



Transparency International Georgia's Results of Pre-Election Monitoring

21 May 2008 Parliamentary Elections

15 May 2008

Tbilisi, Georgia

Transparency International Georgia (TI Georgia) is monitoring the use of administrative resources for election campaign ahead of the 2008 parliamentary election. The monitoring began on 21 March when the president decreed that the election was to be held on 21 May 2008.

As was the case during the 5 January extraordinary presidential election, the monitoring carried out by TI Georgia ahead of the parliamentary election is focused on five types of administrative resources: legal resources, institutional resources, financial resources, media resources, and so-called hard resources (power).

The monitoring is once again centered on the ruling party and its majoritarian candidates since it is the ruling political force that has access to administrative resources.

Along with irregularities, evaluation criteria also include the extent to which the ruling party and the other electoral entities operate in equal conditions, as well as the extent to which the authorities are promoting a competitive pre-election environment.

The monitoring has revealed the following major trends and violations at this stage:

Legal Resources

The use of legislative and executive bodies involved in decision-making to promote the political interests of a particular party or candidate (changing legislation to ensure that it serves the interests of the ruling party or its candidate, influencing commission members, misinterpreting the law, etc.)

Majoritarian system

On 28 January 2008, the opposition presidential candidates and opposition political parties released a joint memorandum addressed to Georgian Parliament Speaker Nino Burjanadze and world governments and international organizations. The memorandum covered 17 issues that the opposition believed had to be addressed so that the tension could be defused in the country. One of the 17 points of the memorandum called for the conversion of the existing majoritarian electoral system (a winner-takes-all system) into a regional multi-mandate system that would distribute seats proportionally.

On 14 February, the ruling party published a list of draft proposals addressing all 17 of the opposition's demands. The document started with the following phrase: "The proposed draft represents a compromise made by the authorities regarding all the key issues raised by the opposition political parties." As for the reform of the electoral system, the United National Movement's proposal read: "If the political forces reach a consensus, the majoritarian electoral system will be replaced with a regional proportional system, as recommended by the OSCE experts. With this purpose, draft constitutional amendments have already been initiated and the

relevant amendments will be implemented before the end of March in case a consensus is reached.”

Despite the fact that the ruling party made a concession on this issue, the opposition continued to protest and called on the government to address other issues highlighted in the memorandum.

On 4 March, parliament adopted in the first reading a constitutional amendment whereby 75 of parliament’s 150 members were to be elected in single-mandate districts and another 75 MPs were to be elected through proportional vote. The opposition did not participate in the vote. On 21 March, parliament finalized the amendment to the Unified Election Code that redefined the majoritarian system. It called for one majoritarian candidate to be elected from each of the 75 single-mandate constituencies (the system which had existed in Georgia since independence). The majoritarian candidate to receive the greatest number of votes in the constituency and at least 30% of the vote would win.

The ruling party explained the deviation from its memorandum by saying that it did not have enough votes to change the constitution and needed the support of either the opposition MPs or the majoritarian MPs. Because the opposition was boycotting the process, the ruling party had to appease the majoritarian MPs who preferred the single mandate system through which they had been elected. These same majoritarians, however, had supported a change from the single mandate system to a multi-mandate winner-takes-all system in 2005.¹

The Georgian constitution requires one month of public debate on proposed amendments to the Constitution. This means that legislation should be publicized and various types of public discussion should take place. The ruling party asserted that there had been one month of discussion since the constitutional amendment regarding the distribution of the 150 seats in parliament was initiated on 13 November. The original draft amendment, however, only said that there would be 100 proportional and 50 majoritarian seats. Additionally, an explanatory note attached to the draft amendment said that a regional proportional system would be a fairer way of distributing the majoritarian seats.

The 75-75 system was put to vote the same day as the amendment was initiated. Under this system, each of the 75 constituencies will have one majoritarian MP, even though Georgia’s electoral districts are not formed according to the size of population. This leads to wide variation in the size of constituencies, which contradicts international standards. For example, the district of Lentekhi has 6,115 voters and the district of Zugdidi has 126,106 voters (over 20 times more). Under the current system, both districts will have one majoritarian MP.

Changes in electoral legislation

Both Georgian and international organizations and observer missions that assessed the 5 January 2008 extraordinary presidential election identified the use of administrative resources for election campaign as one of the most significant problems. On 5 February, four local observer organizations (New Generation - New Initiative, TI Georgia, the International Society of Fair Elections and Democracy, and the Georgian Young Lawyers’ Association) signed a joint memorandum on Ten Pre-Conditions for Free and Fair Parliamentary Elections in Georgia. These pre-conditions included improvement of the electoral legislation to eliminate the use of administrative resources for campaign purposes and create a competitive electoral environment.

