

**THE LONG-TERM OBSERVATION
MISSION OF THE 2024
PARLIAMENTARY ELECTIONS
II INTERIM REPORT**

1 JULY – 26 AUGUST



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INTRODUCTION

The long-term observation mission (LTO) of the Georgian Young Lawyers' Association (GYLA) began operating in April 2024. The primary objective of long-term observation is to facilitate the conduct of elections in a free, fair and competitive environment. To achieve this goal, GYLA's tasks include increasing the transparency of electoral processes, promoting the effectiveness of legislative mechanisms through the handling/monitoring of electoral disputes, and providing the public with reliable, evidence-based information on significant trends. Since its establishment, GYLA has been actively involved in election monitoring. It consistently and rigorously maintains a neutral position and operates based on the principles of the rule of law, objectivity, professionalism, and transparency. As part of its long-term observation mission, the organization monitors the pre-election environment through nine regional offices located in Tbilisi, Adjara, Guria, Samegrelo-Zemo Svaneti, Imereti, Shida Kartli, Samtskhe-Javakheti, Kvemo Kartli, Mtskheta-Mtianeti, and Kakheti. The present report covers violations identified from July 1, 2024, to August 26, 2024, as well as actions that, while not inherently illegal, represent poor practice and harm the creation of a healthy pre-election environment. The report also addresses processes that may extend beyond the reporting period but have a significant impact on the electoral legislative framework and the pre-election political context due to their importance.

1. POLITICAL CONTEXT

During the reporting period, several pre-election coalitions were formed, and existing ones expanded. The process of consolidation among opposition political centers was significantly influenced by the legal framework, which stipulates that the 2024 parliamentary elections will be held under a proportional system with a 5% electoral threshold¹ and electoral blocs² will not be permitted to participate.³ The legislation stipulates that only political parties are allowed to participate in parliamentary elections.⁴ According to Georgian legislation, the legal path for the consolidation of political groups involves some candidates leaving their party and joining the (coalition) list of another political party.⁵

During the reporting period, unofficial pre-election campaigns by parties intensified, with continued emphasis on political competition rather than specific party programs. Both the “Georgian Dream” and opposition parties framed the upcoming elections as a referendum for citizens. Amid intense polarization, political discourse and the information space were dominated by sharp mutual accusations. Representatives of the ruling party attempted to demonize their political opponents in public speeches and statements, accusing them of treasonous actions.⁶ The majority of the opposition was referred to as “externally controlled [agents]” and a “malicious force”.⁷ From “Georgian Dream”, anti-Western rhetoric, issues of war and peace, anti-LGBTQ messages,⁸ and rhetoric focused on punishing the previous government remained prominent.⁹ During the reporting period, government representatives continued their campaign to discredit and stigmatize non-governmental organizations.¹⁰

For most opposition parties, the main argument was the ruling party’s anti-European actions and

¹ To determine the number of mandates received by a political party, the number of votes received by the party is multiplied by 150 and divided by the sum of votes received by all political parties that received at least 5% of the actual votes of the voters participating in the elections. If the sum of the number of mandates received by the political parties is less than 150, the unallocated mandates will be received in sequence by the political parties with better results.

² The merger of two or more parties registered by the Election Commission, which is authorized to submit a unified list.

³ “Press-speaker of the CEC - Neither a coalition nor a bloc will be able to participate in the October 26 elections. Therefore, if anyone wishes to be on another political party’s list, they must leave their own party”, Official website of the Georgian Public Broadcaster, August 17, 2024, available at: <https://1tv.ge/news/cesko-s-presspikeri-26-oqtombris-archevnebshi-verc-koalicia-da-verc-bloki-monawileobas-ver-miighebs-shebabamisad-tu-vinmes-surs-skhva-politikuri-partiis-siashi-iyos-tavisi-partia-unda-datovos/>, updated: 07.09.2024.

⁴ Ibid.

⁵ Central Election Commission of Georgia’s Resolution No. 34/2024 of August 16, 2024, on the Procedure for Submitting Information Regarding a Candidate’s Party Affiliation, available at: <https://matsne.gov.ge/ka/document/view/6247504?publication=0>, updated: 12.09.2024.

⁶ “Kakha Kaladze - Does a political party that has harmed the country through treasonous actions and continues to do so today have a right to exist? They must answer for their actions”, official website of Georgian Public Broadcaster, August 26, 2024, available at: <https://1tv.ge/news/kakha-kaladze-politikur-partias-romelic-moghalateobrivi-qmedebebit-azianebda-da-dghesac-azianebbs-qveyanas-aqvs-arsebobis-ufleba-taviant-qmedebebze-pasukhi-unda-agon/>, updated: 07.09.2024.

⁷ Collective ‘National Movement’ is an externally controlled force, ready to involve the country in war, and I do not say this by chance - Kakha Kaladze”, official website of Rustavi 2, available at: <https://rustavi2.ge/ka/news/289792>, updated: 07.09.2024.

⁸ On June 27, the Parliament, with 78 votes in favor and none against, adopted the legislative package on “Family Values and Protection of Minors” initiated by “Georgian Dream” on first reading.

⁹ “Irakli Kobakhidze - It is important to punish the ‘National Movement’ for the crime committed in 2008 for prevention purposes, so that not only will such crimes not be committed again, but they will also not have the resources to do so”, official website of Georgian Public Broadcaster, available at: <https://1tv.ge/news/irakli-kobakhidze-2008-welschadenili-danashaulis-gamo-nacionaluri-modzraobis-dasja-gansakutrebim-nishvelovania-preveniistvis-rata-msgavsi-danashauli-aratu-agharc-haidinon-ami/>, updated: 07.09.2024.

¹⁰ “Bidzina Ivanishvili - It is essential to finally calm our country, end the agency, radicalism, and polarization, after which we will rapidly continue our progress”, official website of Georgian Public Broadcaster, July 16, 2024, available at: <https://1tv.ge/news/bidzina-ivanishvili-aucilebelia-sabolood-davamshvidot-chveni-qveyana-davasrulot-agentura-radikalizmi-polarizacia-ris-shemdegac-swrafi-tempit-ganvagrzdobt-winsvlav/>, updated: 12.09.2021.

rhetoric. The period leading up to the 2024 parliamentary elections continued to be marked by confrontation between the ruling party and the President of Georgia.¹¹

1.1. Ruling Party - “Georgian Dream”

As part of its election campaign, the ruling party actively held regional outreach events.¹² On July 16, at the opening event of the “Georgian Dream” election campaign, the party’s honorary chairman, Bidzina Ivanishvili, expressed hope for obtaining a constitutional majority.¹³ At the ceremony, Ivanishvili again voiced conspiracy theories about a “global war party”, “agents”, and “liberal fascism”.¹⁴ At the event, the honorary chairman of the ruling party announced that the election headquarters of “Georgian Dream” would be led by the party chairman and Prime Minister of the country, Irakli Kobakhidze.¹⁵ Additionally, the party formally separated from the ruling party, “People’s Power”, will be included in the “Georgian Dream” list for the 2024 parliamentary elections.¹⁶

On August 15 and 23, the candidates for the delegation of “Georgian Dream”¹⁷ were presented¹⁸ by Irakli Kobakhidze. Among the candidates presented in Tbilisi and the regions, there is no female candidate.¹⁹ It is noteworthy that a few months before the presentation of delegate candidates, the mandatory gender quota²⁰ for women in Parliament and local self-government bodies was abolished²¹ due to the initiative of the political party “GIRCHI” and the support of the ruling party.

¹¹ “Gia Volski - Salome Zourabichvili is the leader of the collective ‘National Movement’ - she has intruded into the field of joy and is trying to escalate tension and confrontation”, information portal Interpressnews, August 15, 2024, available at: <https://www.interpressnews.ge/ka/article/809186-gia-volski-salome-zurabishvili-aris-kolektiuri-nacmozraobis-beladishemoichra-sixarulis-velze-da-cdilobs-dazabuloba-da-dapirispireba-ganavitaros/>, updated: 07.09.2024; President Zourabichvili spoke with the media about the ‘Georgian Charter,’ elections, ‘Georgian Dream,’ the suspension of US aid, and Ivanishvili”, news portal Civil.ge, August 6, 2024, available at: <https://civil.ge/ka/archives/619173>, updated: 09.09.2024.

¹² “Georgian Dream” began pre-election meetings in the regions”, official website of “Euronews” TV company, August 22, 2024, available at: <https://euronewsgeorgia.com/2024/08/22/kartulma-otsnebam-regionebshi-tsinasaarchevno-shexvedrebi-daitsko/>, updated: 12.09.2024.

¹³ “Georgian Dream” election campaign - political messages”, information portal “1tv.ge”, July 17, 2024, available at: <https://1tv.ge/video/qartuli-ocnebis-saarchevno-kampania-politikuri-gzavnilebi/>, updated: 07.09.2024.

¹⁴ “Georgian Dream” kicked off its pre-election campaign with Bidzina Ivanishvili discussing the conspiracy of the ‘global war party,’” information portal Civil.ge, July 17, 2024, available at: <https://civil.ge/ka/archives/616554>, updated: 07.09.2024.

