



# Monitoring the Use of Administrative Resources for Election Campaign

January 5, 2008 Extraordinary Presidential Elections and Plebiscite

Preliminary Report, December 5, 2007

Tbilisi, Georgia

Georgia's future development greatly depends on fair and democratic conduct of the January 5, 2008 presidential elections and plebiscite. This election is particularly important internally for ensuring the legitimacy and public trust of the winning force in the election and externally for determining the position of the international community, including European and Euro Atlantic structures, towards the country and its democratic commitments.

The election process does not begin and end on the election day. The election day is only the middle layer, when voters cast ballots based on the results of observing election subjects during the pre-election campaign and in the period between the elections. After making a choice on election day, the voter is obliged to protect his/her own vote by submitting an appeal to the relevant commission or court if he or she notices a violation of voting procedures or vote counting. Therefore, the legality and democratic nature of the election is assessed not only by the conduct on election day, but by the whole election process. The pre-election campaign period and, in particular, the existence of equal competitive conditions for all election subjects is of particular importance in this assessment.

TI Georgia's project *Monitoring the Use of Administrative Resources for the 2008 Extraordinary Presidential Elections* aims at revealing those violations and inaccuracies during the pre-election campaign that give an advantage to certain election subjects and thus create problems for fair and objective conduct of the election and ultimately for the democratic development of the country.

Given that the ruling party has access to administrative resources, TI Georgia's monitoring focuses on the ruling party's presidential candidate – Mikheil Saakashvili.

We would like to highlight that the use of administrative resources for campaigning purposes is not always illegal. Though initiating sudden, ambitious projects several weeks before the election does not violate legal provisions, it is an obvious example of how a political force in power or its candidate can use budgetary resources for campaigning purposes. Thus, TI Georgia's assessment looks not only at legal breaches, but it evaluates the extent to which equal conditions during the pre-election campaign exist for different election subjects.

TI Georgia's monitoring began on November 8, 2007, the day when Mikheil Saakashvili publicly announced the extraordinary presidential elections to be held on January 5, 2008. The monitoring includes all five major types of administrative resources: media resources, budgetary resources, regulatory resources, institutional resources, and so called "hard" resources (*definitions are given below*). The following report summarizes the main cases of the misuse of the abovementioned resources from the period of November 8 to December 5. TI Georgia will publish such reports periodically to provide up-to-date information on violations and other problems revealed during the next reporting periods.





## Media Resources

*Putting specific political forces in a privileged condition by state funded or privately owned media, unequal distribution of media space among election subjects, subjective coverage of election campaigns.*

### State of Emergency and Meetings with Different Groups of Society

On November 8, 2007 President Mikheil Saakashvili named the approximate date of the extraordinary presidential election. At this time, the state of emergency was still in force in the country, meaning that media outlets were restricted from gathering and disseminating information by presidential decree. The only television station that retained this right was Public Broadcasting. During the period of state of emergency, Public Broadcasting was airing hour-long meetings between President Saakashvili (currently the presidential candidate) and businessmen, vineyard farmers, teachers, and doctors live and in their entirety. The same time, opposition parties, due to the state of emergency, had highly constrained opportunities to communicate with the public through television.

During the meetings with the listed groups of society, the president spoke about the November demonstrations and alleged that some representatives of opposition parties (including some current presidential candidates) have connections with Russian special services and were attempting to destabilize the country. He also discussed the reforms implemented in certain fields and talked about future plans. Additionally the president asked meeting participants to name their most problematic issues and promised to solve them immediately; this included immediate correcting of different legal acts, funding of international conferences without having to go through funding bids, instantaneous purchasing of different inventory and equipment, etc.

### Media Coverage of Allegations against Political Opponents

Five television channels – Public Broadcasting, Rustavi 2, Mze, Ajara and Georgia, the Georgian Ministry of Defense’s channel, showed a documentary film prepared by the Ministry of Internal Affairs and the Prosecutor General’s Office. The film depicted leading officials and other representatives of the abovementioned law enforcement institutions accusing some opposition politicians (including some current presidential candidates) of cooperating with Russian special services, creating criminal groups, and inciting the violent overthrow of the government.

At the time it was shown, none of the allegations shown in the film during the preparation and running of the movie were heard or proven by the court (These allegations still remain open today).

