the Republic of Georgia, also in the case of retirement of the member of the Parliament or early termination of his (her) powers because of the various reasons, in the appropriate single-mandate electoral district the new elections are held. The elections are scheduled by the Central Electoral Commission no later than 3 months prior to the elections & they are held following the requirements of the current regulations.

Elections to replace withdrawn deputies are held twice a year - in May-June & October-November. The elections must be held in the nearest of the two terms.

If the withdrawn deputy had been elected by the party list submitted in the electoral district, he (she) in a one-month term is replaced by the candidate of deputy next in the order after the elected deputies in the same list & if he (she) had been elected by the compensatory list - replaced by the candidate next in the order after the elected deputies, if his (her) agreement exists. Otherwise, this candidate is expunged from the list & the vacant place will be occupied by the next candidate & so forth. If there is no more candidate to be elected in the party list submitted in the district, this mandate is transferred to the compensatory list of the same party (electoral block). If there is no more candidate to be elected in this list, too, this mandate of deputy is cancelled.

In the cases determined by the 3<sup>rd</sup> part of the current Article the appropriate documentation to the Credentials Committee is submitted by the Central Electoral Commission.

Candidate of deputy elected a member of the Parliament is expunged from the party lists.

Article 58. Procedure of Keeping Documentation & Material Values of District Electoral Commissions.

After the end of the elections district electoral commissions must take an inventory of documentation & material values which they hold. After this the existing documents & inventory is kept in the places set by the local administrative bodies.

Local administrative bodies & district electoral commission are in charge of keeping of the inventory necessary for holding of the elections.

Appendix.

Multimandate Electoral District.

1. Mtatsminda, Vake, Saburtalo, Krtsanisi, Ia, Samurai regions of Tbilisi, Tskhneti; 21
2. Chugureti, Didube, Nadzaladevi & Gldani regions of Tbilisi. 5
3. Sagarejo, Gurjaani, Signagi, Dedoplis Tskaro, Lagodekhi, Kvareli, Telavi, Ahmeta & Tianeti regions. 13
4. City of Rustavi, Gardabani, Marneuli, Bolnisi, Dmanisi, Tsalka & Tetri Tskaro regions. 15
5. Mtskheta, Kazbegi, Kaspi, Akhalgori, Gori (including city of Gori, Kareli, Java, Khashuri, Borjomi, Akhaltsikhe, Adigeni, Aspindza, Akhalkalaki & Ninotsminda regions, city of Tskhinvali. 21
6. Oni, Ambrolauri, Tsageri, Lentekhi, Mestia, Kharagauli, Terjola, Sachkhere, Zestafoni, Bagdadi, Vani, Samtredia & Khoni regions, Chiatura, Tkibuli & Tskhaltubo zones, city of Rustavi. 24
7. Ozurgeti, Lanchkhuti & Chokhatauri regions 5
8. Abasha, Senaki, Martvili, Khobi, Zugdidi (including the city of Zugdidi), Tsalenjiha & Chhorotsku regions, city of Poti 12
9. Apkhazian ASSR 14
10. Ajara autonomous republic 10

ELECTIONS TO PARLIAMENT OF GEORGIAN REPUBLIC

TIMETABLE

A. ELECTORAL COMMISSIONS AND DISTRICTS

- |  |   |
|--|---|
| 1. Names of Members of Regional Electoral Commissions to Central Electoral Commission                                | Not later than <u>10th August</u>   |
| 2. Nomination of Party representatives to Regional Electoral Commissions (submitted to Central Electoral Commission) | Not later than <u>13th August</u>   |
| 3. Appointment of Deputy Chairman and two members of Regional Electoral Commissions                                  | Not later than <u>15th August</u>   |
| 4. Election of Chairman and Secretary of Regional Electoral Commissions  | Not later than <u>17th August</u>   |
| 5. Nomination of Party representatives on Central Electoral Commission   | Not later than <u>19th August</u>   |
| 6. Creation of Electoral Districts by Regional Electoral Commissions   | Not later than <u>27th August</u>   |
| 7. Details of Electoral Districts and addresses of District Electoral Commissions to be published                    | Within <u>5 days</u> of creation of Districts   |
| 8. Nomination of Party representatives on District Electoral Commissions   | Within <u>6 days</u> of publication of lists of Districts   |
| 9. Appointment of District Electoral Commissions by Regional Electoral Commissions                                   | Within <u>9 days</u> of publication of lists of Districts   |
| 10. Appointment of Deputy Chairman and two members of District Electoral Commissions                                 | Within <u>10 days</u> of publication of lists of Districts  |
| 11. Election of Chairman and Secretary of District Electoral Commissions   | Within <u>2 days</u> of creation of Commission but not within <u>7 days</u> of publication of list of Districts |
| 12. Publication of details of Candidates in every District   | Not later than <u>1st October</u>   |
| 13. Publication of details of Candidates in hospitals and other medical facilities                                   | Not later than <u>8th October</u>   |

