

GEORGIA POLICY ALERT

Outlook ahead of Georgia's Parliamentary Elections

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1 February 2024

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The next parliamentary elections in Georgia are set to take place on October 26, 2024. The elections will be conducted under the newly introduced fully proportional electoral system, and all 150 members of parliament will be elected in a single nationwide constituency under a 5% threshold. For the first time in country-wide elections, the voting process at most of the polling stations will be conducted with the use of electronic voting technologies. Elections are administered by the three-tier election administration. The highest electoral management body – the Central Election Commission – is an independent agency composed of nine members nominated by qualified political parties and eight non-partisan members appointed by the Parliament on a professional basis. Questions remain around the mandate of the current CEC chair and two non-partisan members, whose second six-month term expired in August 2022. However, the law permits the members whose term expires to remain in post until the new appointees are voted in. The process is deadlocked in the parliament following the President's refusal to re-nominate the current Chair and two members. The elections are taking place against the backdrop of the mounting political polarization and disengaged electorate, where many feel that none of the political parties represent their interests.

Electoral System

On October 26, 2024, the Georgian voters will elect 150 members of the parliament through a proportional electoral system in a single nationwide constituency. Georgia's political parties and civil society representatives have been advocating for the switch to the fully proportional system for more than a decade. The Georgian Dream ruling party revised the constitution in 2018, introducing a proportional system for parliamentary elections with a 5% threshold. However, under the transitional norms, the change would only take effect starting from the 2024 parliamentary elections.

In April 2021, following months of political crisis in the aftermath of the 2020 parliamentary elections, Georgian Dream and representatives of the Georgian opposition signed a compromise agreement brokered by the President of the European Council Charles Michel¹. Among others, the agreement envisaged lowering the threshold for next two parliamentary elections to at least 2%. Following the agreement, the Parliament adopted the relevant constitutional amendments with the first hearing in September 2021². However, the process is currently stalled at the parliament.

Unlike previous elections, no blocs are allowed to run for parliamentary seats in 2024. Many opposition parties and civil society representatives fear that this change, coupled with the relatively high threshold, will ultimately result in a significant portion of "lost votes" and will significantly impede the multi-party representation in the parliament.³ If we were to consider the fact that if the 5% threshold were in place for the 2020 elections, only two electoral subjects – Georgian Dream and United National Movement – United Opposition would be able to secure seats in parliament.⁴

¹ 'Georgian Political Leaders Sign Agreement on "A Way Ahead for Georgia" as Part of EU Mediated Political Dialogue', EEAS, April 2020, https://www.eeas.europa.eu/delegations/georgia/georgian-political-leaders-sign-agreement-%E2%80%9Cway-ahead-georgia%E2%80%9D-part-eu-mediated-political-dialogue_en. Note, the United National Movement and European Georgia did not sign the agreement. Georgian Dream unilaterally withdrew from the agreement in July 2021

² 'Parliament Endorses Constitutional Amendments in First Hearing', *Civil Georgia*, September 2021, <https://civil.ge/archives/439202>.

³ See: Civil.Ge. Explainer | Why do the parties start to merge? *Civil Georgia*. <https://civil.ge/archives/553006>. Published July 23, 2023. 'Explainer | Why Do the Parties Start to Merge?', *Civil Georgia* (blog), 22 July 2023, <https://civil.ge/archives/553006>.

⁴ In comparison, nine electoral subjects received parliamentary mandates in 2020 under the 1% threshold.

On December 14 2023, the European Council granted Georgia the status of a candidate for EU membership. However, the decision was accompanied by nine steps that – in the eyes of the European Union – are essential for Georgia’s EU membership aspirations. Step number 4 requires Georgia to ensure “a free, fair and competitive electoral process”, “fully address OSCE/ODIHR recommendations”, and “ensure adequate representation of the electorate”. Many among Georgian civil society interpret the latter recommendation as related to lowering the electoral threshold.⁵

While advocacy around the adoption of the relevant constitutional amendments continues, shifts are happening in the political party landscape. “Strategy Aghmashenebli” party has already merged with the larger United National Movement. “Droa” and “Girchi – More Freedom” also publicly stated about their intent to compete as one electoral subject. Several other political parties are holding discussions around possible configurations for the upcoming elections. If – following the discussions – a new political party is formed, it will be required to submit no less than 25,000 voter signatures by no later than August 1, 2024.

