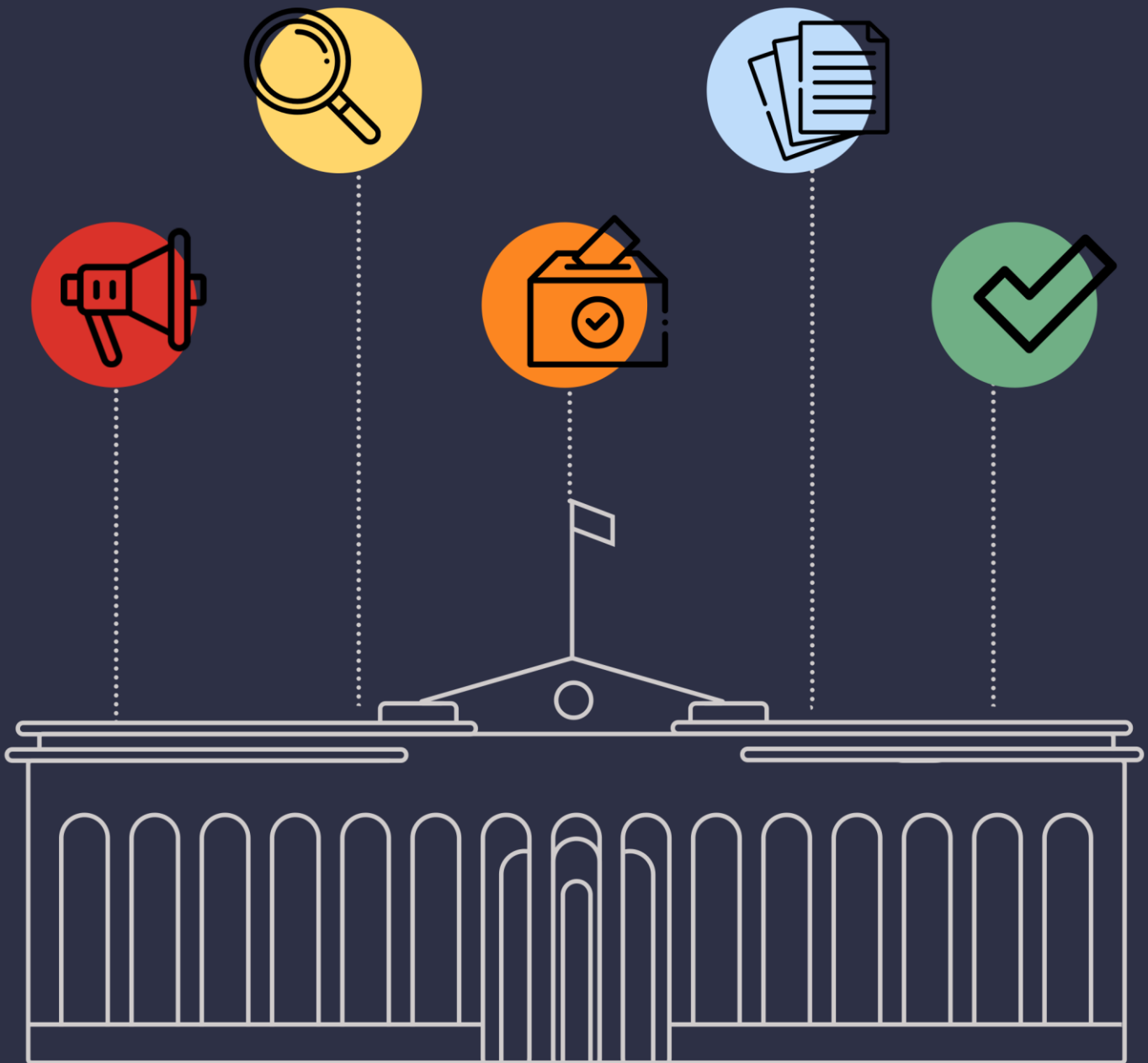


FINAL REPORT OF MONITORING OF THE 2020 PARLIAMENTARY ELECTIONS



ISFED

INTERNATIONAL SOCIETY FOR
FAIR ELECTIONS AND DEMOCRACY

25 YEARS

Final Report of Monitoring of The 2020 Parliamentary Elections in Georgia



2021
Tbilisi, Georgia



ISFED is grateful to its monitors, representatives and the entire observation mission for their invaluable effort and significant contribution to the electoral processes