¹ In 2005, the ruling party had championed the changes to the election code that abolished the 85 (including 10 seats from breakaway regions of Georgia) single-mandate seats in favor of 50 majoritarian seats.

The observer organizations also offered parliament specific recommendations for a more effective implementation of restrictions on misuse of administrative resources. TI Georgia advocated the following changes: (a) Limiting the number of individuals who can freely engage in campaigning and extending this right exclusively to elected and political officials; (b) Stipulating in the electoral law that, along with being prohibited from campaigning (urging voters to support or oppose an election subject), public servants also be forbidden from engaging in the campaign in general (an array of activities conducted by election subjects in order to participate in an election and win it); (c) Prohibiting the use of state or local budget resources for campaign purposes in any form and by any election subject or public official.

Contrary to these and other recommendations presented by the local and international organizations, the ruling party liberalized the electoral law instead of rendering it stricter. With minor exceptions, public officials still have the right to engage in campaigning, while election subjects are entitled to use the material and technical resources of public institutions provided they are equally accessible to all subjects.

Moreover, the law still contains ambiguous provisions. In order to address this problem, the Central Election Commission (CEC) drew up legislative clarifications together with four local observer organizations and published them as a joint memorandum.² The memorandum is an agreement between the parties as to how they are going to interpret the ambiguous provisions of the law. The CEC used the memorandum to prepare brochures for the district and precinct electoral commissions and representatives of public institutions in order to provide them with information on the rules for the use of administrative resources for campaign purposes and the existing restrictions.

Registration of ruling party's list for proportional vote

The events that unfolded in the CEC on 21 April 2008 had a negative impact on the attitude of a certain part of the public to the commission and the electoral process in general. The United National Movement delivered its list of candidates for the proportional vote to the CEC a few minutes before the deadline. The opposition's representatives in the commission were not given a chance to look at the list the same evening. They were told that the list was kept in the chancellery, which was locked at 18:00 and was not to be opened until next morning.

The opposition representatives began to suspect that the ruling party had delivered an incomplete (draft) list to the CEC and was planning to replace it later. The suspicion stemmed from the fact that Speaker of Parliament Nino Burjanadze, the top candidate on the ruling party's list, had announced her decision not to run in the election at approximately 18:00 on the same day. She stated that the failure to reach an agreement with other members of the party on the composition of the list was the reason for her decision. As a result of this, some other candidates whose inclusion on the list Burjanadze had secured were also dropped.

Since the members of the CEC who represented the opposition were denied access to the ruling party's list on the day it was submitted, they decided to spend the night in the CEC building in order to ensure that a new, amended list was not delivered during the night.³ By then, the commission members had been joined by other representatives of the opposition parties and NGOs. They asked the CEC chairman to tell them where the ruling party's list was stored. The NGO representatives moved to the room that the chairman indicated, though it turned out after 02:00 that the list was actually stored in a different room. The observer organizations were given a chance to look at the list this time. They noted that the seal on the list had been damaged.

² The NGOs and the CEC signed the memorandum on 17 April 2008.

³ The opposition parties suspected that the list delivered by the ruling party to the CEC still contained the names of Nino Burjanadze and the members of her team.

Although there were representatives of the opposition parties outside the building too and they would have probably detected any attempt to deliver a new list to the building, the fact that (a) the CEC members appointed by the opposition were not initially given an opportunity to view the list and (b) the commission chairman later supplied NGOs with incorrect information about the location of the list fuelled suspicions surrounding the list.

Courts on Vote Buying

According to Georgian election code, after the scheduling of elections it is forbidden to give money, gifts, or other material goods, offer any goods at discounted prices, deliver or distribute any goods free of charge (except campaign materials as defined by this law) to the citizens of Georgia by election subjects and their representatives, in person or through a third party, as well as enticing citizens of Georgia by promising money, securities, or other material values.

In the period before elections, there were several cases of the ruling party's majoritarian candidates distributing different presents, among them souvenirs, household appliances, food products, and other type of goods free of charge. Even though most of these cases took place before the candidates had been officially registered by the CEC, the candidates involved had already been introduced to the public by the ruling party as its majoritarian candidates in specific districts.

In response to these cases, the Georgian Young Lawyers' Association filed a claim in court. The court dismissed the claim, indicating that giving presents and souvenirs of small value does not constitute a violation of the law. According to the decision of the court, giving material values is forbidden only in cases where such donations or promise of such donations has the purpose of securing support from voters and obtaining their vote. The court considered that giving souvenirs of small value to children who have no right to participate in the election and inviting them to the cinema could not be considered an attempt to receive votes.