B. REGISTRATION OF PARTIES AND ELECTORAL BLOCS

- |   |                                      |
|---|--------------------------------------|
| 14. Registration of Parties with Central Electoral Commission         | Not later than<br><u>8th August</u>  |
| 15. Registration of Electoral Blocs with Central Electoral Commission | Not later than<br><u>18th August</u> |

C. REGISTRATION OF CANDIDATES

- |  |  |
|--|--|
| 16. List of Party Candidates to be submitted to Central Electoral Commission   | Not later than<br><u>24th August</u>   |
| 17. Compensation list of candidates to be submitted to Central Electoral Commission  | Not later than<br><u>7th September</u> |
| 18. Names of local candidates to be submitted to Regional Electoral Commissions  | Between <u>17th &amp; 24th August</u>  |
| 19. Regional Electoral Commissions to submit to Central Electoral Commission for registration details of the candidates in their Regions | Not later than<br><u>29th August</u>   |
| 20. Lists of supporters of local candidates to be submitted to Regional Electoral Commissions  | Not later than<br><u>31st August</u>   |
| 21. Registration of Party Lists and local candidates by Central and Regional Electoral Commissions                                       | Not later than<br><u>5th September</u> |

D. ELECTION CAMPAIGN

- |  |   |
|--|---|
| 22. Parties and Electoral Blocs to submit their programmes for publication by Central Electoral Commission | Not later than<br><u>10th September</u> |
| 23. Details of candidates and their programmes to be submitted to Regional Electoral Commissions           | Not later than<br><u>10th September</u> |
| 24. Regional Electoral Commissions to publish and distribute candidate's programmes within Regions         | Not later than<br><u>26th September</u> |
| 25. Details of candidate's campaigns to be submitted to local newspapers                                   | Not later than<br><u>30th September</u> |

APPENDIX D

ELECTORAL DISTRICTS AND REGIONS

A. MULTI MANDATE ELECTORAL DISTRICTS

<u>No. of District</u>	<u>Description of District</u>	<u>Total Electors</u>	<u>No. of Mandates</u>
1	Tbilisi District - Mtatsminda, Vake, Saburtalo, Krtsanisi, Issani, Samgori and Tskneti.	497784	21
2	Tbilisi District - Chugureti, Didube, Naizaladevi and Gldani.	371651	15
3	Sagaredjo, Gurijaani, signagi, Dedoplis Tskaro, Lagadekhi, Kvareli, Telavi, Akhmeta and Tianeti.	318811	13
4	Rustavi, Gardabani, Marneuli, Bolsini, Dmarnisi, Tsalka and Tetri Tskaro.	350144	15
5	Mtskheta, Dusheti, Kazbegi, Kaspi, Akhagori, Gori (including City of Gori), Kareli, Djava, Khashuri, Bordjomi, Akhaltsikhe, Adigeni, Aspindza, Akhalkalaki, Ninotsminda and City of Tskhinvali.	498298	21
6	Oni, Ambrolauri, Tsageri, Lentekhi, Mestia, Kharagauli, Terdjola, Sachkhere, Zestaponi, Bagdati, Vani, Samtredia, Khoni, Chiatura, Tkibuli, Tskaltubo and City of Kutaisi.	586515	24
7	Ozurgeti, Lanchkhuti and Chokhatauri.	115597	5
8	Abasha, Senaki, Martuili, Khobi, Zugdidi (including City of Zugdidi), Tsalendjikha, Chkvorotsku and City of Poti.	286398	12
9	Abkhazia.	339863	14
10	Adzara.	229198	10
		3594259	150