### Extensive Live Broadcasts after the End of the State of Emergency

On November 23<sup>rd</sup> the national television channels broadcasted live the United National Movement’s party assembly held in the Sports Palace. Mikheil Saakashvili, the president and the leader of the ruling party (currently the presidential candidate), gave a long speech at the assembly and called on the audience to support the United National Movement. As it was mentioned several times by Mikheil Saakashvili and other speakers, the event was the United National Movement’s party assembly. The next day, the New Rights party held its party assembly, which was addressed by the party’s leader and presidential candidate David Gamkrelidze. No television station showed live broadcasting of this assembly.





On November 27<sup>th</sup> during a concert in the Philharmonic Concert Hall (this concert was not a campaign event), Mikheil Saakashvili, who had already resigned from his position during the election campaign, addressed the audience. Rustavi 2 stopped its news program and broadcasted the entire speech live.

The former president's meeting with IDPs held on November 28<sup>th</sup> at Tbilisi City Hall, as well as his meetings with athletes and war veterans, were also broadcasted live and in their entirety. At this point, no television station had provided live coverage or the full taped coverage of any of the other presidential candidates' meetings with different constituencies.

### Unrestricted Activities of Media

In the pre-election campaign particular importance is given to the media's activities in a free regime and their equal access to all election subjects. Keeping this in mind it is an important fact that after the state of emergency was lifted, most media outlets resumed working at the same capacity as before the state of emergency. Imedi TV, the most popular station, and Imedi Radio, however, remained closed. Currently, following the active involvement and recommendations of international organizations and high officials from countries friendly to Georgia to allow these two media outlets to go back on air as soon as possible, the issue of their broadcasting has been resolved and Imedi TV and radio are expected to reopen in the coming days.

TI Georgia shares the view that journalists from all media outlets should handle their work responsibly and should not spread unverified and inaccurate information. However, TI Georgia also believes that authorities bear a much greater responsibility to not commit any act that will be perceived as a restriction of the freedom of speech and media (especially during the election campaign).

One more incident involving media is connected with an independent TV studio Maestro. On November 29<sup>th</sup> Maestro broadcasting got cut off upon the start of its new program Journalist's Profession. This TV program was a part of Maestro's new project. As part of this project Maestro planned to produce TV discussions on different topics such as freedom of speech and its importance, different constitutional orders (presidential and parliamentary systems), pre-election and election day procedures, voters' rights, etc. According to the head of the studio, Mamuka Ghlonti, before the start of this project he received a call suggesting that he not to begin the planned discussions. The head of the studio did not follow this "suggestion" and as soon as his first live discussion started, the cable TV his broadcasting was based on got shut off. The broadcasting resumed the next day and currently the

program Journalist's Profession is on air, however, considering the calls he had received, the head of the studio rules out the possibility of technical problems connected with the first broadcasting.

### **Budgetary Resources**

*Using state and local authorities' budget resources during the election campaign in the interests of the political forces or a candidate, including direct distribution of public funds to voters, sudden increase in welfare payments, salaries, and pensions in the course of the election campaign, initiating ambitious social projects shortly before the elections without public debates and appropriate cost-benefit analysis, etc.*

Recently, two months before the end of the budgetary year, by the president's initiative, the government initiated numerous social projects that required substantial amount of funding. Given the difficult socio-economic conditions in Georgia, social support is always timely. However, some of the decisions initiated in<sub>3</sub>



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the course of the last few weeks were firmly opposed by authorities several months ago. In addition, these decisions were not included either in the 2007 budget or in the 2008 draft budget submitted to the Parliament of Georgia on September 30, 2007. These are the reasons to why these decisions are mostly perceived as part of the election campaign rather than a component of a consistent and long-term social policy.