It should be emphasized that the Election Code forbids giving any type of material goods during the pre-election period to the citizens of Georgia, not specifically to voters. In this case, children are naturally included. Besides, the Election Code does not differentiate between presents of small and large value. It forbids dissemination of material goods after the official announcement of elections regardless of the value of the goods distributed. Though there may be conflicting viewpoints about the formulation of the law on this question, majoritarian candidates should respect and abide by current legislation.

Institutional Resources

The use of office equipment, transport, buildings, employees, and other types of state-sponsored material and human resources of government agencies to organize an election subject's campaign events

Introduction of majoritarian candidates by governors

Although the Georgian electoral law is quite liberal as far as involvement of public officials in an election campaign is concerned, it does impose certain restrictions on some public officials, namely public officials from local and state self-government bodies. They are prohibited from engaging in pre-election campaigning while performing their official duties. Though, the restriction also applies to governors, governors introduced the ruling party's majoritarian candidates to the public in almost every region. The governors did this during their free time as well as during work hours.

The governor in Gori introduced the ruling party's majoritarian candidate to the media in his office during work hours. He also introduced him to the public in the local administration buildings in Khashuri and Kareli. During the introductory meetings, the governor spoke about the president's and the government's 50-day program and the government's plans for the future. Governors in other regions also introduced majoritarian candidates during work hours though they did this in buildings that did not belong to the government (the ruling party's regional offices, theatres, cinemas, etc.).

While almost the entire government apparatus was actively involved in the ruling party candidate's campaign for the presidential election, governors have been particularly active ahead of the parliamentary election. Other officials have been less visible. It is worth noting that the governors have mostly been campaigning on behalf of majoritarian candidates (rather than the party).

Involvement of majoritarian candidates in presentation and implementation of various activities

During the election campaign, the ruling party's majoritarian candidates have been actively involved in various events and opening ceremonies sponsored by the central or local authorities where they have met voters and have made pre-election promises. This is particularly true for Tbilisi, where the highest amounts are spent on similar events and activities from the state and Tbilisi budgets.

Giorgi Meladze, majoritarian candidate in Tbilisi's Saburtalo District, went to 13 Pekini Street on 19 April and picked a location for a garden and a playground together with children.⁴ He also took part in repairing the roof of Building 10 in the Vashlijvari neighborhood and noted that the Mayor's Office had responded to a request by the building's residents. He was deputy mayor of Tbilisi at the time but was also actively involved in the campaign as the ruling party's majoritarian candidate.

Perennial trees and shrubs were planted in the garden of the St. George Church in Varketili as a joint initiative by the City Development Service of the Tbilisi Mayor's Office and Rusudan Kervalishvili, the ruling party's candidate in Samgori District. "The landscaping work in the garden of the St. George Church was carried out as part of the Tbilisi city program of landscaping. Similar work was conducted on two other major sites in Varketili. We have organized the event together with Ms. Rusudan Kervalishvili this time," Ilia Palavandishvili, head of the Tbilisi City Development Service's Landscaping Division, said.⁵

On 4 May, Akaki Daraselia, acting Gamgebeli of Didube-Chugureti district, visited the work site for renovating the outdated water pipe system on Samtredia Street. The Didube majoritarian candidate of the ruling party, Lado Kvaratskhelia, also participated in this activity. He gave an interview to journalists, stating, "We came here ten days ago. The outdated water system has created problems for the local population. The municipality has promised to help them. We have just come to see whether this promise had been kept and it is very good that the municipality has fulfilled its promise so quickly⁶."

The Vice Mayor of Tbilisi, the chief of the Municipal Public Works Service, and the Vake majoritarian candidate visited Tsqneti to inspect the situation regarding lighting. "The program called 'Tbilisi: City of Light' is executed resolutely. Every street, district, and microregion of the

⁴ Website of the Tbilisi Mayor's Office:

http://www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=344&info_id=8280

⁵ Website of the Tbilisi Mayor's Office:

http://www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=344&info_id=8317

⁶ Website of the Tbilisi Mayor's Office: www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=344&info_id=9357

city should be well organized, which means rehabilitating the outside illumination system, organizing the road infrastructure, and regulating the water and sewer systems. This question will be settled in all of the newly joined territories of Tbilisi,” declared Mamuka Akhvediani, Vice Mayor of Tbilisi - on May 3. At the same meeting, Zaza Gamtsemlidze met with the population and spoke to them. “I have lived seven years in Tsqneti and am acquainted with many people. I come here frequently and meet with the population. If I win, I promise to support them,” declared Zaza Gamtsemlidze, the ruling party’s majoritarian candidate in Vake⁷.