Election Administration

Elections in Georgia are administered by a three-tier election administration. The highest election administration body - the Central Election Commission (CEC) – comprises nine members nominated by the qualified political parties and eight members appointed by the parliament on a professional basis. The number of the independent members of the CEC appointed by the parliament, as well as the high quorum of votes required for their appointment, was part of the provisions of the April 19 agreement.⁶ Following the resignation of the former Chair of the CEC, a new competition for the position of the chair and two independent members was held in July 2021. However, the candidates failed to gain the two-thirds of the votes in parliament required for their appointment for a full five-year term. Instead, they were appointed by a simple majority of the parliament for a six-month term and were then re-appointed for another six months following a new competition. However, after the term of the CEC Chair and two members expired for the second time, the President refused to renominate the same candidates citing the parliament’s failure to endorse the candidate with a two-thirds majority twice, resulting in interim, six-month

⁵ See, for example: ‘On the Road to the European Union: ISFED’s Vision on Steps to Be Taken by Georgia Regarding Elections | ISFED’, isfed.ge, September 2023, <http://isfed.ge/eng/gantskhadebebi/samartliani-archevnebis-khedva-evrokavshirshi-gatsevrebis-protsesshi-saqartvelos-mier-saarchevno-mimartulebit-gadasadgmeli-nabidjebis-shesakheb>.

⁶ A way ahead for Georgia, | EEAS, April, 2021, page 3 https://www.eeas.europa.eu/sites/default/files/210418_mediation_way_ahead_for_publication_0.pdf



appointments.⁷ As a backlash to the President's refusal to renominate the candidates, the Georgian Dream ruling party initiated amendments to the Election Code and the Rules of Procedure of the Parliament, transferring the authority to nominate non-partisan members from the President to the Speaker of Parliament and decreasing the quorum required for their appointment for a full-time term. In its joint opinion issued in December 2023, the Venice Commission and OSCE Office for Democratic Institutions and Human Rights (ODIHR) criticized the amendments and recommended maintaining consensus-based appointment of CEC Chair and non-partisan members (possibly with a two-thirds majority) and transferring the nominating authority for the non-partisan members and CEC Chair back to the President of Georgia.⁸ Georgian Dream party dismissed the findings citing a lack of legal arguments. While the process is deadlocked in parliament, the CEC Chair and the two non-partisan members continue to carry on their mandates.

Electronic Voting Technologies

For the first time across the country, the voting process will be conducted with the use of electronic voting technologies. Following the electoral amendments of 2022, that introduced a general framework for the use of electronic technologies in the elections, in February 2023, the CEC decided to conduct elections with the assistance of electronic voting technologies in all polling stations where the number of registered voters exceeds 300 and the distance between the polling station and the District Election Commission (DEC) does not exceed 20 km.⁹ The electronic voting technologies will also be used in all polling stations of self-governing cities and administrative centers of municipalities. Overall, according to the CEC, this decision enables 90% of Georgian voters to vote electronically.

The CEC has already tested the technologies during the October 2023 and April 2023 by-elections. Two types of voting technologies will be used for the October 2024 parliamentary elections: a voter verification machine, responsible for validating voters' identification at the polling station and registering them, and an optical mark recognition machine, enabling voters to cast their ballots in the ballot box. In its assessment of the electronic voting technologies, the International Society for Fair Elections and Democracy (ISFED) criticized the voter verification machine "for not

⁷ See: 'Election Commission Accuses President of Political Bias in Nominations', *Civil Georgia* (blog), 8 August 2022, <https://civil.ge/archives/503612>.

⁸ Venice Commission. Georgia, European Commission For Democracy Through Law and OSCE Office For Democratic Institutions And Human Rights, *Joint Opinion On Draft Amendments To The Election Code And To The Rules Of Procedure Of The Parliament Of Georgia*, Pub. L. No. 1155 (2023), and adopted by the Venice Commission at its 137th Plenary Session (Venice, 15-16 December 2023) [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2023\)047-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2023)047-e)

⁹ See: '90% of Voters Will Vote Electronically in 2024 Parliamentary Elections', *Civil Georgia* (blog), 7 February 2023, <https://civil.ge/archives/524496>.

utilizing the biometric data to verify voters' identities, thereby leaving a theoretical risk of multiple voting” and dubbed the optical mark recognition machines as “outdated” and “not addressing all the challenges’ in Georgia.¹⁰ CEC has rejected these accusations. According to the election management body, it has been actively conducting voter education campaigns around the use of electronic technologies and has already reached up to 300,000 voters.¹¹

Undecided Voters, Heated Rhetoric

The elections are taking place against the backdrop of mounting political polarization and a disengaged electorate. The findings from the public opinion poll commissioned by the National Democratic Institute (NDI) and released in December 2023, show that 62% of the population believes that none of the political parties present in Georgia represent their interests. 42% of the Georgian citizens remain politically “undecided”: they do not know or do not say which party is closest to them.¹²

The ruling party remains confident of its ability to secure the majority in the parliament, if not the constitutional majority, especially following the granting of EU membership candidate status to Georgia in December 2023.¹³ The latest polls put electoral support for the Georgian Dream at around 25%¹⁴. However, according to the same poll, only one or two additional parties are capable of clearing the 5% threshold.

In recent years, offensive rhetoric and negative campaigning have become a staple of Georgian political discourse, often overshadowing issue-based discussions and further alienating the electorate. Adding to the further concern is the frequent attacks on the civil society and media. While the Georgian Dream did not succeed in adopting a law on foreign agents, the ruling party does not shy away from attempts to discredit credible domestic observer groups and civil society organizations.