In 2005, the government began implementing social system reform. This reform changed the basis for social assistance from categories (e.g. mothers with several children, war veterans, single mothers, etc.) to need (total family income). TI Georgia positively assessed this reform because state aid was distributed more fairly and according to real needs. According to the old system, for example, it was possible that the state provided support to a war veteran for whom this aid was not essential for basic needs because of his family income while poor families which did not have any family members belonging to any of the special categories (war veterans, single mothers, mothers with several children, etc) were left without any state support. TI Georgia also stressed the fact that for certain social groups (e.g. war veterans) these payments were more a recognition of their service to the country rather than social assistance. Nevertheless, in 2005-2006, the authorities had the unwavering position that limited budgetary funds had to be distributed only to the poorest segments of the population and spending on those who were not in real need had to be limited to the extent possible limit. This policy is clearly different from the decisions made in the course of the last weeks, which include issuing vouchers and introducing transportation discounts and other types of aid for pensioners, war veterans, blind people, teachers, and families living in regions.

#### Vouchers for Natural Gas, Electricity, Wood, and Flour for Rural Communities

In November and December of 2007, by the decision of former president and current presidential candidate Mikheil Saakashvili:

- Through the *Program of Presidential Gift*, all families (in total about 900,000) living in Georgia (except Tbilisi, Rustavi, Kutaisi, Batumi, and Poti) are receiving one time vouchers for five cubic meters of heating wood<sup>1</sup>. The vouchers can be used until 2012;
- Through the *Program of Presidential Subsidy*, all families living in the regions (except those living in Rustavi, Kutaisi, Batumi, and Poti) are receiving 50 kg of flour;
- All persons below the poverty line, as well as pensioners and teachers are receiving 50 GEL vouchers for electricity (in total the program covers approximately 70,000 teachers, 400,000 socially vulnerable people, and 850,000 pensioners). Electricity vouchers can be used in January;
- All persons below the poverty line living in Tbilisi, as well as pensioners and teachers living in Tbilisi are receiving 50 GEL vouchers for natural gas;
- Each pensioner from Tbilisi (approximately 200,000 people) is receiving 20 GEL medical vouchers. These vouchers can be used immediately.

According to Minister of Labour, Health, and Social Protection of Georgia Davit Tkeshelashvili, all members of a family who belong to at least one of the abovementioned categories will get electricity and natural gas vouchers, which means that possibly one family might receive more than one voucher of the same type.

<sup>1</sup> Wood vouchers are permits for their owners to cut 5 cubic meters of wood free of charge. Permit per cubic meter costs 3 GEL. Cutting wood and transporting it cost several hundred GEL. These expenses are not covered by the voucher.





Electricity vouchers carry the words “President’s Subsidy” and the voucher for wood says “President’s Gift.” The authorities explain that the voucher program is funded from the President’s Fund. But just like any other article in the budget, the President’s Fund is also part of the state budget.

### Salary and Pension Increases

By the initiative of former president and current presidential candidate Mikheil Saakashvili, the minimum pension will increase from 38 GEL to 55 GEL from December 1, 2007; and to 76 GEL from January 1, 2008. Teachers’ salaries will also increase to 200 GEL starting on December 1, 2007. The salaries of academicians of the National Academy of Sciences will increase to 1,600 GEL and the salaries of correspondent-members will increase to 1,000 GEL.

The sources of funding for increased salaries and pensions are not currently indicated in the budget for December 2007 or in the 2008 draft budget that was submitted to the Parliament on September 30, 2007 with the president’s approval.

According to the 2008 draft, in 2008 554.5 million GEL were to be allocated for state pensions. This sum is for 12 months and, divided among 800,000 pensioners, does not exceed 56 GEL per month. In addition, this sum is envisioned not only for regular pensions but also for covering pensions of pensioners from power structures, state compensations, stipends, and additional bonuses according to the number of years served. Meanwhile, according to preliminary calculations at the first stage, increase of the minimal amount of pensions up to 55 GEL will require the allocation of an additional 13.6 million GEL only in December 2007 and, starting from 2008, approximately 269 million GEL.

Regarding teachers’ salaries, despite the fact that since the Rose Revolution salaries (including teachers’ remuneration) increased several times, the budget reveals that authorities did not plan to increase their salaries in 2007. Such initiative was not reflected in draft amendments to the most recent draft amendments to the 2007 budget, or the draft budget of 2008. Taking into account that at present there are approximately 70,000 teachers<sup>2</sup> in Georgia’s public schools, if remuneration of each of them increases by 40-50 GEL, it will be necessary to allocate an additional 2.8-3.5 million GEL per month, which equals 34-42 million GEL annually.