¹⁵ “Georgian Dream” election headquarters will be headed by Irakli Kobakhidze”, information portal “publika.ge”, available at: <https://publika.ge/qartuli-ocnebis-saarchevno-shtabs-irakli-kobakhidze-ukhelmdzghvanelebs/>, updated: 07.09.2024.

¹⁶ “People Power” will be on the list of “Georgian Dream” in the parliamentary elections, July 30, 2024, available at: <https://www.radiotavisupleba.ge/a/33038882.html>, updated: 07.09.2024.

¹⁷ According to the amendments made in May 2024 to the Organic Law of Georgia, “The Electoral Code of Georgia”, parties were granted the right to designate a candidate for parliamentary membership from their party list as a delegate candidate for one of the 30 electoral districts specified in the annex of the same law.

¹⁸ 22 delegates of “Georgian dream” – what do we know about them”, information portal “Radio Tavisupleba”, August 21, 2024, available at: <https://tinyurl.com/y4k7bfe4>, updated: 07.09.2024;

“Georgian Dream” presented delegates in Tbilisi districts, information portal “Radio Tavisupleba”, available at: <https://www.radiotavisupleba.ge/a/33089621.html>, updated: 07.09.2024.

¹⁹ Ibid.

²⁰ For the parliamentary elections on October 26, 2024, at least one person in every quartet on a party list must be a woman. Additionally, if a party submits an election list to the Central Election Commission (CEC) where at least one person in every trio is a woman, the electoral subject will receive additional funding as provided by law.

²¹ “Parliament overcame the President’s veto on the cancellation of gender quotas”, information portal “Civil.ge”, May 15, 2024, available at: <https://civil.ge/ka/archives/607551>, updated: 07.09.2024.

1.2. Initiative to ban parties

During a speech at a regional event of the “Georgian Dream” election campaign in Mtskheta, the party’s honorary chairman, Bidzina Ivanishvili, accused the “Collective National Movement” and a significant portion of the opposition spectrum of wanting to sow chaos and instigate war in the country.²² Ivanishvili threatened to judge (ban) the opposition parties in case of obtaining a constitutional majority,²³ and compared the October 26 elections to the Nuremberg process “where the constitutional majority of the Georgian people will deliver appropriate judgments to foreign agents who sign off on anti-state directives.”²⁴

The country’s Prime Minister explained to journalists who was meant by the “collective National Movement”. According to him, the “collective National Movement” includes virtually all major opposition parties or alliances,²⁵ not just the parties within the “Unity of the National Movement” coalition.²⁶

One of the fundamental principles of democracy is political pluralism and the right of opposition parties to operate freely. The threat of banning opposition parties directly contradicts this principle and poses a danger to the democratic system.

The supreme law of Georgia highlights the special role of parties in the democratic process and states that they “participate in the formation and implementation of the people’s political will”.²⁷ It also establishes both the safeguards for their protection and the grounds for prohibition.²⁸ According to the Constitution, the prohibition of a party is solely the prerogative of the Constitutional Court.²⁹

The President of Georgia, at least one-fifth of the members of the Georgian Parliament (30 MPs), or the Government of Georgia have the right to file a lawsuit in the Constitutional Court concerning the creation and activities of a political party, as well as the constitutionality of a representative body member elected by the nomination of that political party.³⁰ Therefore, the emphasis placed by the Georgian Dream on obtaining a constitutional majority may suggest an intention to introduce anti-democratic constitutional changes. In other cases, focusing on a constitutional majority lacks legal logic, as Georgian Dream already controls the majority of seats in the tenth convocation of Parliament, has formed the government, and thus currently possesses the ability to appeal to the Constitutional Court.

It is concerning to hear public statements of this nature from the country’s highest officials just two months before the parliamentary elections. Such rhetoric is problematic as it aims to stigmatize opponents and foster nihilism among opposition-minded voters. In order to ensure a fair and

²² Public Demands and ‘Georgian Dream’ Election Promises - What Do the Surveys Show”, information portal Radio Tavisupleba, August 29, 2024, available at: <https://tinyurl.com/3ee82e6z>, updated: 07.09.2024.

²³ At least 113 mandates.

²⁴ Public Demands and ‘Georgian Dream’ Election Promises - What Do the Surveys Show”, information portal Radio Tavisupleba, August 29, 2024, available at: <https://tinyurl.com/3ee82e6z>, updated: 07.09.2024.

²⁵ “National Movement”, “Strategy Aghmashenebeli”, “Akhali”, “Droa”, “Girchi - more freedom”, “Lelo”, “Gakharia - for Georgia”.

²⁶ “Georgian Dream” demands a constitutional majority to ban the “collective national movement”. What does the law say?”, information portal “Radio Tavisupleba”, August 26, 2024, available at: <https://tinyurl.com/5n6vm5dt>, updated: 07.09.2024.

²⁷ Paragraph 4 of Article 3 of the Constitution of Georgia.

²⁸ According to the constitution: It is not allowed to create and operate a political party with the aim of overthrowing or violently changing the constitutional order of Georgia, violating the country’s independence, breaching its territorial integrity, or engaging in the propaganda of war or violence, inciting national, ethnic, regional, religious, or social discord. It is also impermissible to create a political party based on territorial criteria “.

²⁹ Paragraph 4 of Article 23 of the Constitution of Georgia.

³⁰ Article 35 of the Law of Georgia on the Constitutional Court.

free pre-election environment, it is essential that each citizen of the country feels, that their vote matters, rather than feeling that their choice is in vain because the party they support might cease to exist.

1.3. The oppositional political spectrum

During the reporting period, the process of regrouping and enlarging of opposition political parties continued actively.

The parties “United National Movement” and “Strategy Agmashenebeli” united for the elections of October 26, 2024 and called the platform “Unity - to Save Georgia”.³¹ Independent MPs Tamar Kordzaia and Armaz Akhvlediani, political scientist Gia Japaridze, Mikheil Saakashvili’s personal representative Sopo Japaridze and historian Lasha Bakradze also joined the platform.³² On August 17, it was announced that “European Georgia”, which had split from the “United National Movement” in 2017, joined “Unity”.³³ Giga Bokeria, Tamar Chergoleishvili and their associates left “European Georgia” shortly before joining the coalition partnership with “National Movement”.³⁴ They introduced a new party, “Federalists”.³⁵

The political parties “Akhali”, “Girchi-More Freedom” and “Droa” unified for the October 26 elections.³⁶ This was announced by the party leaders on July 9.³⁷ According to Nika Gvaramia, the main goal of the unification is “to drive Bidzina Ivanishvili’s government out of office and to unite Georgia with the European Union.”³⁸ They declare their loyalty to the “Georgian Charter” of the president and will not cooperate with the ruling party.³⁹

On August 18, the unity of “Akhali”, “Girchi - more freedom” and “Droa” was joined by the “Republican Party”, whose chairman is Khatuna Samnidze.⁴⁰

On July 17, the political parties “Lelo” and “For the People” merged.⁴¹ The political movement “Freedom Square” also joined their union.⁴² Aleko Elisashvili’s party “Citizens” also joined the union on August 12.⁴³ After the name change of the Lelo Georgia party since August 22, the name of the coalition is “Strong Georgia: Lelo, for the people, for freedom!”. The representatives of “Akhali” and “National Movement” also applied to the registry with the request to change the name.⁴⁴

³¹ “Unity – to Save Georgia” - Who are the members of the new political platform”, information portal “Formulanews”, July 8, 2024, available at: <https://formulanews.ge/News/114013>, updated: 07.09.2024.

³² Ibid.

³³ “Elections 2024: This is the last configuration of the parties”, information portal “Radio Tavisupleba”, August 19, 2024, available at: <https://tinyurl.com/hdz6fk4c>, updated: 07.09.2024.

³⁴ “Who left European Georgia and who remained in the party”, information portal “Tabula”, August 8, 2024, available at: <https://tabula.ge/ge/news/721394-vin-cavida-evropuli-sakartvelodan-vin-darcha>, updated: 12.09.2024.

³⁵ Ibid.

³⁶ “Akhali”, “Droa” and “Girchi-More for Freedom” united”, information portal “1tv.ge”, July 9, 2024, available at: <https://1tv.ge/news/akhali-droa-da-girchi-meti-tavisuflebistvis-gaertiandnen/>, updated: 07.09.2024.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ “Elections 2024: This is the last configuration of the parties”, information portal “Radio Tavisupleba”, August 19, 2024, available at: <https://tinyurl.com/hdz6fk4c>, updated: 07.09.2024.

⁴¹ “Three more opposition forces unite before the elections”, information portal “Civil.ge”, July 17, 2024, available at: <https://civil.ge/ka/archives/616665>, updated: 07.09.2024.

⁴² Ibid.

⁴³ “Elections 2024: This is the latest configuration of the parties, information portal “Radio Tavisupleba”, August 19, 2024, available at: <https://tinyurl.com/hdz6fk4c>, updated: 07.09.2024.