On the initiative of the Tbilisi Mayor’s Office, a new bus route will begin serving the population of Ikalto Hill from 11 May. Bus #57 will go from Ikalto Street to the Maghlivi building of Tbilisi State University. The ruling party’s majoritarian candidate accompanied the Municipal Transport Service’s representative to the opening of the new route. In an interview with journalists, the ruling party’s majoritarian candidate declared, “A significant problem has been solved in this part of Saburtalo. From today the population of Saburtalo will travel comfortably and students can now get to the university more easily. I met the population of Ikalto Hill several days ago and their primary demand was that this route be opened. The municipality has decided this question in a short period⁸.”

Temur Charkviani, the ruling party’s majoritarian candidate in Batumi, held his first introductory meeting in the Batumi Maternity Hospital on 6 April. The candidate spoke to the medical staff about the plans for the future. Together with the Batumi mayor, he presented a mother of a large family with 300 lari as part of a program implemented by the Mayor’s Office.⁹

Instances of campaigning on behalf of the ruling party’s majoritarian candidates during the inspection or presentation of the planned and ongoing projects funded from the state or local budget were recorded in Samegrelo, Shida Kartli, Kakheti, Guria, Adjara, and in other districts of Tbilisi.

Website of Tbilisi Mayor’s Office

The news section of the Tbilisi Mayor’s Office portal (www.tbilisi.gov.ge) is devoted almost entirely to the events in which the ruling party’s majoritarian candidates are involved (the text emphasizes that the individuals are majoritarian candidates). The Internet portal does not highlight the meetings, activities, or initiatives of the majoritarian candidates nominated by other parties.

The information section of the portal is another proof that the routes of local officials and the ruling party’s candidates are almost identical, while the candidates are associated with the day-to-day activities and projects of the city’s self-government bodies.

Financial Resources

The use of resources from the central or local budget for the campaign of a particular party or candidate (distribution of cash bonuses and other types of presents among voters during the campaign, unplanned increase in social benefits or salaries and pensions during the campaign, launch of ambitious social projects shortly before the election without public debates and appropriate analysis, etc)

Prior to the extraordinary presidential election, the government began to actively implement various social projects most of which had not been incorporated into the 2007 budget. The teachers’ salaries and pensions were raised on 1 December following the president’s proposal.

⁷ Website of the Tbilisi Mayor’s Office: www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=344&info_id=9329

⁸ Website of the Tbilisi Mayor’s Office: www.tbilisi.gov.ge/index.php?lang_id=GEO&sec_id=344&info_id=9734

⁹ Website of the Batumi Mayor’s Office: <http://www.batumi.ge/ge/index.php?page=shownews&id=277>

Each family living outside Tbilisi received firewood vouchers and 50 kg of flour. Teachers, individuals living below the poverty line and pensioners received natural gas and electricity vouchers. Families living outside Tbilisi also received New Year gifts. It is worth noting that the firewood vouchers were labeled “president’s gift” and electricity vouchers “presidential subsidy.” The individuals who distributed them often campaigned on Mikheil Saakashvili’s behalf. In several cities, including Tbilisi, the vouchers were distributed by the ruling party’s offices.

There have been fewer unplanned social initiatives of this sort ahead of the parliamentary election. However, several measures that aim to produce a short-term effect have been funded with varying regularity and volume from the state and local self-government budgets as well as the budget of the Autonomous Republic of Adjara.

After the presidential election, the Georgian government began implementing the so-called 50-day program - United Georgia without Poverty (50 Days and Plans for the Near Future). Some 85 million lari is to be spent from the 2008 state budget on the target-oriented programs to be implemented under this program. A large part of this sum has already been spent.

When the 2008 state budget was originally drafted and discussed (before the November events, at a government meeting while Zurab Noghaidei was still prime minister), it only contained two target-oriented programs. The draft budget only provided for the Program of Stipends and Grants for Exceptionally Talented Children and Young People and the program of aid for newborns through assistance programs like Worthy Beginning. According to the draft, 122,000 lari was to be allocated for the former program and 2,400,000 lari - for the latter. When the draft was revised by the new prime minister and cabinet, the costs of the former program rose to 1,982,000 lari though the costs of the latter remained unchanged. Other articles of the budget also changed significantly during that period of time as greater attention was devoted to social issues. The social welfare and social protection expenditures increased at the expense of defense and security funding.