It is noteworthy that on October 5, 2007 teachers from Tbilisi and the regions organized a demonstration in front of the State Chancellery. The demonstration focused on teachers’ difficult social conditions. In addition to other demands, they were demanding an increase in salaries and other social guarantees. Teachers at the demonstration wanted to meet with the president and sent the relevant request to the President’s Administration. The request was officially registered, but the meeting with the president never followed. The 400 meter long written appeal, which was collected from teachers all around Georgia and described their problems was also left unanswered.

Regarding the National Academy of Sciences, not long before the appointment of the election some government representatives referred to the Academy of Sciences as “a hold over from the Stalinist era” and did not see the importance of its existence. Currently there are 65 academicians and 64 member-correspondents in the Academy of Sciences of Georgia. This means that after enacting the new initiative of the Parliament approximately 2.2 million GEL per month will be needed to cover the salaries of the academicians and member-correspondents. The 2008 draft budget envisioned only 1,300,000 GEL for the

<sup>2</sup> According to the figures of the State Department of Statistics of Georgia





Academy of Sciences, which confirms that in September 2007 (when the 2008 draft budget was submitted to the Parliament) the authorities were not planning on increasing the salaries of academicians or member-correspondents of the Academy.

Given that sources of funding for the abovementioned initiatives are not envisioned in the 2007 or 2008 budgets, it is possible that the government is counting on financing them from the President's and Government's Funds. The 2007 budget allocates 50 million GEL for both of these Funds. At the moment, after completion of 10 budgetary months, approximately 21 million GEL is already spent from the two Funds, leaving only 29 million GEL to be spent. The increase of pensions in December requires approximately 14 million GEL, implementation of the employment program - 20 million GEL (if funding of its first stage starts in December), increase of teachers' salaries - 3 million GEL and up to 700,000 GEL for their medical insurance. Funding of only these initiatives will require 37.7 million GEL in December.

By the decision of the new prime minister, deliberations on the 2008 draft budget submitted in September have been temporarily stopped. The prime minister requested to stop deliberations arguing that the document had to take into account the president's priorities. It is possible that the former president's new initiatives will appear in the revised draft. For now the only known fact is that next year's budget will be "reoriented on people," as the Prime Minister put it.

### Discounts on Transportation

On November 20<sup>th</sup> President Mikheil Saakashvili (currently a presidential candidate) met with blind people and war veterans. During the meeting, Saakashvili requested that the city council (Sakrebulo) immediately discuss the initiative on introducing free of charge public transportation for the blind and veterans.

Transportation discounts for veterans and blind people were abolished by the decision of authorities in the summer of 2007. The reason for this was the Discounts Monetization Program (the 2008 budget allocates 26.4 million GEL for this program) initiated by the Government of Georgia. At the time, veterans responded to the loss of these discounts by demonstrating in front of Tbilisi City Hall. Their demands were not met then.

Now transportation discounts will apply to 3,400 veterans and up to 370 blind people.

### Employment Program

In December 2007, by the initiative of the former president and current presidential candidate the government is starting to implement the new Employment Program. In fact, this is an on-the-job training program through which businesses are invited to hire "interns" for a three-month period and the internships are paid for by the state. Through the program, up to 100,000 citizens will have the opportunity to intern in different companies. For this they have to register at special registration centers set up by the government. At these centers they will then receive the list of the vacancies where they will be able to apply for the state-funded three month internships.

In the first half of December, citizens from 25 to 65 years of age should apply to the employment center. According to government officials, citizens who present relevant documents proving completion of the internship in February 2008 will receive a one-time honorarium of 600 GEL.





This type of program was first implemented in October 2006 for 50,000 citizens. Implementation was accompanied by a number of conceptual as well as technical problems (for additional information please see TI Georgia's *Fighting Unemployment in Georgia* report published in April 2007). In spite of this, the new program is almost the same as the one implemented in 2006. Additionally several tens of millions of GEL is planned to be spent on it while according to the figures as of December 5 the inflation rate already exceeds 11%.

As of now, the sources of funding of the program are not clear. Relevant funds are not envisioned in the 2007 budget or the 2008 draft budget. According to the Ministers of Economy and Health Protection, in total 60 million GEL will be spent on the program.