⁴⁴ “Lelo” changed its name for this election. information portal “Radio Tavisupleba”, August 28, 2024”, available at: <https://tinyurl.com/9kknapp7>, updated: 07.09.2024.

The official name change became relevant for the parties due to an amendment made to the Electoral Code in October 2023, which stipulates that the name under which a party is registered will be used unchanged on the ballot papers.⁴⁵ The previous version of the law allowed parties to include up to three leaders' names and surnames, or just the surname, on the ballot paper in addition to the name specified in the charter.

In the upcoming parliamentary elections, the following political entities will participate in a coalition format with the "Patriot Alliance" party list: "Conservative Movement/Alt Info";⁴⁶ "Georgian Idea"; "Georgian Mission"; "National Unity"; "Conservative-Monarchist Party" and "Christian-Democratic Movement".⁴⁷

1.4. Russian-style law on "transparency of foreign influence"

The Russian-style law (official name - "Law on Transparency of Foreign Influence"), which provides for the creation of a stigmatizing registry⁴⁸ for non-governmental and media organizations from June 3, 2024, and its main articles came into force from August 1. On the same day, the order of the Minister of Justice was published,⁴⁹ which determined the procedures for registration and monitoring in the special register.⁵⁰ According to the regulations, the National Agency of Public Registry has been supplemented with a Financial Declaration Department, which includes services for registration and declaration monitoring.⁵¹

According to the order, after the expiration of a one-month period, the Financial Declaration Department begins monitoring if there are appropriate grounds. If an organization is found to be unregistered, it will be fined GEL 25,000 and will be registered regardless of its will.⁵² According to the Code of Administrative Offenses of Georgia, organizations have 30 days to pay the fine.⁵³ In case of violation of the deadline, enforcement measures will be initiated.⁵⁴ It is noteworthy that appealing the fine in court does not stop the enforcement process.

The Constitutional Court registered the complaint of the President of Georgia Salome Zourabichvili against the Russian-style law on July 18.⁵⁵ According to the president's lawsuit, the law contradicts Article 78 of the Constitution, which obligates constitutional bodies to take all necessary measures

⁴⁵ Article 113 of the Election Code of Georgia, Part 1, Sub-Clause "A".

⁴⁶ In April 2024, based on the appeal of the Anti-Corruption Bureau, the National Public Registry Agency canceled the decision on the registration of the "Alt-Info" party. The reason for canceling the registration was the defects identified in the party's registration documents.

⁴⁷ The official Facebook page of the "Alliance of Patriots of Georgia", July 10, 2024, available at: <https://www.facebook.com/allianceofficial/posts/pfbid02ufN1iHNhHhX3knkKnthPMuDnTFCdcAgU68Yu8j7vHeFU14K3ydt91rQNJ5eFtaTol>, updated: 09.09.2024.

⁴⁸ Article 2 of the Law of Georgia "On Transparency of Foreign Influence".

⁴⁹ Order No. 1019 of the Minister of Justice of Georgia dated August 1, 2024 on the preparation of the register of organizations carrying out the interests of foreign forces, the submission of financial declarations and the approval of monitoring rules, Legislative Herald of Georgia, available at: <https://matsne.gov.ge/ka/document/view/6238278?publication=0>, updated: 09.09.2024.

⁵⁰ Ibid.

⁵¹ Article 2 of the Law of Georgia "On Transparency of Foreign Influence"; Order No. 1016 of the Minister of Justice dated July 29, 2024, "On approval of the statute of the legal entity under public law - National Agency of Public Registry" on making changes to the order No. 134 of the Minister of Justice of Georgia dated May 3, 2016.

⁵² Ibid.

⁵³ Article 290 of the Code of Administrative Offenses of Georgia.

⁵⁴ Article 25 of the Law of Georgia on Enforcement Proceedings.

⁵⁵ President Zourabichvili appeals the "Transparency Law" in the Constitution Court", information portal "COMMERSANT", July 14, 2024, available at: <https://commersant.ge/news/politc/prezidenti-zurabishvili-gamchvirvalobis-kanonsakonstitutsioshi-asachivrebs>, updated: 07.09.2024.

within their powers to ensure Georgia's full integration into the European Union and the North Atlantic Treaty Organization (NATO).⁵⁶ Article 78 of the Constitution is also appealed by the constitutional lawsuit submitted by the opposition MPs on July 22.⁵⁷ On July 24, 122 non-governmental and media organizations also registered a constitutional appeal against the same law.⁵⁸ According to the authors of the lawsuit, the law restricts "the right of citizens to unite or the common good", and by enacting this law, the government "creates a hostile and degrading environment", thereby endangering the freedoms of association and expression.⁵⁹ The "Mtis Ambebi"⁶⁰ and Studio "Monitor"⁶¹ independently filed their own constitutional appeals against the law in the Constitutional Court. All four appeals were consolidated into a single case. The President of Georgia and the members of parliament requested the suspension of the law's implementation until the court's final decision, while the non-governmental and media organizations specifically sought the suspension of the disputed provisions.⁶²

⁵⁶ Constitutional Lawsuit No. 1828, President of Georgia vs. Parliament of Georgia, Official Website of the Constitutional Court of Georgia, July 18, 2024, available at: <https://constcourt.ge/ka/judicial-acts?legal=16675>, updated: 09.09.2024.

⁵⁷ "Unprecedented lawsuit of the President - the Constitutional Court will have to discuss the possible violation of Article 78", information portal "Radio Tavisupleba", July 16, 2024, available at: <https://tinyurl.com/mpn5mprz>, updated: 09.09.2024.

⁵⁸ "121 Media and Civil Organizations Appeal the Russian Law to the Constitutional Court", Information Portal "netgazeti.ge", July 17, 2024, available at: <https://netgazeti.ge/law/731890/>, updated: 07.09.2024.

⁵⁹ Ibid.

⁶⁰ The publisher of "Mtis Ambebi" - LLC Information Centers Network.

⁶¹ "The official Facebook page of Mtis ambebi, August 16, 2024, available at: <https://www.facebook.com/mtisambebi/posts/pfbid0LEn5dMp4GbWdSc7SMaSyMsAH4SfohdvtgVAZK4ysuktkrBaGtKnwfnFc4a5nWBQUI>, updated: 09.09.2024.

⁶² "Network of Information Centers" LLC and JSC "Studio Monitor" against the Parliament of Georgia, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=17057>,

Members of the Parliament of Georgia: Tamar Kordzaia, Ana Natsvlisvili, Levan Bezhashvili and others (a total of 38 deputies) against the Parliament of Georgia, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=17000>, NNLE "Institute for Development of Freedom of Information", NNLE "Rights Georgia", NNLE "Civil Society Foundation" and others (122 plaintiffs in total) against the Parliament of Georgia, available at: <https://www.constcourt.ge/ka/judicial-acts?legal=16941>.

The President of Georgia against the Parliament of Georgia, available at: <https://constcourt.ge/ka/judicial-acts?legal=16675>.

2. CHANGE IN THE RULES OF THE SORTITION PROCEDURE

On August 16, 2024, the Central Election Commission (CEC) adopted a resolution that redefined certain electoral procedures and deadlines for the elections to be held on October 26, 2024.⁶³ In particular, according to the resolution, the distribution of functions among the members of the Precinct Election Commission will be held no later than the 7th day (October 19) in all types of precincts.⁶⁴ Under the previous arrangement, no later than the 7th day before the voting day, only the members of the commission responsible for handling the portable ballot box were disclosed, while the drawing of lots for other functions took place on the day of the voting.⁶⁵

On August 20, the political union “Lelo for Georgia” appealed the decision of the CEC in the Tbilisi City Court.⁶⁶ The lawsuit states that the Central Election Commission (CEC) lacked the authority to alter a rule defined by organic law through a by-law (decree), as there was no “impossibility” justifying such a change. Article 14, Paragraph 1, Subparagraph “g” of the Georgian Election Code only grants such authority to the CEC in exceptional cases.

Also, the plaintiff pointed out that the drawing of lots is a short-term procedure, which was always held on election day, between 7 am and 8 am. The plaintiffs also highlight that the legislative changes adopted on October 6, 2023, moved the opening time of the district 15 minutes earlier, extending the time from 1 hour to 1 hour and 15 minutes. Consequently, the inability to complete the procedure within a few minutes, especially given the extended period from the opening of the polling station to the start of voting, does not pose a significant issue. Additionally, the lawsuit states that the resolution is illegal due to the lack of a legal basis for its adoption.⁶⁷ GYLA submitted an Amicus Curiae (Friend of the Court) opinion on the lawsuit of the political party ‘Lelo for Georgia’.⁶⁸ In the procedural section of the document, it is noted that the Central Election Commission (CEC) is not authorized by the Election Code to alter deadlines through a resolution under circumstances where voting procedures could not be completed on the voting day. Additionally, the argument presented by the CEC regarding the non-uniformity caused by implementing voting procedures at different times and the disruption of the organized conduct of the election process remains unclear.