¹⁰ ‘Use of Electronic Technologies in the Voting Process: Assessment of Electronic Machines Introduced in Georgia | ISFED’, isfed.ge, November 2023, <http://www.isfed.ge/eng/politikis-dokumentebi/elektronuli-teqnologiebis-gamokeneba-kenchiskris-protsesshi-saqartveloshi-danergili-eleqtronuli-apatatebis-shefaseba>.

¹¹ Statement of the Central Election Commission, 1tv.ge, 11 January 2024, <https://1tv.ge/video/cesko-s-ganckhadeba-12/>.

¹² CRRG Georgia, ‘Taking Georgians’ Pulse Findings from October-November 2023 Face to Face Survey’, NDI, December 2023.

¹³ See: ‘Speaker: GD to Win Constitutional Majority If Elections Were Held Today – 1TV’, 1tv.ge, 19 January 2024, <https://1tv.ge/lang/en/news/speaker-gd-to-win-constitutional-majority-if-elections-were-held-today/>.

¹⁴ Center for Insights in Survey Research, ‘Georgian Survey of Public Opinion | September – October 2023’, International Republican Institute, 15 November 2023, <https://www.iri.org/resources/georgian-survey-of-public-opinion-september-october-2023/>.

Lately, the Georgian Dream leadership turned upon a new foe - international donor organizations. In the fall of 2023, the Speaker of Parliament Shalva Papuashvili accused the United States Agency of International Development (USAID) and European Endowment for Democracy (EED) of encouraging extremism and polarization.¹⁵ The State Security Service of Georgia questioned trainers and participants of a USAID-funded program under allegations of plotting civil unrest.¹⁶ In a recent series of events, sparked by the placement of Stalin's image in a church, Speaker Papuashvili again lashed out at the civil society organizations and accused USAID of funding religious intolerance in Georgia.¹⁷

It is anticipated that with the approach of the electoral campaign, the level of vitriol and negative rhetoric will be on the rise. However, many also warn that on par with the political parties, civil society organizations and in particular - domestic observer groups - will increasingly serve as targets of the discrediting campaign. This may further undermine the voters' trust in elections and the democratic system of governance, ultimately affecting their participation in elections.

Georgia is entering the 2024 election cycle in anticipation of many novelties, including the much-awaited switch to the fully proportional electoral system and the widespread use of electronic voting technologies. However, with nine months left ahead of elections, questions remain about pending electoral changes, including the lowering of the electoral threshold as well as rules defining the appointment of non-partisan members of the CEC. The electoral campaign has not officially started yet. But with certain blocs not allowed to run, opposition parties are holding discussions to test possible mergers ahead of elections. Despite significant amendments to the electoral framework, many issues remain insufficiently addressed, including - among others - provisions on the misuse of administrative resources, oversight of campaign finance, framework for electoral dispute resolution, media campaign regulations, and measures to prevent voter intimidation. These issues - if not resolved - coupled with a high level of political polarization, may undermine the public's trust in the electoral process and ultimately affect the acceptance of election results.

¹⁵ See: 'Speaker: USAID and EED "Fund Extremism in Georgia"', *Civil Georgia* (blog), 25 October 2023, <https://civil.ge/archives/565471>.

¹⁶ See: 'Security Service Says USAID-Funded Trainers Were Plotting to Foment Unrest in Georgia', *Civil Georgia* (blog), 2 October 2023, <https://civil.ge/archives/561665>.

¹⁷ See: Tata Shoshiashvili, 'Georgian Speaker Accuses USAID of "Financing Religious Intolerance"', *OC Media* (blog), 23 January 2024, <https://oc-media.org/georgian-speaker-accuses-usaid-of-financing-religious-intolerance/>.



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Tamara Sartania — an independent international consultant, specializing in democratic elections, civil society development, parliamentary and political party strengthening, and women’s political participation. Her work assignments included working as an Election Adviser for OSCE’s Office for Democratic Institutions and Human Rights (ODIHR), where her portfolio included coordinating needs assessment missions and ODIHR’s electoral activities in nine OSCE participating states. In addition, she served as a core team member for several ODIHR election observation missions. As a Deputy Chief of Party for the National Democratic Institute (NDI) Georgia office, Tamara supervised initiatives to support political pluralism in Georgia through capacity building on national and regional levels. She has also worked as a thematic analyst for NDI’s election observation missions to Ethiopia, Ukraine, and Lebanon. Tamara holds a Master of Arts Degree in Law and Diplomacy from The Fletcher School, Tufts University, and a Postgraduate Certificate in Strategic Communications (with Distinction) from King’s College London.

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EPDE is financially supported by the European Union and the Federal Foreign Office of Germany. The here expressed opinion does not necessarily reflect the opinion of the donors.



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