B. SINGLE MANDATE ELECTORAL DISTRICTS

<u>No. of District</u>	<u>Name of District</u>	<u>Description of District</u>	<u>No. of Electors</u>
1/1	Mtatsminda	Tbilisi - Mtatsminda District	43709
1/2	Vake	" Vake District	86588
1/3	Saburtalo	" Saburtalo District	101388
1/4	Krtsanisi	" Krtsanisi District	85222
1/5	Issani	" Issani District	141043
1/6	Samgori	" Samgori District	89839



<u>No. of Districts</u>	<u>Name of District</u>	<u>Description of District</u>	<u>No. of Electors</u>
2/7	Chugureti	Tbilisi - Chugureti District	48017
2/8	Didube	" Didube District	73241
2/9	Nadzaladevi	" Nadzaladevi District	129817
2/10	Gldani	" Gldani District	120576
3/11	Sagaredjo	Sagaredjo District	37868
3/12	Gurdjaani	Gurdjaani District	57855
3/13	Signagi	Signagi District	37166
3/14	Dedoplis Tskaro	Dedoplis Tskaro District	24633
3/15	Lagadekhi	Lagadekhi District	35770
3/16	Kvareli	Kvareli District	29906
3/17	Telani	Telani District	54425
3/18	Akhmeta	Akhmeta District	29609
3/19	Tianeti	Tianeti District	11079
4/20	Rustavi	City of Rustavi	96460
4/21	Gardabani	Gardabani District	72067
4/22	Marneuli	Marneuli District	69390
4/23	Bolnisi	Bolnisi District	45793
4/24	Dnarnisi	Dnarnisi District	20330
4/25	Tsalka	Tsalka District	23573
4/26	Tetri Tskaro	Tetri Tskaro District	22531
5/27	Mtskheta	Mtskheta District	44074
5/28	Dusheti	Dusheti District	26645
5/29	Kazbegi	Kazbegi District	3657
5/30	Kaspi	Kaspi District	39653
5/31	Akhalgori	Akhalgori District	8495
5/32	Gori	City & District of Gori	111761
5/33	Kareli	Kareli District	43664
5/34	Djava	Djava District	6052
5/35	Khashuri	Khashuri District	47115
5/36	Bordjomi	Bordjomi District	26530
5/37	Akhaltzikhe	Akhaltzikhe District	33157
5/38	Adigeni	Adigeni District	14766
5/39	Aspindza	Aspindza District	8718
5/40	Akhalkalaki	Akhalkalaki District	39090
5/41	Ninotsminda	Ninotsminda District	22609
5/42	Tskhinvali	City of Tskhinvali	22312

<u>No. of District</u>	<u>Name of District</u>	<u>Description of District</u>	<u>No. of Electors</u>
6/43	Oni	Oni District	10376
6/44	Ambrolauri	Ambrolauri District	15210
6/45	Tsageri	Tsageri District	12654
6/46	Lentekhi	Lentekhi District	7095
6/47	Mestia	Mestia District	8967
6/48	Kharagauli	Kharagauli District	20452
6/49	Terdjola	Terdjola District	32135
6/50	Sachkhere	Sachkhere District	30522
6/51	Zestaponi	Zestaponi District	54600
6/52	Bagdati	Bagdati District	21826
6/53	Vani	Vani District	27437
6/54	Samtredia	Samtredia District	46227
6/55	Khoni	Khoni District	23873
6/56	Chiatura	Chiatura Zone	48033
6/57	Tkibuli	Tkibuli Zone	27106
6/58	Tskaltubo	Tskaltubo Zone	48987
6/59	Kutaisi	City of Kutaisi	151015
7/60	Ozurgeti	Ozurgeti District	65574
7/61	Lanchkhuti	Lanchkhuti District	30815
7/62	Chokhatauri	Chokhatauri District	19208
8/63	Abasha	Abasha District	21300
8/64	Senaki	Senaki District	37717
8/65	Martuili	Martuili District	33528
8/66	Knobi	Knobi District	26707
8/67	Zugdidi	City & District of Zugdidi	86299
8/68	Tsalendjika	Tsalendjika District	26082
8/69	Chkhorotsku	Chkhorotsku District	21469
8/70	Poti	City of Poti	33296
9/71	Sokhumi	City of Sokhumi	72450
9/72	Gagra	Gagra Zone	51345
9/73	Gali	Gali District	53512
9/74	Gudauta	Gudauta District	36060
9/75	Gulripshi	Gulripshi District	39197
9/76	Ochamchire	Ochamchire District	46302
9/77	Sokhumi	Sokhumi District	28022