## Regulatory Resources

*Using of decision-making and law adopting institutions and executive bodies to realize specific political interests of specific political forces or candidate by passing legal provisions in favor of the political party in power or a candidate, influencing election commissions, misinterpreting legislation, changing legislation shortly before the election for the purpose of getting votes, etc.*

### Legalizing Property

In the second half of November by the initiative of former president and current presidential candidate Mikheil Saakashvili, the Parliament developed a draft resolution envisioning additional measures for protecting private property. According to the draft resolution, amnesty on property will be announced and it will apply to all property, including the private property that is currently the subject of administrative cases, criminal investigations, or court disputes for the purpose of verifying legality of its origins (exceptions are those cases when legalization of property is against state interests). According to the new draft, relevant institutions should terminate legal disputes within one week after the resolution is enacted and relevant appeals should be requested back from courts in the period of one month.

According to the authorities' decision, property owners will also have the right to legalize so called illegal garages and loggias, some of which were destroyed by the government several months ago on the grounds that they had been built illegally.

Law on the Legalization of Property was first adopted by this Parliament in spring 2007. Adoption of the law followed frequent incidents of confiscation and demolition of private property, part of which was actively covered by national and regional media. According to the authorities, the confiscated and destroyed property was either built by owners without the necessary permission or they were not registered in the Public Registry, or permits on their construction had been obtained illegally. Owners themselves claimed that they had permissions as well as architectural plans, which had been agreed with the Architectural Department in the city municipality.

To resolve these issues, the parliamentary opposition proposed creating a commission of inquiry to investigate these cases but representatives of the ruling party argued that all constructions and buildings were demolished according to the law and there was no need to investigate this issue. As they pointed out, opposition parties and the media made a huge deal about an ordinary and simple thing – authorities were not going to put up with illegality. In this regard the only exception was the chairperson of the parliament's statement made at the Parliament's bureau session on February 12<sup>th</sup>. The chairperson of the parliament expressed her regret that part of the destroyed buildings had been built in full accordance with



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the law and pointed out that in the future demolishing of buildings considered illegal should be conducted under strict monitoring.

The opposition was offered to participate in the work of an interfaction group provided that this group would work behind closed doors and would not be authorized to conduct an inquiry. It had to cooperate with the government and develop relevant legislative amendments for ensuring better protection of property rights. During the preparation of these legislative amendments several opposition MPs held a press conference (February 14, 2007) where they proposed the new initiative regarding protection of property rights, including “full property amnesty”. The parliamentary majority did not support this initiative then. In the end the parliament adopted the Law on the Legalization of Property that was accompanied by an annex of a rather long list of private properties that were not subject to legalization due to the fact that legal proceedings on them had already been started.

### Abolishing Cash Registers

On November 19<sup>th</sup>, representatives of the parliamentary majority met with the administration and vendors of the so called *Eliava Market* to inform them about the new presidential order freeing individual vendors from the obligation of using cash registers until 2009. Preparation of the relevant draft law started in Parliament in the second half of November.

The obligation of using cash registers in all types of trading and service enterprises was established by the Parliament with relevant amendments to the Tax Code of Georgia on December 27, 2005. Parliament prescribed rather strict sanctions for violation of this provision, namely, according to Article 139 of the Tax Code, working without a cash register would incur a fine of 500 GEL the first time, 5,000 GEL the second time, and 10,000 GEL the third time.

In spring 2006, market traders responded to the introduction of the obligation to use cash registers with demonstrations. They organized a demonstration in front of the Parliament to demand that cash registers be abolished (or their instalment postponed) and fixed payments be introduced instead. In addition to Tbilisi, protests were held in Batumi and Gori. Opposition parties supported the traders. Four MPs went on a hunger strike and demanded to meet with the prime minister. On March 9, 2006, the prime minister met with the MPs and stated that the government’s decision regarding cash registers would not change. In the course of the same days, President Saakashvili criticized opposition politicians for attempting to use the demonstrations for their own interests and called them “market traders.”

### Legalization of Temporary Housing for the IDPs

On November 30<sup>th</sup> during an extraordinary session the Parliament discussed the initiative of former president and current presidential candidate Mikheil Saakashvili. The new initiative envisioned registering the property of temporary housing in the ownership of IDPs. According to the government, registration of this housing located in buildings owned by the state and municipality will be done with a simplified rule and free of charge. This initiative was announced by the former president for the first time on November 28<sup>th</sup> at a meeting with IDPs.