Higher pensions

The budget was amended again (on 12 March 2008) when the plebiscite held along with the presidential election showed that the people wanted the parliamentary election to be held in spring. An additional 32.2 million lari was allocated to the Georgian Ministry of Health, Labor, and Social Protection in order to make it possible to raise the minimum rate of old age pensions from 55 to 70 lari. Before the election, presidential candidate Mikheil Saakashvili had identified higher pensions as part of the reforms he was planning to implement. The reform is to affect 653,000 elderly pensioners.

Diesel vouchers

The amount of money allocated to the Ministry of Agriculture also increased. The ministry was given additional 29.2 million lari so that, along with buying farming equipment under the 50-day program, it could also distribute free diesel among the population in order to avoid delays in the spring agricultural work. Consequently, a new program titled Measures for the Provision of Families Living in Municipality Communities with Diesel was incorporated into the 50-day program.

The central government also distributed free diesel for the spring agricultural work in 2006. The Ministry of Agriculture is to provide farmers with 18,220,000 liters of diesel under a similar program in 2008. Each of the 911,000 families will receive 20 liters of free diesel as part of the program. Companies that are to supply the diesel have been selected, while citizens have been

given vouchers that they can exchange for the fuel. The distribution of diesel is about to be completed.

Local self-government bodies should be in charge of distributing diesel vouchers. As was the case before the presidential election, there have been instances of vouchers being handed out by the ruling party's offices (Telavi and Tsageri). There were also instances of campaigning on behalf of the ruling party during the distribution of vouchers (Khashuri, Senaki, Tsageri, and Gori). The ruling party's majoritarian candidates were involved in the distribution of vouchers in several districts. For example, the residents of Dighomi received the vouchers from the district's majoritarian candidate and the newly-elected chairman of the City Council on 18 April. In Saburtalo District, the ruling party's majoritarian candidate was actively involved in the process. Although he was still the deputy mayor at that time, the ruling party had already nominated him as a majoritarian candidate.

The government completed the distribution of diesel vouchers in the first week of April.

Sponsoring various infrastructure and social programs in regions

Ahead of the election, various infrastructure programs in the regions have been sponsored quite actively from the government's reserve fund incorporated into the budget. Specifically, in February and March, the Finance Ministry provided state-funded institutions and municipalities with money for the following programs on the government's order: Provision of different municipalities with funds for social programs implemented in local self-governing entities; Distribution of diesel among the residents of Dedoplistsqaro Municipality; Renovation and operation of a kindergarten in Ninotsminda Municipality; Provision of budget funds for uninterrupted operation of the Officer of the State Minister on the Regional Issues; Provision of budget funds for restoration of drinking water supply system, gasification, and purchase and renovation of a police building in the village of Poladaantkari in Gardabani Municipality¹⁰.

The Georgian Ministry of Finance is to provide 147.5 million lari to local self-governing entities from the funds allocated for the implementation of projects in Georgia's regions in order to make it possible for them to sponsor various infrastructure programs (major repair of city streets, restoration and major repair of gutters, installation of streetlights, gas supply, repair of roads, renovation of sports centers, renovation of facades, repair of roofs, bank protection and repair of bridges, renovation of gardens and kindergartens, etc.).

Local self-government budgets were also amended (a majority of them have been amended two or three times or more this year). Their infrastructure and social expenditures have increased. Some of these funds are spent on activities that do not fall within the scope of authority of municipalities. For example, according to an amendment to the Rustavi city budget for 2008, 10,000 lari was allocated to repair piping in the homes of families living in extreme hardship, 72,000 lari to make it possible for teachers to use municipal transport free of charge, and 280,000 lari to purchase equipment for schools. These expenditures were not part of the original version of the budget.

Municipalities have now spent most of the funds allocated for social and infrastructure programs in 2008. Most of the funds were spent in April.

¹⁰ According to the Georgian law, money from the government's reserve funds is only to be allocated to address major national emergencies like natural and other types of disasters and to meet other unforeseen expenditures of the state (The Georgian Law on Budget System of Georgia, Article 13). Moreover, it is the exclusive power of local self-government bodies to sponsor the local infrastructure work in municipalities.