<u>No. of District</u>	<u>Name of District</u>	<u>Description of District</u>	<u>No. of Electors</u>
9/78	Tkvarcheli	City of Tkvarcheli	12975
10/79	Batumi	City of Batumi	84764
10/80	Kedi	Kedi District	11561
10/81	Kobuleti	Kobuleti District	56621
10/82	Shuakhevi	Shuakhevi District	11028
10/83	Khelvachauri	Khelvachauri District	46157
10/84	Khulo	Khulo District	19062

## LIST OF REGISTERED BLOCS

## 1. "PEACE" BLOC

- 1.1.- Democratic Union of Georgia;
- 1.2.- Justice Party of Georgia;
- 1.3.- All Georgian Association "LEM";
- 1.4.- League of economic and social revival of Georgia;
- 1.5. Agrarian Union of Georgia;
- 1.6. Georgian Union of the revival of Adjara;
- 1.7.- Georgian Monarchist /Conservative/ Party;

## 2. "Party of National Unity of Georgia and Political Union of mountain People"

- 2.1.-
- 2.2.-

## 3. "11 of October" Bloc

- 3.1. Popular Front of Georgia;
- 3.2. "DAST"- "Democratic Choice for Georgia";
- 3.3. Christian-Democratic Union;
- 3.4. Georgian Republican Party;

## 4. "Unity" Bloc

- \*4.1.- Union of National accord and Renaissance of Georgia
- \*4.2.- Georgian green Party;
- 4.3.- Liberal-Democratic National Party;
- 4.4. All-Georgian Party of Peace and Freedom /Afgans/

\* These two Parties have since withdrawn from this bloc and will contest the elections independently.

## LIST OF REGISTERED PARTIES

### 1. Registered Parties

- 1.-Georgian Constitutional-Democratic Party:
  - 2.-Socialist Party of Georgian Workers;
  - 3.-Democratic Party;
  - 4.-Union of Georgian Traditionalists;
  - 5.-Political Organization -League of Economic and Social Progress;
  - 6.-Party of National Unity and social equality of rights of Georgia:
  - 7.-All-Georgian Agrarian Union:
  - 8.-Social-Democratic Party of Georgia:
  9. Party of the State Integrity of Georgia:
  10. Georgian Association of Selim Khimshiashvili:
  - 11.-Georgian Party of Physical Workers-"Hope of Life":
  - 12.-Party of People Friendship and Justice:
  13. Party of National Independence of Georgia:
  - 14.-National-democratic Party of Georgia:
  - 15.-Georgian Party of National Justice:
  - 16.- Popular Party of Georgia:
  17. Union of Restoring the Justice:
  - 18.-All-Georgian Association of Merab Kostava:
  - 19.-Union of Georgian Mountain Peoples:
  - 20.-Association of Iliq Chavchavadze:
  21. Georgian Union of God's Children:
  - 22.-Political Association of the Citizens of Georgia -  
The Movement "United Georgia":
  - 23 -Political Organization "Chapter-91".
  - 24.-Justice Party of the Georgian Republic:
  - 25.-Christian-Liberal Party:
  - 26.-Union of social Justice of Georgia:
  - 27.-Association of the Renaissance of Motherland:
  - 28.-National front of Georgia -Radical Union:
-

29.-National-Radical Party of Georgia;

30.-National Party of Georgian Demographic Society;

31. Association of Saint Iliia;

32.-Union of Georgian Patriots;

33.-Radical-Monarchist Union of Georgia.