According to GYLA, it is crucial that the voting procedure be conducted on election day, as it is not solely a logistical issue. Ensuring that voting occurs on the designated day helps uphold transparency, boosts confidence in the electoral process, and safeguards against potential intimidation and pressure on individual commission members. It should also be noted that, for non-electronic precincts, the number of procedures required from the opening of the precinct to the start of voting has not increased. This is especially true considering the allocated time for these procedures was extended by 15 minutes to a total of one hour and 15 minutes. The issue of insufficient time was not identified even in precincts equipped with electronic technologies. Furthermore, the preamble of the contested resolution addresses a hypothetical problem and fails to substantiate the

⁶³ Regarding the Definition of Certain Electoral Procedures and Deadlines for the Elections Scheduled for October 26, 2024, available at: <https://matsne.gov.ge/ka/document/view/6247488?publication=0>, updated: 07.09.24.

⁶⁴ Regarding the Definition of Certain Electoral Procedures and Deadlines for the Elections Scheduled for October 26, 2024, Article 1, available at: <https://matsne.gov.ge/ka/document/view/6247488?publication=0>, updated: 07.09.2024.

⁶⁵ Regarding the Definition of Certain Electoral Procedures and Deadlines for the Elections Scheduled for October 26, 2024, Preamble, available at: <https://matsne.gov.ge/ka/document/view/6247488?publication=0>, updated: 07.09.2024.

⁶⁶ Giorgi Sioridze - the one-party CEC adopts resolutions beneficial to the “Georgian Dream”, available at: <https://www.interpressnews.ge/ka/article/809409-giorgi-sioridze-ertpartuli-cesko-kartuli-ocnebstvis-sasargeblo-dadgenilebebs-igebs/>, updated: 07.09.24.

⁶⁷ Lawsuit of the political union of citizens “Lelo for Georgia”.

⁶⁸ GYLA’s Amicus Curiae’s Opinion on Case No. 3/6138-24, available at: <https://www.gyla.ge/ge/post/ceskos-mier-tsilisyris-proceduris-cvllilebastan-dakavshirebit-saiam-sasamartlo-megobris-mosazreba-amicus-curiae-tsaradgina#sthash.Thb9wQH6.dpbs>, updated: 29.08.24.

necessity of adopting this rule. The mentioned change significantly impacts the election observation process for both local and international missions. According to GYLA, the CEC misinterpreted the authority granted by the organic law, adopting the disputed resolution without adequately justifying the need for the change or providing a legitimate legal basis. Even if a uniform legislative arrangement were necessary, the CEC should have achieved this goal without compromising the broader interests. As a result, the disputed change undermines electoral legislation, complicates the work of monitoring organizations, and reduces transparency in the process.⁶⁹

The court of first instance in case No. 3/6138-24 did not satisfy the plaintiff's request.⁷⁰ The court shared the explanation of the representative of the respondent party and, except for the circumstances specified, concluded that the procedure and terms established by the contested resolution do not create any regulations that could be viewed as rights-restricting norms.⁷¹ In addition, in the opinion of the court, the plaintiff failed to present circumstances or evidence demonstrating that the contested administrative-legal act had harmed their legal rights or interests.⁷² Additionally, the decision noted that neither the case materials nor the arguments presented at the hearing demonstrated a violation of procedural norms established by law. In the absence of such violations, a different decision would not have been warranted on the issue at hand.⁷³

On August 24, the case was appealed to the Court of Appeal. The Tbilisi Court of Appeal upheld the decision.⁷⁴

⁶⁹ GYLA's Amicus Curiae's Opinion on Case No. 3/6138-24, available at: <https://www.gyla.ge/ge/post/ceskos-mier-tsilisyris-proceduris-cvlilebastan-dakavshirebit-saiam-sasamartlo-megobris-mosazreba-amicus-curiae-tsaradgina#sthash.Thb9wQH6.dpbs>, updated: 29.08.24.

⁷⁰ Decision of Tbilisi City Court on case No. 3/6138-24 August 20, 2024.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ "The appeal court upheld the disputed resolution of the CEC", information portal "Netgazeti", August 23, 2024, available at: <https://netgazeti.ge/news/738975/>, updated: 29.08.24.

3. REGISTRATION OF POLITICAL PARTIES IN THE CEC FOR THE 2024 PARLIAMENTARY ELECTIONS

In order to present candidates in the elections, political parties must be registered with the CEC.⁷⁵ Political parties that did not have members of parliament elected by their nominations at the time of the elections were required by law to collect 25,000 signatures from supporters in order to be registered.⁷⁶ The deadline for political parties to apply to the CEC expired on July 15, and a total of 30 political parties submitted their applications for registration.⁷⁷ The application of 2 out of 30 political parties was not considered (in one case due to the cancellation of the party registration by the decision of the public registry, in the other case - due to termination of the authority of the head).⁷⁸ And from the remaining 28 parties: 17 passed the registration;⁷⁹ 11 were refused registration.⁸⁰

Political parties that have a member of parliament elected by their nomination at the time of the election are required to register by September 30.

The party participating in the elections must submit the party list to the chairman of the election commission no later than the 30th day (September 30) before the voting day.⁸¹ According to the changes implemented in the Election Code of Georgia on October 6, 2023, only members of the party or individuals who are not members of any other political party registered under the Organic Law of Georgia “On Political Unions of Citizens” can be included in the party list.⁸² The procedure for submitting information about the candidate’s party affiliation was determined by the CEC resolution.⁸³ When presenting the party list, a political party participating in the elections is required to submit an application filled out and signed by each candidate regarding their party affiliation. This documentation must accompany the party list to ensure that all candidates are properly affiliated with the party. According to the Central Election Commission (CEC) resolution of August 16, 2024, the procedure for submitting information about a candidate’s party affiliation was established,⁸⁴ and the application form for confirming a candidate’s party affiliation was also approved.⁸⁵

According to Georgian election legislation, each political party participating in the elections can submit only one-party list. The list must include at least 30 but no more than 200 candidates for Parliament membership. If a candidate is found to be a member of another party registered under the

⁷⁵ Article 113 of the Election Code of Georgia.

⁷⁶ Part 4 of Article 111 of the Election Code of Georgia.

⁷⁷ “Official website of the Central Election Commission”, August 19, 2024, available at: <https://cesko.ge/ge/siakhleebi/pres-relizebi/singleview/11033658-26-oktombris-archevnebisvis-politikuri-partiebis-natsilis-registratsiis-protsestdasrulda>, updated: 09.09.2024.

⁷⁸ Ibid.

⁷⁹ “Georgia”; “The Third Way”; “Georgian Labour Party”; “Gakharia for Georgia”; “Our United Georgia”; “Social Democratic Party of Georgia”, “For Justice”; “Ana Dolidze – for the people”; “Free Georgia”; “Left Alliance”; “Change Georgia”; “Alliance of Democrats”; “Tribune”; “Green Party”; “Free choice - a new alternative”; “Party of Unity and Development of Georgia”; “Georgian Unity”.

⁸⁰ “Official website of the Central Election Commission”, August 19, 2024, available at: <https://cesko.ge/ge/siakhleebi/pres-relizebi/singleview/11033658-26-oktombris-archevnebisvis-politikuri-partiebis-natsilis-registratsiis-protsestdasrulda>, updated: 09.09.2024.

⁸¹ Section 7 of Article 115 of the Election Code of Georgia.

⁸² Section 4 of Article 143 of the Election Code of Georgia.

⁸³ Resolution No. 34/2024 of the Central Election Commission of Georgia on determining the procedure for submitting information about a candidate’s party affiliation, available at: <https://matsne.gov.ge/ka/document/view/6247504?publication=0>.

⁸⁴ Ibid.

⁸⁵ Decree No. 67/2024 of the Central Election Commission of Georgia on the approval of the application form regarding the candidate’s party affiliation, available at: <https://cesko.ge/ge/kanonmdebloba/tseskos-samartlebrivi-aqtebi/gankargulebebi/singleview/11033649-gankarguleba-672024-16082024>, updated: 11.09.2024.

Organic Law of Georgia “On Political Unions of Citizens”, their electoral registration will be denied or canceled by a decree from the Chairman of the Central Election Commission (CEC).

The registration of the electoral entity (party) will be canceled if the political union does not submit the party list within the time limits defined by the legislation. Also, the registration of the electoral subject will be canceled if the deficiencies established in relation to the submitted party list are not corrected.

According to the approach established during the Central Election Commission (CEC) session on August 16, when a party member submits an application to leave the party, this does not require further review by the election administration. However, in the case of the party leader, the administration will verify whether there are ongoing proceedings in the public register regarding this matter.⁸⁶

Also, at the session of August 16, the CEC determined the ordinal numbers of electoral subjects for the October 26 parliamentary elections.⁸⁷

⁸⁶ CEC session, August 16, 2024, video recording available at: <https://www.youtube.com/watch?v=KyAz20ziSKc&t=11797s>, updated: 09.09.2024.