Several months before the appointment of the election, there were frequent cases of IDPs having to vacate temporary housing because the state was privatizing the building. During one such case (June 28, 2006), families that were forced out of the building (police special units participated in the process of their eviction) started walking to Abkhazia in protest to ask asylum from the leaders of the self-proclaimed





republic. In April 2007 several IDP families were forcefully evicted from one of the buildings in Tbilisi and had to spend the night in the street. Because of this, the public defender accused the then minister of refugees and resettlement of negligence and requested he be called to account, but the minister responded by calling him “incompetent” and advised him to resign.

### Amnesty

On November 16<sup>th</sup> by the initiative of the president the draft law prepared by the President’s Administration was submitted to the Parliament. The proposed draft law envisions granting freedom to defendants and persons convicted of crimes prescribed by the Criminal Code. At this point, it is clear that this amnesty will apply to a total of 3,000 individuals convicted or accused of non-violent crimes. In total 1,200 prisoners and up to 1,000 persons currently under investigation will be released and sentences will be cut in half for up to 500 convicts. According to the representatives of the parliamentary majority, the draft law envisions the largest scale amnesty since 1995.

Keeping in mind that the reports of the Public Defender of Georgia and local and international organizations working in the field of human rights always stress the issue of prison overcrowding in Georgia (in some prisons convicts have to rotate sleep cycles due to lack of beds), the announcement of this amnesty should be praised. However, this initiative of the president contradicts his previous public statements and decisions. On February 14, 2006, during his annual address to the Parliament of Georgia, President Saakashvili said that he would propose an initiative abolishing probation for minor crimes. “I declare zero tolerance even for minor crimes... thieves, burglars all of them have to go to jail... there has to be no tolerance towards them... everybody has to understand this, the courts and everybody,” said the president at that time.

### **Institutional Resources**

*Using material and human resources (office equipment, vehicles, subordinated civil servants, etc) belonging to certain state institutions to organize pre-election campaign events of the election subject*

The amendments adopted in June 2006 (prior to the October 5<sup>th</sup> local government elections) to the provisions of the Election Code of Georgia regulating election campaigning made it difficult to distinguish between political party and state resources. In particular, as a result of these changes, the heads of bodies of state executive authorities and of local governments were removed from the list of public officials restricted from taking part in election campaigning.

Consequently, in the pre-election period of the 2008 extraordinary presidential elections there are frequent cases of leading officials of the executive and local government bodies actively engaging in the pre-election campaign of the ruling party’s presidential candidate.

During his campaign events the former president issues new instructions and directions to some of the government representatives. On November 28<sup>th</sup> during a meeting with IDPs at Tbilisi City Hall, Mikheil Saakashvili (after already having resigned from the president’s post) instructed Koba Subeliani, the new Minister of Refugees and Resettlement to hold meetings with IDPs and personally inquire about their problems and demands. The former president stated that this was not an order but a kind request, although he also noted that “this is a request, but this is a request which is more than an order.” At the same meeting, the former president also voiced a second request, dealing with legalization of temporary housing for IDPs. On December 4<sup>th</sup> at a meeting with university students, Mikheil Saakashvili handed





student stipends to Maia Miminoshvili the newly appointed Minister of Education and Science and asked her to distribute them among students. The Minister handed out stipends to students right at the same meeting.

According to Article 73 of the Election Code employees of state and local government bodies are not restricted by law from participating in pre-election campaigning. The law does prescribe, however, that (unlike the heads of these bodies, who have no legal restrictions imposed on them) the regular employees of public institutions should not be campaigning while performing their official duties. Nonetheless, various state officials, including representatives of central and local government bodies and the president's regional representatives, among others, are actively participating (both during working and non-working hours) in different pre-election campaign events for the ruling party's presidential candidate Mikheil Saakashvili.