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## RESULTS

of the survey of public opinion on current socio-political situation in Georgia

Poll was carried out by the Institute of Demography and Sociological Studies, Academy of Sciences of Georgia

Date: 16-21 April, 1992

Interviewed: 1477 respondents in 15 localities covering all social regions in Eastern and Western Georgia, representing all socio-demographic and ethnic groups.

( Answers - in per cent )

Question 1. THERE ARE DIFFERENT OPINIONS ON THE EVENTS THAT HAPPENED IN TBILISI, 22 DECEMBER 1991-6 JANUARY 1992. WHICH OPINION DO YOU AGREE WITH ?

- |  |    |
|--|----|
| 1. The events were a democratic revolution, a dictatorial regime has been overthrown | 47 |
| 2. Unjustified overthrow of the legitimate power occurred                            | 31 |
| 3. Don't know  | 20 |
| 4. Other answers   | 2  |

Question 2. DO YOU APPROVE THE APPOINTMENT OF MR. EDUARD SHEVARDNADZE, THE CHAIRMAN OF THE STATE COUNCIL OF THE REPUBLIC OF GEORGIA ?

- |                               |    |
|-------------------------------|----|
| 1. Approve the appointment    | 72 |
| 2. Disapprove the appointment | 16 |
| 3. Don't know                 | 11 |
| 4. Other answers              | 1  |

Question 3. WHICH POLITICAL LINE WOULD YOU LIKE TO SUPPORT ?

- |  |    |
|--|----|
| 1. Political line of the State Council of Georgia        | 55 |
| 2. Political line of the former parliament and President | 14 |
| 3. Neither, not interested in politics                   | 25 |
| 4. No answer   | 6  |

Question 4. WHAT IS YOUR DESIRE OF THE FUTURE ACTIVITIES  
OF THE SUPPORTERS OF THE FORMER PARLIAMENT  
AND PRESIDENT ?

- |   |    |
|---|----|
| 1. They ought to participate in the process of<br>political stabilisation | 67 |
| 2. They must carry on disobedience policy                                 | 11 |
| 3. Don't know   | 19 |
| 4. Other answers  | 1  |

Question 5. WHAT IS YOUR EXPECTATION OF THE POSSIBLE  
CHANGE OF SOCIO-POLITICAL SITUATION IN  
GEORGIA IN THE NEAREST FUTURE ?

- |   |    |
|---|----|
| 1. The situation will gradually stabilise   | 60 |
| 2. The situation will become even more complicated,<br>up to the beginning of civil war | 12 |
| 3. Subversive activities, terrorism are expected  | 12 |
| 4. Don't know   | 20 |

Question 6. ARE YOU SURE THAT PRESENT AUTHORITIES ARE  
ABLE TO LEAD OUT GEORGIA FROM THE CRISIS ?

- |               |    |
|---------------|----|
| 1. Yes        | 58 |
| 2. No         | 12 |
| 3. Don't know | 30 |



IN OCTOBER 1992 PARLIAMENTARY ELECTIONS  
ARE TO TAKE PLACE IN GEORGIA

Question 7. WILL YOU PARTICIPATE IN THE ELECTIONS ?

- |                                 |    |
|---------------------------------|----|
| 1. Yes                          | 61 |
| 2. No                           | 14 |
| 3. Don't know, still hesitating | 25 |

Question 8. WHICH ELECTORAL SYSTEM YOU THINK TO BE  
THE MOST SUITABLE FOR THE GEORGIAN  
PARLIAMENTARY ELECTIONS ?

- |                                       |    |
|---------------------------------------|----|
| 1. Proportional representation system | 13 |
| 2. Winner-take-all system             | 44 |
| 3. Mixed system                       | 13 |
| 4. Don't know                         | 29 |

Question 9. IF YOU HAVE ALREADY DECIDED WHICH PARTY  
(PARTY MEMBER) YOU WILL VOTE FOR AT THE  
ELECTIONS, WHAT IS THE MAJOR REASON OF  
THIS DECISION ?