⁸⁷ No. 1 – “Yes to Europe - a constructive strategy”; 2. No. 2 – “European Georgia - movement for freedom”; 3. №3 – “Party of Unity and Development of Georgia”; 4. “New Unity Gvaramia Melia”; 5. №5 – “United National Movement”; 6. №6 – “European Democrats of Georgia”; 7. №7 – “Aleko Elisashvili - Citizens”; 8. №8 – “Alliance of Georgian Patriots”; 9. №9 – “Lelo for Georgia”; 10. №10 – “Georgian labor Party”; 11. №11 – “Republican Party of Georgia”; 12. №12 – “Our United Georgia”; 13. №13 – “Social Democratic Party of Georgia”; 14. №14 – “The Third Way”; 15. №15 – “For justice”; 16. №16 – “Change Georgia”; 17. №17 – “Georgia”; 18. №18 – “Progress and Freedom”; 19. №19 – “Alliance of Democrats”; 20. №20 – “Free Georgia”; 21. №21 – “Tribune”; 22. №22 Law and Justice”; 23. №23 – “Free choice - a new alternative”; 24. №24 – “Green Party”; 25. №25 – “Gakharia for Georgia”; 26. №26 – “Left Alliance”; 27. №27 – “Georgian Unity”; 28. №36 – “New Political Center”; 29. №41 – “Georgian Dream - Democratic Georgia”; 30. №48 – “Ana Dolidze - for the people”. see. <https://cesko.ge/ge/kanonmdebloba/tseskos-samartlebrivi-aqtebi/gankargulebebi/singleview/11033631-gankarguleba-662024-16082024>.

4. ALLEGEDLY POLITICALLY MOTIVATED VIOLENT ACTIONS AND INTERFERENCE IN THE AGITATION

During the reporting period, GYLA recorded cases of interference in the election campaign/agitation and attacks on opposition leaders. Such actions increase the level of polarization and confrontation, which has a negative impact on the pre-election campaign period, as well as endangers the conduct of the election day itself in a peaceful and fair environment.

Conducting the pre-election campaign in a peaceful and non-violent environment is essential for citizens to freely express their will on voting day. The state has an obligation to respond promptly and impartially to any actions that threaten these values. It is crucial that no one feels empowered to use violence or intimidation to influence voters indirectly.

4.1. Attack on Nika Melia, co-chairman of “Akhali” party

The co-chairman of the “Akhali” party, Nika Melia, was attacked. In particular, on August 11, he was answering journalists’ questions at the opening of the office in Samtredia, when a young man hit him in the face and insulted him.⁸⁸ The incident caused a stir.⁸⁹ According to reports in the media, the attacker is Saba Nikolaishvili, who, according to locals, is a supporter of the “Georgian Dream”.⁹⁰ The relevant authorities started the investigation on the basis of Article 126 of the Criminal Code, which refers to violence.⁹¹

On August 27, 2024, GYLA (Georgian Young Lawyers’ Association) approached the Ministry of Internal Affairs and requested information regarding the ongoing investigation of this incident. According to the response sent by the agency, no specific individual has been identified yet, however, the investigation into the case continues.⁹²

GYLA believes that a timely and impartial investigation of these cases is necessary. A delay in the investigation may be seen by members of the public as an incentive for such actions.

4.2. Hindering the campaign for the party “For Georgia”

On August 3, 2024, the party “For Georgia” held a meeting with voters in the city of Batumi, during which a citizen verbally confronted the leader of the party, Giorgi Gakharia.⁹³ According to reports, this person was Manuchar Rizhvadze, an activist of the “Georgian Dream”, an employee of the Adjara Environmental Protection Department and a relative of Tornike Rizhvadze.⁹⁴ Despite the verbal nature of the confrontation, a hostile environment was created that hindered the free conduct of the

⁸⁸ “Nika Melia was attacked in Samtredia”, information portal “Interpressnews”, August 11, 2024, available at: <https://www.interpressnews.ge/ka/article/808788-samtrediashi-nika-melias-tavs-daesxnen>, updated: 14.08.24.

⁸⁹ Ibid.

⁹⁰ “The attack on Nika Melia in Samtredia is the act of the last regimes”, information portal “Radio Tavisupleba”, August 12, 2024, available at: <https://shorturl.at/VVomp>, updated: 14.08.24.

⁹¹ Ibid.

⁹² Letter of the Ministry of Internal Affairs, September 18, 2024.

⁹³ “This is how the dream became like the National Movement”, Giorgi Gakharia’s official Facebook page, August 3, 2024, available at: https://www.facebook.com/GakhariaGiorgi/videos/8181816031885970/?ref=embed_video&t=7, updated: 14.08.24.

⁹⁴ Natia Mezvrishvili - “Dream” has started to implement the threat - announced by the Speaker of the Parliament on July 26 and interfere with the election campaign - it is hard to see how “Dream” uses the methods of the “National Movement”, news portal “Interpress News”, August 6, 2024. available at: <https://www.interpressnews.ge/ka/article/808262-natia-mezvrishvili-ocnebam-parlamentis-tavmjdomaris-mier-26-ivliss-daanonsebuli-mukaris-realizeba-da-saarchevno-kampaniis-xelsheshla-daicqo-mzime-sanaxavia-rogor-iqenebs-ocneba-nacmozraobis-metodebs/>, updated: 15.08.24.

party meeting. Reports indicate that individuals accompanying Manuchar Rizhvadze were employed in budgetary organizations and served as coordinators for the “Georgian Dream” party.⁹⁵ They are Nugzar Inaishvili - an employee of the greening service of the Batumi City Hall (“Georgian Dream” zone coordinator), Zurab Malazonia, an employee of the Batumi City Hall Gardens Union (“Georgian Dream” district coordinator), Gabi Kamaev - a specialist of the “Georgian Dream” faction of the Batumi City Council (“Georgian Dream” activist).⁹⁶ Rizhvadze’s companions verbally created a tense environment and confronted the supporters of the “Gakharia for Georgia’s” party gathered there.⁹⁷

Political parties must have the opportunity to engage with voters and conduct their activities in a peaceful and non-violent environment. The “Georgian Dream” party should refrain from mobilizing its members to attend the campaign events of its opponents and ensure that its supporters do not interfere with the meetings and activities of other parties.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ This is how the dream became like the National Movement”, Giorgi Gakharia’s official Facebook page, August 3, 2024, available at: https://www.facebook.com/GakhariaGiorgi/videos/8181816031885970/?ref=embed_video&t=7, updated: 14.08.24.

5. DISMISSAL FROM WORK, ALLEGEDLY FOR POLITICAL REASONS

5.1. The case of Cleopatra Karumashvili

Cleopatra Karumashvili has been working as a specialist in the evaluation and support of extracurricular activities at the NNLE Skills Agency Georgia since 2022.⁹⁸ According to the information provided by Karumashvili to GYLA, management requested her to remove from the work program the section related to cooperation with non-governmental organizations and the implementation of joint projects.

After that, according to Karumashvili, a few days before her release, the head of the Skills Agency Georgia, Irina Margishvili, “advised” her to write a resignation letter. During the same conversation, Margishvili focused on her political opinions, her critical attitude towards personnel changes⁹⁹ implemented in the agency, critical political posts shared on social networks and her reactions to other people’s posts. Irina Margishvili emphasized Karumashvili’s professionalism in the conversation but added that she needed “complete loyalty” in the organization.

As it became known to the monitoring mission of GYLA, Cleopatra Karumashvili refused to write a personal statement about her resignation. Subsequently, a few days later, a so-called reorganization was announced,¹⁰⁰ leading to her dismissal from the position.¹⁰¹ According to her, the reorganization solely impacted her, and rather than reducing staff, the agency hired two new employees in place of Karumashvili.¹⁰²

The stated reason for the reorganization was the restructuring of the program, positions, and sub-programs in line with new priorities. However, Cleopatra Karumashvili contends that the true motivation behind the announcement was the dismissal of an individual with differing views.

In GYLA’s opinion terminating an employee who has expressed criticism of recent government decisions under the guise of reorganization may indicate discrimination based on political grounds, particularly given that Karumashvili’s competence was not contested and, according to her, the reorganization did not result in any actual staff reductions.

⁹⁸ “I was fired due to political opinions” - former employee of the Skills Agency Georgia, “Netgazeti” news portal, August 7, 2024, available at: <https://netgazeti.ge/news/735182/>, updated: 12.09.2024.

⁹⁹ The dismissal of Cleopatra Karumashvili was preceded by the dismissal of the elected director of the agency - Tamar Kitiashvili from the position held in March 2024, which was soon followed by the resignation of the full management of the agency.

¹⁰⁰ “Labor Code of Georgia”, Article 47, Part 1, Subparagraph “a”.

¹⁰¹ Order No. 748671 of June 25, 2024 on the termination of the employment relationship with Cleopatra Karumashvili, coordinator of extracurricular activities of the NNLE Skills Agency Georgia institutional development team.

¹⁰² For additional verification of the information, GYLA has contacted the NNLE Skills Agency Georgia. At this stage, no response has been received.