The active participation of civil servants in the ruling party's pre-election campaign and other types of misuse of institutional resources were observed in a number of the regions of Georgia:

### Gathering of Personal Requisites

There have been frequent cases when employees of public institutions were asked to hand over copies of their ID cards and/or additionally ID cards of three or more persons. In most cases no explanation is given to civil servants about what these copies are needed for (unfortunately, many of them do not even ask for such explanation), although in some institutions employees are indirectly warned that if this request is not satisfied, they might encounter certain difficulties.

Information was received from the Chokhatauri District that during distribution of vouchers and flour citizens were asked for ID cards of all family members and their requisites were written down. In Gurjaani District students of Kachreti College were asked for ID cards of their family members. In several cities and villages of Kvemo Kartli and Samtskhe-Javakheti ID cards were taken away from individual entrepreneurs who were told that the new registration of individual entrepreneurs was under way. In two villages of the Gori District – Urbnisi and Karaleti – during distribution of flour, ID cards were taken away from citizens and they still have not been returned (in Karaleti this activity was carried out by the village head Zviad Berianidze). In Tsageri (village Kharagula) member of the Precinct Election Commission Ardevan Kopaliani collected ID cards from the entire population of the village without providing any explanation. At this point some ID cards have been returned.

On November 20<sup>th</sup> speaker of the parliament (currently acting president) stated during the plenary session that if certain individuals ask employees of different institutions to fill out special applications to prove support for Mikheil Saakashvili, this is not an instruction received from the government. Rather it is their personal initiative to prove their loyalty. The acting president also noted that such creativeness must be avoided at all costs because it will only result in the irritation and negative attitude of people. Despite this, applications are still being filled out and ID cards and their requisites are being collected in a number of cities and villages. Therefore, the government's highest officials should once more publicly address representatives of the regional authorities and instruct them to request that those people who are collecting this information stop such acts immediately and advise citizens to respond to refuse to comply with such requests. Those who continue such activities should be called to account.





### Public Officials Organizing Meetings with Voters

In some districts, civil servants, including representatives and employees of local councils and administrations (Gangeoba), police, some MPs elected from the United National Movement's party list, and village heads are holding meetings with the employees of public institutions, during which they are disseminating incorrect information that voting will be open and authorities will be able to find out for whom each voter has voted. They thus are “warning” participants of meetings to vote for the representative of the government's party. Some of them are saying that secret cameras will be installed in voting booths. In some cases, they even provide “explanations” that through a marking procedure it will be possible to find out for whom the person has voted.

Such cases were reported in Kaspi, Kareli, Ambrolauri, Tsageri, and Poti. In Kaspi, meetings were conducted by the chief of staff of local administration (Gangeoba), Marina Metreveli, and deputy chairperson of the Sakrebulo, Nonikashvili; in Kareli – Deputy Gangebeli Edvard Tskhovrebashvili; in Tsageri – MP Valeri Giorgobiani, Deputy Chairperson of the Sakrebulo Zurab Khetsuriani and an employee of Sakrebulo, Gulver Bregvadze; In Poti – Sakrebulo Member Darejan Skhvitaria.

### Distribution of Vouchers and Pre-election Campaigning

During distribution of electricity and wood vouchers, persons responsible for the actual distribution of vouchers were simultaneously campaigning in support of the candidate of the incumbent party. They are asking citizens whom they will vote for on January 5<sup>th</sup> and write down their attitudes on special forms. Some of them promise to distribute additional gifts (wine, food, money, etc.) in exchange for support for Mikheil Saakashvili.

### Election Campaign Offices

In many districts civil servants and other government representatives are heading or actively working in election campaign offices of the ruling party's candidate. Because the election law does not prohibit civil servants from participating in the election campaign outside of working time, by working in campaign offices they do not violate the law, but in the given circumstances it is quite difficult to clarify whether they are engaged with election campaign office during their free time or working hours.

We have received the following information about election campaign offices: election campaign office of the ruling party candidate in Telavi is headed by the president's deputy representative, Baadur Guliashvili (during pre-election campaign he is being “consulted and advised using information received through the previous election” by the Deputy Minister of Environment, Gocha Mamatsashvili. This explanation was given to journalists by Gocha Mamatsashvili himself). In Kutaisi, the campaign office is headed by the MP elected from the ruling party list, Gocha Tevdoradze; in Ozurgeti – head of the police Gelenidze; and in Tsageri – MP elected from the ruling party list Valeri Giorgobiani.