Hard Resources

The use of violent methods like intimidation, detention, arrest, dispersal, and others against political opponents and their supporters and activists

Political Pressure on teachers

Three weeks before the election, TI Georgia reported that unlike the period of time that preceded the presidential election, instances of pressure on voters and representatives of opposition parties were very rare ahead of the parliamentary election. Unfortunately, the situation has changed in this respect in the last week. Cases of pressure became more frequent, especially in the regions. Most of the information supplied to our organization concerns pressure on teachers from public schools and kindergartens. There are three types of political pressure: (a) local representatives of the ruling party have tasked school directors with compiling lists of teachers who support the opposition in several districts (Gori, Telavi, and Akhmeta); (b) in some cases, teachers have been instructed to collect signatures and ID numbers of voters on behalf of the ruling party (Kvareli, Telavi, Gurjaani, and Gori); and (c) the most frequently reported cases involve education resource center representatives, school headmasters, and ruling party activists telling teachers to abstain from attending opposition representatives' campaign events and to vote for the ruling party and its majoritarian candidates (Kvareli, Dedoplistskaro, Dusheti, Kazbegi, Ozurgeti, Ambrolauri, Chokhatauri, Zugdidi, Kutaisi, Terjola, Gori, and Poti).

At this stage, Transparency International Georgia has not received any information concerning the firing of any teacher or other personnel at the school.

After it became known that pressure was being put on teachers, the Ministry of Education and Science of Georgia made the following public declaration: "The school is an apolitical body. Therefore, any type of pressure on teachers, school directors, or other persons is unacceptable." According to the information provided by the Ministry, the minister and his deputies are now traveling to the regions and meeting with representatives of the Ministry of Education's resource centers and schools to explain that political pressure on teachers is unacceptable. The Ministry has also disseminated a circular to the resource centers and schools giving them specific recommendations on how to ensure political neutrality of schools during the pre-election period. Finally, the Ministry has expressed its readiness to investigate any concrete facts of pressure and give an adequate reaction.

Dissemination of inaccurate information about secrecy of the vote

Before the presidential election, public officials in some districts disseminated inaccurate information that hidden cameras would be installed in voting booths in order to make it possible to determine for which candidate citizens voted. Ahead of the parliamentary election, they are talking about the serial numbers of ballot papers instead of hidden cameras. This time, voters are being told (mainly by party activists) that the serial numbers printed on ballot papers will make it possible to find out which election subject an individual has voted for.

To address this problem, it is important that the CEC and the government again emphasize ballot secrecy and the legal sanctions for violation of this secrecy in the information campaign launched before the elections and in their public speeches.

Offices of opposition parties

At the initial stage of the election campaign, several opposition parties once again encountered problems as they tried to set up their electoral headquarters. The Christian-Democratic

Movement had this kind of a problem in Khulo, the Conservative Party (the United National Council) - in Gldani, the Republican Party - in Adigeni, and the Labor Party - in Mtatsminda District. In all of these cases, the parties had agreed the lease with the owners of the offices who later refused to provide the offices due to pressure exerted by the authorities. In a few more cases, owners of offices immediately refused to sign the lease with opposition parties as they wanted to avoid problems.

Despite these instances, opposition parties have now set up their headquarters both in Tbilisi and the regions and these headquarters are actively involved in the election campaign.

Pressure on businesses

The pressure on privately-owned businesses has not been as intensive ahead of the parliamentary election as it was before the last election. Instances of pressure and extortion were recorded in Kakheti where the local Financial Police has mainly exerted pressure on the producers of wine, construction materials, and timber.

Aside from the companies producing goods, owners of stores and shop windows have also spoken of pressure. The local tax inspection has asked them to put up the National Movement's campaign posters and has advised them to refrain from displaying the posters of other election subjects.

Instances of pressure on business have also been recorded in Tbilisi, Rustavi, Poti, and Gori.

Collection of personal identification numbers

Before the presidential election, employees of public institutions were often asked to submit copies of their ID cards along with the ID cards of another three or more people. The employees were usually not told the reason why they needed to provide these copies. In some institutions, employees were warned that they would face certain problems if they failed to comply with the instruction.

There have been fewer instances of such instructions in public institutions ahead of the parliamentary election (except for public schools). In several districts (Dusheti, Khulo, Kaspi, Gurjaani, Kutaisi, and Mtskheta), however, the ruling party's representatives (this is how they present themselves to citizens) have been visiting families and filling out forms where they have written down who the respondents are planning to vote for in the parliamentary election. They have also written down their ID card numbers.

ID card numbers have also been collected in a different way in Tbilisi, Poti and Gurjaani. Specifically, the families of individuals who are in pre-trial detention have been promised that the individuals will be released if they collect the signatures of a certain number of supporters along with their personal numbers. A parent of a prisoner in the village of Chandari in the village of Gurjaani District was promised that his son would be released if he compiled a list of 100 people who supported the ruling party's majoritarian candidate. Residents of Tbilisi were instructed to provide lists containing 400-500 signatures. The family of a wanted suspect in Poti was promised that the search would stop if they compiled a list of supporters (containing signatures and ID card numbers).