6. DISREGARD FOR THE DEMAND TO SEPARATE THE STATE FROM THE RULING PARTY

6.1. Mobilization of administrative resources at a Georgian Dream election meeting

Media outlets released footage showing how public officials, employees of local non-profit legal entities (NNLEs), and teachers gathered in Mtskheta on August 21 for a pre-election campaign event organized by the “Georgian Dream” party.¹⁰³ According to a report prepared by TV Company “Pirveli”, some teachers were summoned by their director and encouraged to participate in a meeting with the “government”.¹⁰⁴ It is significant to note that the event in question was a party meeting, not a government event. As a result, teachers were provided with misleading information. The heads of municipal bodies actively encouraged employees of municipal Non-Entrepreneurial (Non-Commercial) Legal Entities (NNLEs) to participate in the event.¹⁰⁵

Although the official pre-election period begins 60 days prior to the election, the electoral process extends beyond this timeframe as established by the election law. It encompasses all activities carried out by incumbent government officials in support of or opposition to candidates, political parties, or coalitions. This broader interpretation is also confirmed by the Venice Commission.¹⁰⁶ Accordingly, the mobilization of persons employed in budgetary institutions for party events and their alleged fraudulent involvement, including shortly before the elections, establishes harmful practices, blurs the line between the state and the party, and hinders the equal and fair election process.

Thus, similar cases contain signs of the use of administrative resources by the ruling party and do not correspond to the principle of separation of party and administrative resources.

6.2. Distribution of campaign material by an employee of a budgetary organization while performing their official duty

During the reporting period, an incident was identified involving the distribution of campaign materials by an employee of a budgetary organization while performing official duties. Specifically, an individual employed within the mobile library project under the NNLE “Culture and Art Center” of Kharagauli municipality (a library employee) was distributing election campaign materials of the ruling party to local residents along with books.¹⁰⁷ In particular, these were party newspapers with photographs of the honorary chairman of the ruling party, Bidzina Ivanishvili.¹⁰⁸ At first, the information spread on the Facebook page of the library was accompanied by relevant photos, where the mentioned meetings were recorded.

¹⁰³ “Mobilization of public servants in Mtskheta - “Dream” is exposed in misuse of administrative resources”, official website of “Pirveli” TV company, August 22, 2024, available at: https://tvpirveli.ge/ka/siaxleebi/politika/78294-sajaro-mokheleebis-mobilizeba-mtskhetashi-otsnebas-administratsiuli-resursis?fbclid=IwY2xjawFARWdleHRuA2FbQIxMAABHeYX2gGYwk73UfHG22wH4Zux1I8BhJ464v8QAua5I-r9vK7bl1dx5m7iEw_aem_dAFPV44ImP0NqeZucjZbMg, updated: 10.09.2024.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ VENICE COMMISSION, REPORT ON THE MISUSE OF ADMINISTRATIVE RESOURCES DURING ELECTORAL PROCESSES, Strasbourg, 16 December 2013, para. 9.

¹⁰⁷ “The courier of the library in Kharaguli brought newspapers with photos of Ivanishvili to citizens along with books. The City Hall denies issuing a party assignment”, official website of TV company “Mtavari”, July 10, 2024, available at: <https://mtavari.tv/news/160767-kharagaulshi-bibliotekis-kurierma-cignebtan-ertad>, updated: 10.09.24.

¹⁰⁸ Ibid.



Source: The media outlet “infoimereti.ge”.

According to the deputy mayor, the municipality has not assigned such a task to any individual. The City Hall has stated that it will investigate the matter and take legal action against those responsible.¹⁰⁹

Although these incidents occurred before the official start of the pre-election campaign, they represent a harmful practice that negatively affects the overall election environment. While pre-election restrictions formally take effect during the campaign period (two months before the election), the obligation of budgetary organizations and their employees to adhere to principles of neutrality and self-restraint extends beyond this period. In addition, according to the principle of separation of administrative and party resources, it is not allowed to use the resources of budgetary institutions for party purposes and to carry out political, party or campaigning activities by them while performing their official duties, and to distribute election materials in favor of or against a particular party.

6.3. Infrastructural and social projects

During the reporting period, state and local self-government bodies continue to implement infrastructural and social projects.

In order to finance infrastructural projects in July and August 2024, several amendments were made to the Decree of the Government of Georgia dated December 28, 2023 N2402 “On the Allocation of Funds for Municipalities from the Fund for Projects to be Implemented in the Regions of Georgia”, according to which the Ministry of Finance of Georgia allocated a total of GEL 469,170,612 to municipalities.¹¹⁰ It is noteworthy that the smallest transfer among these amounts to approximately GEL 5 million, which will be allocated to municipalities including Chokhatauri, Aspindza, Kazbegi, and Lentekhi. Kutaisi and Gori municipalities received the largest transfers, exceeding GEL 16 million.

¹⁰⁹ Ibid.

¹¹⁰ Order No. 1008 of the Government of Georgia dated July 15, 2024, on ‘Allocation of Funds to Municipalities from the Fund for Projects to be Implemented in the Regions of Georgia’ Regarding the Amendment to Order No. 2402 of the Government of Georgia dated December 28, 2023, available at: https://www.gov.ge/index.php?lang_id=RUS&sec_id=602&info_id=89061, Order No. 1146 of the Government of Georgia dated August 14, 2024, on ‘Allocation of Funds to Municipalities from the Fund for Projects to be Implemented in the Regions of Georgia’ Regarding the Amendment to Order No. 2402 of the Government of Georgia dated December 28, 2023, available at: https://www.gov.ge/index.php?lang_id=GEO&sec_id=602&info_id=89324.

For reference, a list of projects to be implemented in each municipality has been established as annexes to the aforementioned decree. According to this annexe, approximately 1,200 small infrastructure projects are planned across 57 different municipalities in Georgia.¹¹¹ It appears that the funds allocated to municipalities will be entirely devoted to infrastructure projects, including the rehabilitation of city streets and roads, improvements to administrative centers in municipalities and villages, construction of stadiums, maintenance of water supply systems, and the rehabilitation of museums, etc.

In addition, in May 2024, the budget of Batumi municipality increased by GEL 68 million.¹¹² During the reporting period, various types of infrastructure projects (approximately GEL 66 million), as well as projects in healthcare, education, culture, youth, and sports, are being implemented with an increased budget.¹¹³

Additionally, shortly before the elections, the construction of three residential buildings on Nikea Street in Kutaisi is being completed as part of the displaced persons resettlement program. Furthermore, the construction of apartments for displaced families is underway on Shervashidze Street in Kutaisi.¹¹⁴ In total, 1040 displaced families will be given residential apartments in Kutaisi in the coming months.¹¹⁵ Within the framework of the same program, the construction of 7 multi-storey buildings is starting in Zugdidi, which will accommodate 1700 displaced families.¹¹⁶ The cost of the project is more than GEL 191 million.¹¹⁷

In addition, at the session of the Government of Georgia on August 26, 2024, Prime Minister Irakli Kobakhidze announced the allocation of residential apartments to over 1,000 military personnel this year.¹¹⁸ He also noted that a similar project will be considered for the next year as well.¹¹⁹

According to OSCE standards, there is a significant imbalance among the resources of electoral subjects in favor of the ruling party, which is reflected in the “advantage given by being in power”, such as the implementation of various types of infrastructure or social projects, promises, and so on.¹²⁰ Although the implementation of most of these projects was planned and initiated before the elec-

¹¹¹ Order No. 1146 of the Government of Georgia dated August 14, 2024, on ‘Allocation of Funds to Municipalities from the Fund for Projects to be Implemented in the Regions of Georgia’ Regarding the Amendment to Order No. 2402 of the Government of Georgia dated December 28, 2023, available at: https://www.gov.ge/index.php?lang_id=GEO&sec_id=602&info_id=89324.

¹¹² “Batumi’s budget has increased”, information portal “Adjaratv.ge”, May 31, 2024, available at: <https://ajaratv.ge/article/133640>, updated: 24.08.2024.

¹¹³ “Current infrastructural works in the city”, official website of Batumi City Hall, available at: <https://old.batumi.gov.ge/posts/8276>, updated: 11.09.2024.

¹¹⁴ “In Kutaisi, the construction of buildings designated for displaced persons is nearing completion”, official website of the Ministry of Internally Displaced Persons from Occupied Territories, Labor, Health, and Social Protection of Georgia, August 27, 2024, available at: <https://www.moh.gov.ge/viewnews.php?lang=1&uid=202408271235437170678818>, updated: 29.08.2024.

¹¹⁵ Ibid.

¹¹⁶ In Zugdidi, seven multi-storey buildings will be constructed to accommodate 1,700 displaced families”, official website of the Ministry of Internally Displaced Persons from Occupied Territories, Labor, Health, and Social Protection of Georgia, August 27, 2024, available at: <https://www.moh.gov.ge/viewnews.php?lang=1&uid=202408271244134025506740>, updated: 29.08.2024.

¹¹⁷ Ibid.

¹¹⁸ “Statements of the Prime Minister at the Government Session”, official website of the Government of Georgia, August 26, 2024, available at: https://www.gov.ge/index.php?lang_id=GEO&sec_id=596&info_id=89367, updated: 29.08.2024.

¹¹⁹ Ibid.