- |                                     |    |
|-------------------------------------|----|
| 1. The program of the party         | 24 |
| 2. The leader of the party          | 41 |
| 3. Concrete activities of the party | 11 |
| 4. Other answers                    | 14 |

Question 10. PLEASE NOMINATE POLITICAL OR PUBLIC

*Revas Gachechiladze*

*May 1992*

## RESULTS

### of the survey of public opinion on current socio-political situation in Georgia

Poll was carried out by the Institute of Demography and Sociological Studies, Academy of Sciences of Georgia, under direction of Professor Revaz Gachechiladze

Date: 15-22 July, 1992

Interviewed: 1720 respondents in 16 localities covering all social regions in Eastern and Western Georgia, representing all socio-demographic and ethnic groups.

( Answers - in per cent)

Question 1. DO YOU APPROVE THE ACTIVITY OF

MR.EDOUARD SHEVARDNADZE AS THE CHAIRMAN OF THE  
STATE COUNCIL OF THE REPUBLIC OF GEORGIA ?

1. Yes	73.2
2. No	11.3
3. Don't know	11.2
4. No answer	4.3

Question 2. WHICH POLITICAL LINE WOULD YOU LIKE TO SUPPORT.?

1. Political line of the State Council of Georgia	56.7
2. Political line of the former parliament and President	7.7
3. Neither, not interested in politics	26.4
4. Other answers	3.7
5. No answer	5.5

Question 3. WHAT IS YOUR DESIRE OF THE FUTURE ACTIVITIES  
OF THE SUPPORTERS OF THE FORMER PARLIAMENT  
AND PRESIDENT ?

1. They ought to participate in the process of political stabilisation	66.1
2. They must carry on disobedience policy	6.7
3. Don't know	18.2
4. Other answers	3.7
5. No answer	5.3

Question 4. WHAT IS YOUR EXPECTATION OF THE POSSIBLE  
CHANGE OF SOCIO-POLITICAL SITUATION IN  
GEORGIA IN THE NEAREST FUTURE ?

1. The situation will gradually stabilise	40.2
2. The situation will become even more complicated, up to the beginning of civil war	18.5
3. Subversive activities, terrorism are expected	22.2
4. Don't know	17.5
5. No answer	1.5

Question 5. ARE YOU SURE THAT PRESENT AUTHORITIES ARE  
ABLE TO LEAD OUT GEORGIA FROM THE CRISIS ?

1. Yes	61.3
2. No	11.1
3. Don't know	21.2
4. No answer	6.6

Question 6. YOUR APPRAISAL OF THE ATTACK OF THE GEORGIAN  
TV-RADIO DEPARTMENT THAT OCCURED 24 JULY 1992 ?

- |   |      |
|---|------|
| 1. Indignant at such an act and consider it blameworthy   | 76.0 |
| 2. Support such acts, up to terrorism and subversive<br>actions to overthrow the existing power | 6.1  |
| 3. Don't know   | 12.0 |
| 4. Other answers  | 3.7  |
| 5. No answer  | 3.2  |

Question 7. WHO COULD HAVE BEEN THE INITIATOR AND ORGANIZERR  
OF THE ATTACK ON TV-RADIO DEPARTAMENT ?

- |   |      |
|---|------|
| 1. Former goverment and ex-president of Georgia | 47.1 |
| 2. The so-called "disobedience committee"       | 10.1 |
| 3. Don't know                                   | 32.5 |
| 4. Other answers                                | 0.5  |
| 5. No answer                                    | 9.3  |

Question 8. YOU APPRAISAL OF THE SUMMIT OF SOCHI (DAGOMIS)  
BETWEEN GEORGIAN AND RUSSIAN LEADERS --  
E.SHEVARDNADZE AND B.YELTSIN

- |  |      |
|--|------|
| 1. Support normal political relations with Russia<br>(trust the new leader of Russia; sure that Russian<br>people has good attitude towards Georgia) | 62.4 |
| 2. Don't trust the leaders of Russia   | 25.9 |
| 3. Don't know  | 9.4  |
| 4. No answer   | 2.3  |

Question 9. DO YOU SUPPORT PRINCIPAL PROVISIONS OF THE AGREEMENT  
SIGNED IN SOCHI BY B.YELTSIN AND E.SHEVARDNADZE  
ON THE REGULATION OF TSKINVALI ("SOUTH OSETIA")  
CONFLICT ?