The so-called social workers who, according to the authorities, had been hired by the Ministry of Health, Labor, and Social Protection on a short-term basis to conduct a social survey also

collected ID card numbers. The survey was part of the government's 50-day program and was aimed at updating the database of socially vulnerable citizens¹¹.

The social workers went door-to-door and collected personal data and employment information about the members of families. They also recorded the number of pensioners in a given family and the social status of the family (income and spending). In this case, the problem was that the survey coincided with the election campaign. ID card numbers were also collected before the presidential election, albeit through different mechanisms. Moreover, some social workers said that they had been hired by the Ministry of Health, Labor, and Social Protection while others said that they had signed contracts with the local administration. None of them had any official documents to prove that they represented government bodies.

In several cities, namely in Kutaisi, Rustavi and Batumi, along with recording the social status, the social workers also demonstrated interest in the political views of the members of families though the information was not included in the forms that the members of families signed.

When suspicions arose in the public as regards the social workers and the government learned of this too, the Ministry of Health, Labor, and Social Protection issued an official statement saying that the social survey would be suspended until after the election in order to eliminate any suspicions about the initiative. The social workers did, indeed, stop going door-to-door after the statement was published.

Media Resources

The preferential treatment of certain political forces by the state-funded and private media, unequal distribution of media coverage among election subjects, or biased coverage of the election campaign

Georgian Public Broadcaster

The media monitoring conducted by TI Georgia¹² has shown that, during the campaign for the parliamentary election, the Public Broadcaster has been more objective and has observed the principle of equality to a greater degree than other TV channels. It has distributed airtime between election subjects more or less equally. Furthermore, its coverage of campaign meetings held by parties and majoritarian candidates and other electoral events is free of judgments.¹³

It is also important that a new program - Monitor - is broadcast live every Saturday. The program features the press speakers of all election subjects and pundits who opine as to how fully and objectively the Public Broadcaster has covered the campaign events held by different parties over the preceding week. The representatives of opposition parties initially expressed grievances, noting that the Public Broadcaster was allotting more time to the ruling party and was not covering some of the campaign events organized by the opposition. Their opinion has become much more positive in the past two weeks. The only subject of criticism was the fact that the Public Broadcaster's journalists often arrive at press conferences 30-40 minutes late. The Public Broadcaster representatives cited the scarcity of technical and human resources and the large number of campaign events to explain this shortcoming.

¹¹ The post-Revolution government compiled its first data base of socially vulnerable families in 2006-2007. At that time, families were included based upon their own requests. Any family that believed that it fell into the category of socially vulnerable and wanted to receive aid from the government had to complete and submit a special application to the Social Protection Agency.

¹² The media monitoring is being conducted by the Gorbi research company on behalf of TI Georgia.

¹³ For detailed information on the results of TI Georgia's media monitoring, see the separate report on media monitoring.

Imedi

The raid on the Imedi TV station and the suspension of its broadcasts were among the most significant events in November 2007. The TV channel managed to resume operation no sooner than on 12 December 2007. However, two weeks later, on 26 December, Imedi temporarily suspended its broadcasts again, this time following a decision by its staff. The decision was linked to the TV company owner Badri Patarkatsishvili's participation in the presidential election. The TV channel was to resume its regular broadcasts after the election but it has not done so to this day.

Following Badri Patarkatsishvili's sudden death in Britain on 13 February 2008, several contenders laid claims to the ownership of Imedi. Patarkatsishvili's relative Ioseb Kakalashvili (Joseph Kay) presented documents whereby he was the owner of Imedi and said that he intended to resume the TV channel's broadcasts.

It was stated that Imedi would resume broadcasts on 25 March. On 26 March, Imedi's Executive Director Bidzina Baratashvili said that the channel was going to start limited operation on 1 April, while news programs would start to be aired on 10 April. On 1 April, Imedi's logo appeared on the channel's frequency on TV screens accompanied by the audio of the Radio Imedi programs.

Patarkatsishvili's spouse and family accused Kay of making a deal with the Georgian government and filed a lawsuit to regain control of Imedi. The court hearings are still underway. The Imedi TV channel has resumed broadcasts, though only test programs are being aired. News programs are likely to resume after the election.

Maestro

Maestro is a small local TV channel with satellite broadcasts in Tbilisi, Rustavi, and Gori. It mainly airs music and entertainment programs and has a corresponding license. In November 2007, the channel stated that it was going to prepare and air three new educational programs: Propesia Zhurnalisti (Profession - Journalist), Ukomentarod (No Comment), and opinion polls.