## “Hard” Resources

*Using coercive mechanisms against political opponents and their supporters (intimidation, detention, arrest, dispersing of opponents and their activists)*

To ensure the free conduct of pre-election campaign it is necessary that election subjects and their representatives and supporters have solid guarantees of security. During the last two weeks we have received numerous notifications that opposition activists are being intimidated in a number of cities, communities, and villages. This intimidation takes two forms: (1) law enforcement bodies are identifying people who in different ways participated in organizing the November demonstrations and certain measures are taken against them, like administrative fines or detention (this is happening in Tbilisi, Batumi, Kaspi, Gori, Kareli, Telavi, Gurjaani, Kutaisi, Kharagauli, Ozurgeti, Chokhatauri, Ambrolauri, Tsageri, and Oni) or (2) active supporters of the opposition are threatened physically or with dismissal from their jobs.

As of today, several hundred citizens have been charged with disobedience during the dispersal of the November 7<sup>th</sup> demonstration, but there has been not one publicized case of a law enforcement officer being charged with illegal acts. If citizens are not to perceive punishment of participants of demonstration as an act against persons sympathizing opposition, something which might cause them to prefer restraining from political activities if they are opposition supporters, it is necessary to punish those representatives of law enforcement structures who also violated the law during the dispersal of the demonstrators (with excessive use of force, for example). Such cases are documented by many video recordings and photos and it will not be difficult to identify the wrong-doing law enforcers, if this were pursued.

In addition, opposition parties are encountering problems in renting office space. In most cases, after signing two party agreements, owners of office space change their decision as a result of pressure from the government.

Such problems were encountered by representatives of the United Opposition and the New Rights: the New Rights were not allowed to rent an office in Dighomi in the building close to the market. Three days later, the National Movement rented the same office. In Bolnisi the New Rights agreed with private owners about renting an office space there, but when party representatives showed up to sign the contract, they were informed by the owners that they could not rent out office space because of pressure from the authorities. In Ambrolauri, the daughter of the owner of the Republican's Party office space, Eter Popkhadze, was ordered to vacate the office by the active head of the police of Ambrolauri, Shalva Chikviladze. The head of the Republican Party's election campaign office in Oni, Gogita Gamkrelidze, was visited by the head of the district police. Gamkrelidze was taken to the Gamgeoba where the gamgebeli and chairman of Sakrebulo met with him and requested he close down the office.

In Gurjaani, after TI Georgia's meetings with political parties, journalists, and NGOs, MP Nikoloz Kvezereli's bureau office was shut down ostensibly for renovation work. Closure of the bureau happened so fast that employees could not even empty the office. District Gamgebeli Ramaz Kerejashvili warned the head of the bureau about meeting with opposition parties and called TI Georgia's activities an act against the authorities. We should note here that renovation works in the bureau were completed in October 2007 only one and a half month ago. On the same day, a representative of the state security council, Paata Khachishvili, visited TI Georgia's regional coordinator in Kakheti, Aleksii Tsukilashvili, and inquired about elected related activities of our organization and asked questions about meetings held in Gurjaani and Telavi.

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Schweizerische Eidgenossenschaft  
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Confederaziun svizra



## Next Stages of Monitoring

TI Georgia will continue monitoring the misuse of administration resources until the announcement of the election results. During the pre-election period, the organization will prepare and disseminate periodic reports about violations and inaccuracies encountered in the monitoring process. All of these violations and inaccuracies will be summarized in a final report upon the completion of the election process.

At the next press conference, in addition to other information, TI Georgia will publish the results of the media monitoring. Media monitoring will analyze whether media outlets were complying with provisions of the Election Code in terms of providing equal airtime/space to all qualified election subjects for their pre-election agitation, and the extent to which the media is impartial in covering election campaigns of different election subjects. TI Georgia's monitoring covers national television stations and newspapers.

In addition, TI Georgia's Tbilisi office is running a hot line (822 009 888) functioning from 10 am to 6 pm Monday through Friday. Any interested person can call the hot line to provide TI Georgia with information on violations observed in the pre-election period, particularly the misuse of administrative resources or obtain additional information about this issue. TI Georgia will verify information received through the hot line and, when verified, present the revealed violations in its mid-term and final reports.