1. Yes	50.8
2. No	6.7
3. Don't know, haven't read text of the agreement	37.6
4. No answer	4.9

IN October,1992 PARLIAMENARY ELECTIONS  
ARE TO TAKE PLACE IN GEORGIA

Question 10. WILL YOU PARTICIPATE IN THE ELECTIONS ?

1. Yes	61.9
2. No	12.8
3. Don't know, still hesitating	22.0
4. No answer	3.3

Question 11. DO YOU CONSIDER YOUR DECISION NOT TO PARTICIPATE  
IN THE ELECTIONS TO BE THE FINAL ?

(ANSWER IF YOU ARE STILL HESITATING AS WELL )

1. My decision not to participate in the elections is not final,it may change under new circumstances	17
2. My decision is final; I shalln't participate in the elections	10
3. Don't know	6
4. No answer	67

Question 12. IF YOU INSIST ON NOT-PARTICIPATING IN  
THE ELECTIONS, WHAT IS THE REASON ?

1. This is my protest against acting government	4
2. I give no credence to any party	1
3. I give no credence to any political figure	1

Question 13. IF YOU ARE GOING TO PARTICIPATE IN THE 1992  
 11 OCTOBER ELECTIONS WHICH PARTY YOU WILL  
 VOTE FOR ?

1. "The party led by E.Shevardnadze"	16,5
2. National-democratic party	3.7
3. Union of National Consent and Resoration	1.2
4. National Front	1.0
5. Don't know	42
6. No answer	29

Note: some other parties were mentioned by less than 1 per cent

Question 14 IF YOU ARE GOING TO PARTICIPATE IN THE ELECTIONS  
 WHO DO YOU THINK MUST REPRESENT THE NATION IN  
 THE PARLIAMENT (MORE THEN ONE ANSWER COULD  
 BE GIVEN ) ?

(in per cent to 1469 respondents who answered)

1. Representatives of "scientific intelightsia" (sociologists, political scientists, lawyers, economist etc)	54
2. Party functioners	38
3. Representative of "creative intelightsia" (writers, artists, painters etc.)	27
4. Workers and peasants	15
5. Representatives of administrative staff	10
6. Don't know	12
7. Other answer	5

Question 15. PLEASE NOMINATE THE PERSONS WHOME YOU WOULD LIKE  
TO ELECT IN THE PARLIAMENT OF THE REPUBLIC OF GEORGIA ?  
(in per cent to 1021 respondents who answered)

1. E.Shevardnadze	85.1
2. T.Sigua	33.7
3. V.Advadze	28.2
4. A.Bakradze	27.0
5. L.Alexidze	17.5
6. N.Natadze	16.6
7. A.Chikvaidze	15.9
8. S.Kavsadze	12.0
9. A.Asatiani	11.6
10. R.Gotsiridze	11.5
11. T.Kitovani	10.8
12. G.Chanturia	10.8
13. E.Shengelaia	10.5
14. T.Paatahvili	8.4
15. Z.Gamsakhurdia	8.1
16. I.Sarishvili	7.7
17. J.Ioseliani	6.9
18. T.Gamkrelidze	6.5
19. I.Shengelaia	6.0
20. I.Tsereteli	5.7

Question 16. WHAT ARE THE PRESENT-DAY PROBLEMS OF THE SOCIETY  
IN GEORGIA THAT WORRY YOU THE MOST ?

1. Crime rate rize	75.4
2. Frice rize	74.8
3. Wide spreading of fire-arms	48.3
4. Conflict in Tskinali region	40.5
5. Danger of famine	35.5
6. Deficit of consumer goods	35.3
7. Crisis of morality	33.0
8. Danger of civil war	32.3
9. Danger of mass unemployment	31.7
10. Complicated political situation in Georgia	24.3
11. Deterioration of political situation in Abkhazia	15.8
12. Rights of ethnic minorities	10.5
13. Ecological problems	9.7
14. Problems connected with privatisation	9.3

Deputy director of the Institute of Demography and  
Sociological Studies, Academy of Science of Georgia,  
Professor Revaz Gachechiladze