On 28 November, when the first educational program was about to be broadcast, the channel was taken off the air. Channel director Mamuka Ghlonti said that he had expected it to happen since, following the statement about the planned launch of new programs, he had received "friendly advice" to refrain from airing them. The channel and the opposition blamed the government for the suspension of the channel's broadcasts though the National Communications Regulatory Commission denied having anything to do with the disruption of broadcasts and said that it had been caused by a satellite problem. The TV channel went back on air the next day, on 29 November, and resumed broadcasting its programs on 30 November.

On 20 March 2008, the TV channel received a letter of warning from the Regulatory Commission, saying that the channel's programs did not comply with the terms of its license despite the fact that Maestro had applied to the commission for a new license as early as November. On 8 April, the commission denied the TV channel a change of license, citing the fact that Maestro had already received a warning.

Maestro challenged the commission's decision in court. On 14 April, awaiting the final decision by the court, Maestro staged a rally of the "silenced" outside the parliament building to protest against restrictions on the freedom of speech in the country. The decision to air the three disputed programs on Maestro with superimposed classical music instead of the actual sound of conversation was announced at the rally.

Currently, Propesia Zhurnalisti is aired in this very format. The audio track of the programs is aired by Radio Utsnobi and it is possible to watch the full version of the programs on the TV channel's website. This has made it possible for Maestro to technically observe the terms of its license without giving up on educational and political programs.

Rustavi 2

Rustavi 2 and Mze are the two TV channels that have been criticized by the opposition most frequently. Representatives of the United Opposition have openly accused these TV stations and their journalists of being biased and carrying out the government's orders. On 14 February, Levan Gachechiladze refused to cooperate with the two channels and demanded that their journalists leave his news conference. In response to this, Rustavi 2 issued a statement on 16 February, saying that the channel itself had decided to refrain from communicating with the United Opposition and Levan Gachechiladze in particular unless they apologized for insulting the station's journalists.

The opposition declared a boycott of the TV channels once again at the 24 March rally. On 25 March, while covering the opposition's protest outside the parliament building, journalists of both TV channels found themselves in a confusing situation where a group of protesters divided into two parts. Some of them demanded that the journalists leave the area, while others were against this but attempted to "control the correctness" of information transmitted by the journalists. Leaders of the opposition escorted the journalists out of the crowd. Following the incident, the TV channels did not attend or cover the United Opposition's rallies and activities for a certain period of time.

On 25 April, Rustavi 2 aired the first free campaign video of the United Opposition which said that the United Opposition was being denied access to this channel and urged the voters/public to obtain information through Kavkasia and the Public Broadcaster. In response to this video, the evening edition of the Kurieri news program announced the decision by the management of Rustavi 2 and Mze to unilaterally restore communication with the United Opposition as of Monday, 28 April. The channels emphasized that the only reason for this decision was their duty to provide the public with comprehensive information and their sense of responsibility towards the audience.

Despite the confrontation, Rustavi 2 is an important rostrum for the opposition. This applies to the Prime Time program which has been aired by the channel twice a week since mid-December 2007 and was not affected by the opposition's boycott. Both the government and the opposition have been participating in the debate show ahead of the parliamentary election. The program also featured presentations of the parties running in the election as every edition was devoted entirely to a single party or block.

The parties have now finished presenting their platforms on the show. All parties except for the Rightist Alliance: Topadze-Industrialists bloc, the Sportsmen Union, the National Party of Radical Democrats of Georgia, and the Our Country party appeared in the program. Our Country has said that it was not offered to participate in the show. The Rightist Alliance: Topadze-Industrialists block, however, refused to appear in the program because it had been offered to share the show with another party (one part of the program would be devoted to the Rightist Alliance: Topadze-Industrialists, while a different party would be featured in the other part).

Two new programs were launched on Rustavi 2 during the pre-election period: Upasukhe Khalkhs (Respond to the People) and Samkutkhedi (Triangle). Representatives of various

political parties participate in the two shows where they are given an opportunity to present their election platforms to the audience and speak about the electoral process.

Future Activities

Transparency International Georgia continues to monitor the misuse of administrative resources during the pre-election period. The final report on the monitoring will be published after the elections.

Transparency International Georgia's head office is running a free hot line (822 009 888) every day (except on weekends). Anyone who wishes to provide information about cases of the misuse of administrative resources in the pre-election period or to receive additional information about the question can call. The organization will verify the information received through the hot line and, if confirmed, will include the cases in its reporting.

In addition to monitoring the misuse of administrative resources in the pre-election period, Transparency International Georgia is conducting media monitoring and will monitor the voting process on election day in preliminary detention facilities and 150 election precincts in Kvemo Kartli.