¹²⁰ “Municipal Elections of October 2 and 30, 2021, Final Report of the Election Observation Mission of the Office for Democratic Institutions and Human Rights (ODIHR), OSCE Office for Democratic Institutions and Human Rights, April 8, 2022, available at: https://www.osce.org/files/f/documents/e/7/516627.pdf?fbclid=IwY2xjawFOOPVleHRuA2FlbQlx-MAABHSyID383br01xJEVLDeS4s8YQQ9fvduhNkelUT2_5aG0HDI9gPRI4STfHw_aem_RmCHa5dgQbxqx4o064IXPw, p. 5.

tion period, their active continuation, including the opening of various projects by representatives of the ruling party and other activities, may blur the line between the state and the party, contradicting the standards and good practices outlined in the OSCE's 1990 Copenhagen Document.¹²¹

Accordingly, in GYLA's opinion, the significant increase in the local self-government budget for the implementation of numerous and large-scale infrastructure projects during an election year, along with their completion and opening during the election period, which could influence voters in favor of the ruling party, establishes a bad practice and raises suspicions of the improper use of administrative resources by the ruling party. At the same time, the mentioned bad practice may, on the one hand, make it difficult to establish the boundary between the state and the party. And, on the other hand, it may put the ruling party in an obviously superior, unequal position in relation to other political entities participating in the elections.

6.4. Increase in Staff in Municipal Non-Profit Legal Entities (NNLEs)

In the municipalities, in the election year, there is an increase in the number of employees in municipal bodies and private limited companies and LLCs. In order to better illustrate this trend for the current year, GYLA conducted a study aimed at analyzing the overall dynamics of employee numbers in municipalities.

According to information received from the municipal councils, general observations indicate no trend of increasing employee numbers within the councils. It is worth noting that several city councils have appointed a personal data protection officer. However, there has been no overall increase in the number of employees, including those with employment contracts, in the city councils.

A similar trend is evident in municipal mayors' offices. Although certain changes are recorded in the staffing list, these are primarily driven by various legislative or subordinate acts or structural changes within the mayor's office. Notably, this year, in accordance with the new "Defense Code", the military registration and conscription services have been abolished in the mayors' offices.

In terms of the increase in the number of employees, the most active sectors are municipal limited liability companies (LLCs) and non-profit legal entities (NNLEs). According to responses from the municipal mayor's office, an increase in employment is observed in certain municipal NNLEs in 2024. It should be noted that municipal legal entities are established to provide local services and encompass infrastructure, healthcare, social, cultural, and educational services. Local preschool education (kindergarten) associations benefit from the status of municipal NNLEs, and they are typically the largest employers at the local level. As it is clear from the responses of the City Hall, the smallest changes were made in the healthcare and medical services providers, in some cases the number of employees was even reduced. For example, the number of staff in the healthcare center of Zestaponi municipality was reduced by 25.¹²² Also, staff reduction was observed in Lanchkhuti municipality.¹²³

However, in nearly every municipality for which GYLA received information, an increase in employment is recorded in the same local legal entities. Specifically, in the first half of 2024, the highest number of people were employed in the following legal entities: those responsible for maintenance and cleaning, transportation, preschool education (kindergartens), and water supply. In particular, during the reporting period, municipal transportation companies added positions for drivers and controllers in the following municipalities: Gori—4 new positions in the NNLE Gori Municipality

¹²¹ Ibid, p. 28.

¹²² Letter No. 22-222420146 dated July 19, 2024 of the City Hall of Zestaponi Municipality.

¹²³ Letter No. 01-302420151 dated July 19, 2024 of the City Hall of Lanchkhuti Municipality.

Transport Agency,¹²⁴ Telavi—7 driver positions and 5 controller positions in the Telavi Transport Service NNLE¹²⁵, Sighnaghi—20 new positions in the NNLE “Communal 1” for the provision of transportation services.¹²⁶ Additionally, the staff list of LLC “Batumi Autotransport” increased by approximately 350 positions,¹²⁷ however, in response to GYLA’s inquiry, the mayor’s office and LLC “Batumi Autotransport” did not provide information regarding the necessity for such a significant change.

Additionally, the number of positions increased in various municipal cleaning and maintenance legal entities. Specifically, the positions for waste collectors, cemetery attendants, outdoor lighting personnel, and similar roles were increased. For example, the NNLE “Akhaltsikhe Cemetery Management Center” added 3 new positions, while the NNLE “Akhaltsikhe Service Center” added 12 new staff members.¹²⁸ The NNLE “Zestaponi Cleaning and Maintenance Service Center” added 13 new staff members.¹²⁹ The NNLE “Lagodekhi Service Center” added 17 new staff members.¹³⁰ 25 new staff were added to “Clean Municipality 2018” LLC of Sagarejo Municipality,¹³¹ and 18 staff positions were added to the NNLE “Kvareli Improvement Service”.¹³² In addition, the number of staff in cleaning and improvement services was increased in the municipalities of Adigeni, Dusheti, Martvili, Mtskheta, Poti and Khobi.

There was also a significant increase in staff numbers in various municipalities’ preschool education centers. For example, the Municipal Preschool Service of Dmanisi added 42 new positions in 2024,¹³³ the NNLE Union of Kindergartens of Tskaltubo added 39 new positions.¹³⁴ The staff numbers of the kindergartens in Dusheti, Sagarejo, and Senaki have also increased.

Additionally, staffing increases were observed in various municipal services, including water supply and cultural departments. For example, in the NNLE cultural center of the Chokhatauri municipality, four new positions for yard-keeper and twelve positions for rural club specialists were added in 2024;¹³⁵ And in 2024, 13 decorators, 15 water pump station operators and 2 drivers were added to the NNLE Kareli Development Center. Overall, nearly 800 new positions were added in municipal NNLEs across Georgia in the first half of 2024.

Based on the provided information, although an increase in staffing is not observed in many municipalities, the existing trend still fosters bad practices in the country during the pre-election period and raises suspicions that the employment of locals in municipal bodies and legal entities is one of the methods used by the ruling party and local authorities to gain votes. According to the GYLA, this practice violates the principle of separation between the state and the party, as well as the separation of administrative and party resources.

It is important that the state does not unnecessarily use the tool of employment of persons in the municipal NNLEs before the elections, which creates the risk of mobilizing voters’ votes at the expense of administrative resources by the ruling party.

¹²⁴ Letter No. 0-2024207262 of the City Hall of Gori Municipality dated July 25, 2024.

¹²⁵ Letter No. 01-262419931 dated July 17, 2024 of the City Hall of Telavi Municipality.

¹²⁶ Letter No. 08-542420554 dated July 23, 2024 of the City Hall of Sighnaghi Municipality.

¹²⁷ Letter No. 01-1424218240 dated August 5, 2024 of the City Hall of Batumi Municipality.

¹²⁸ Letter No. №12-122420656 dated July 24, 2024 of the City Hall of Akhaltsikhe Municipality.

¹²⁹ Letter No. 22-222420146 dated July 19, 2024 of the City Hall of Zestaponi Municipality.

¹³⁰ Letter No. 92-922419944 dated July 17, 2024 of the City Hall of Lagodekhi Municipality.

¹³¹ Letter No. 06-52242006 dated July 18, 2024 of the City Hall of Sagarejo Municipality.

¹³² Letter No. 88-882420817 dated July 26, 2024 of the City Hall of Kvareli Municipality.

¹³³ Letter No. 108-1082420010 dated July 18, 2024 of the City Hall of Dmanisi Municipality.

¹³⁴ NNLEs and LLCs of Tskaltubo Municipality City Hall, staff list 2024, available at: <https://tskaltubo.gov.ge/aaip-ebi/>, updated: 22.08.2024.

¹³⁵ Letter No. 46-462420569 dated July 23, 2024 of the City Hall of Chokhatauri Municipality.

6.5. The amnesty bill

On July 10, 2024, the “Georgian Dream” faction initiated a bill on amnesty.¹³⁶ The draft law was adopted by the Parliament in the first reading on July 19, 2024, and it was supported by 82 deputies.¹³⁷ A large portion of the opposition did not attend the session. They were in a boycott mode.¹³⁸ It is planned to be adopted in the second and third reading in the fall session.¹³⁹ The bill concerns 4,839 prisoners, and the issue of immediate release concerns 1,000 prisoners.¹⁴⁰ Reducing the sentence by 1/6 and reducing the conditional sentence for probationers is an important innovation. Out of the 22,000 probationers available today, 7,000 probationers¹⁴¹ will be immediately affected¹⁴² by the the amnesty. A person to whom the amnesty articles do not apply and as of July 1, 2024, has been sentenced to probation (except in the case of committing a domestic crime) or has been released on parole (except in the case of committing a domestic crime), the probationary sentence and the probationary period will be reduced by 1 year.

Amnesty in its essence is a humanitarian act on the part of the state. Its purpose is to unify society by freeing people convicted of certain crimes. Naturally, it can be issued at any time, however, it should not be used as a mechanism to influence voters. In addition, it should be noted that the current amnesty precedes the general parliamentary elections of 2024. Adoption of the law in its final form is planned for the month of September, during the autumn session, 1 month before the elections. In such a context, the risk of the ruling party influencing convicts released by amnesty in various ways in order to obtain political benefits from them and those close to them increases. And this will ultimately be expressed in the mobilization of votes for the ruling party for the elections.

¹³⁶ “Amnesty Bill”, official website of the Parliament of Georgia, July 10, 2024, available at: <https://info.parliament.ge/#law-drafting/28908>, updated: 21.08.24.

¹³⁷ “Parliament adopted the bill on amnesty in the first reading”, official website of the Georgian Public Broadcaster, July 19, 2024, available at: <https://1tv.ge/news/parlamentma-amnistiis-shesakheb-kanonproehti-pirveli-mosmenit-miigho-2/>, updated: 21.08.24.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ The person who violated the isolation and/or quarantine rule and the person who violated the state of emergency or martial law will be released from probation.

¹⁴² “Parliament adopted the bill on amnesty in the first reading”, official website of the Georgian Public Broadcaster, July 19, 2024, available at: <https://1tv.ge/news/parlamentma-amnistiis-shesakheb-kanonproehti-pirveli-mosmenit-miigho-2/>, updated: 21.08.24.

7. VIOLATION OF THE PRINCIPLE OF POLITICAL NEUTRALITY AND/OR POSSIBLE INTIMIDATION OF VOTERS

According to reports, on August 10, 2024, the director of the Georgian Veterans Affairs Service, Koba Kobaladze, met with local veterans in Kutaisi. The State Service of Veterans Affairs is a sub-departmental public law legal entity of the Ministry of Defense, which implements various social and infrastructural projects to help war veterans.¹⁴³ As it became known to the GYLA monitoring mission, at the beginning of the meeting, Kobaladze informed the approximately 50 veterans present that elections were approaching and stated, “They knew what choice they should make” (referring to whom they should vote for).

Koba Kobaladze, as the head of the State Service of Veterans Affairs, is obligated to conduct his activities in accordance with the general rules of ethics and behavior for public servants, ensuring independence from political party affiliation and personal political views.¹⁴⁴ While exercising his official authority, he must refrain from such actions that may be perceived as pursuing the interests of a particular political party.¹⁴⁵

Such cases are part of the bad practices related to the electoral processes.

Koba Kobaladze’s appeal was followed by the excitement of one of the veterans¹⁴⁶ present at the meeting. According to him, he declared at the meeting that he had nothing to do with politics, “nothing was done for veterans” and he did not want to continue participating in this meeting. He left the meeting with “unaddressed, indecent words”. As the veteran mentions in his conversation with GYLA, on the second day of the Kutaisi meeting, he received a threatening message from Koba Kobaladze on social media,¹⁴⁷ where he demanded an answer as to why he left the meeting and stated that the service did not do anything for him. He also was threatened that they would “shoot his legs”. It should be noted that the person deleted the text on the social network on the same day. According to the veteran, in the following days, he was interviewed at home, called on the phone and asked to meet.¹⁴⁸

In response to the story aired on August 13, 2024 by TV company “Mtavari”,¹⁴⁹ the official website of the State Service of Veterans Affairs published a public statement explaining that Koba Kobaladze was not at the meeting in Kutaisi on August 10. Accordingly, the agency categorically denies not only

¹⁴³ The State Service of Veterans Affairs is a sub-departmental public law legal entity of the Ministry of Defense, which was established in 2014. Among other things, its goal is to ensure the establishment of a solid legal and socio-economic foundation for the proper living conditions and well-being of war and military veterans and their family members, as well as to create decent conditions for their socio-economic activities. This service implements various social and infrastructure projects for war veterans to achieve the aforementioned objectives. It is obvious that through this service, beneficiaries receive (or should receive) certain types of services, which makes them dependent on the service. See the statute of the public law legal entity - State Service for Veterans Affairs, Article 2; About the activities of the State Service of Veterans Affairs, see official website, available at: <https://veterans.gov.ge/category/%E1%83%A1%E1%83%98%E1%83%90%E1%83%AE%E1%83%9A%E1%83%94%E1%83%94%E1%83%91%E1%83%98/>, updated: 10.09.2024.

¹⁴⁴ Paragraph 2 of the Article 6 of the resolution No. 200 of the Government of Georgia on defining the general rules of ethics and behavior in public institutions.

¹⁴⁵ Ibid, Article 3.

¹⁴⁶ The person involved in the incident is a veteran of the 2008 war and military missions in Afghanistan and Iraq, who served in the Ministry of Defense for 23 years.

¹⁴⁷ These messages were not available to the GYLA monitoring mission.

¹⁴⁸ “According to the veteran soldier, Koba Kobaladze threatened to kill him”, official Facebook page of TV company “Mtavari”, August 13, 2024, available at: <https://www.facebook.com/TvMtavari/videos/1569480963924774>, updated: 06.09.2024.

¹⁴⁹ Ibid.

the existence of any intimidation or coercion but also the very fact of the meeting itself.¹⁵⁰

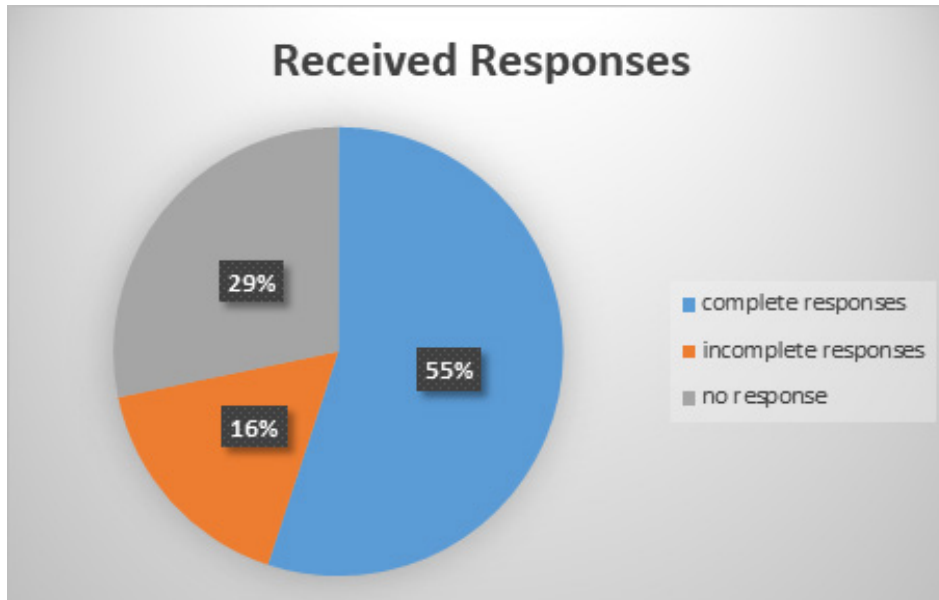
Due to the importance of this service for veterans, this type of political appeal by Koba Kobaladze may be considered as manipulation of the voters' will by the official.

According to GYLA's assessment, this case may represent a violation of the principle of political neutrality by a public servant (official). Furthermore, the case exhibits signs of a criminal offence, warranting the attention of the relevant authorities. If the facts are confirmed, appropriate actions should be taken.

¹⁵⁰ "The State Service of Veterans' Affairs issues a statement regarding the story aired on the "Mtavari Channel" TV station", official Facebook page of the Veterans' Affairs Service, August 13, 2024, available at: <https://www.facebook.com/veteranebi/posts/pfbid0PDmoWuuaQEYKczk7cvb1GTWszr9Wmaoneutr5GjYLofb8TCgNMXTmwPPUaRnmxwyl>, updated: 6.09.2024

8. LIMITATION OF ACCESS TO PUBLIC INFORMATION DURING THE MONITORING PROCESS

For the purposes of long-term election monitoring, from April 4, 2024 to August 26, 2024 inclusive, GYLA submitted 138 requests to various public agencies in accordance with the General Administrative Code of Georgia, seeking public information. In 39 cases, these agencies did not provide any response. Notably, the Ministry of Foreign Affairs of Georgia did not provide public information in 1 case, while municipal councils did not respond in 14 cases. Additionally, 24 municipalities did not reply to the letter.



A general observation of the answers received in terms of access to public information revealed several trends:

- Cases when public agencies did not give any answers;
- The agencies send a response within the deadline, where they indicate the need to use the 10-day period allocated to them, but after the expiration of the period, they do not provide the requested information to the organization;
- The answers are not complete and cannot provide comprehensive information on the question;
- Some bodies, including the Georgian government administration, have indicated in their responses that the requested information is published in the Legislative Herald or on another official website. They often direct the requester to these platforms without providing the appropriate links, which constitutes a violation of the right to access public information. This is particularly problematic when the information requested by a letter differs in form and content from what is posted online. Ultimately, this limits the monitoring organization's ability to receive public information and hampers effective long-term monitoring.

GYLA urges state and local self-government bodies to ensure the timely and comprehensive provision of public information to electoral monitoring organizations so that they can properly carry out monitoring of the electoral environment.