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Key Findings

The 2020 Parliamentary Elections in Georgia took place amidst the global pandemic, which posed extraordinary challenges for administering the elections, as well as for the realization of constitutional rights of voters and other key actors. Essentially, the Election Day was managed effectively, in compliance with the legal requirements. Despite the extreme surge of the Covid-19 cases, voters were provided with a safe environment to cast their votes. However, the prevalence of cases of vote-buying/bribery/intimidation, misuse of administrative resources, domination of ruling party in the election commissions, discrepancies in the summary protocols and flawed mechanisms to address them, also, an ineffective handling of complaints and appeals, significantly undermined public trust in electoral processes.

In the capacity of its election observation mission, the International Society for Fair Elections and Democracy (ISFED) identified the following key findings:

- Parliamentary elections were preceded by the significant Constitutional and Election Code reforms that resulted in a more proportional electoral system, widely perceived as a step forward to a more representative and pluralistic legislature. However, changes in the electoral legislation were not accompanied by the revision of the Election Administration composition rules. Selecting and appointing professional members of the election commissions had largely been subject to the political influences. Also, the appointment of the political parties' representatives in the election administration was not based on the parity principle (one political party - one member), which resulted in an overall domination of the ruling party and raised questions regarding the impartiality and independence of the election administration.
- The mass-distribution of social assistance packages, the misuse of administrative resources, and the instances of voter intimidation/pressure was a challenge to the pre-election period. Pandemic-driven socio-economic hardships and massive loss of jobs created the need for targeted social assistance from the government. Though, the government-issued assistance packages were distributed by the representatives of the ruling party. Consequently, for the beneficiaries, government-issued aid was conceived as the assistance provided by the ruling party, the Georgian Dream. In municipalities, local authorities representing the ruling party were reported to be direct distributors of social assistance packages to their citizens, which resulted in blurring the line between the state and the ruling party. The pre-election environment was also marked with the tendency of conducting charitable events by majoritarian MPs or candidates. Such events enjoyed intensive media coverage and signaled vote-buying.

- Alongside an access to the administrative resources, the ruling party's financial donations and its pre-election spending significantly exceeded opposition parties' resources. Hence, in terms of financial capacity, electoral subjects competed in an unequal condition.
- In the pre-election period, especially in the regions, cases of physical confrontation, intimidation, and voter pressure remained a predominant challenge. ISFED reported about the pressure on its representatives, violence against civic activists, and media representatives. Discrediting campaigns on social networks against female politicians, their intimidation and blackmail with the release of their private recordings created an utterly unfriendly environment for women candidates.
- Despite the changes introduced in the electoral legislation that prohibit electoral campaigning by the employees of the legal entities under public law, public schools and their administrative units, yet again, were observed to be highly politicized.
- The pre-election period was marked with extreme polarization, both in traditional and social media. Political parties and candidates mostly refused to use the media outlets that were affiliated with the opposing parties. Discussions on the programmatic issues and party platforms were rare. Voters lacked the opportunities to hear party programs and hence, make informed decisions. Polarization nurtured unfavorable conditions for new/young political parties to promote their agenda and this further deepened the division between the groups of society.
- On Election Day, vote casting procedures were essentially administered efficiently, without major procedural irregularities. Nevertheless, intimidating mobilization of the party coordinators outside the polling stations was reported. Regrettably, the ruling party employed this method even in the uncontested runoff elections. This harmful practice prevails for many years already and is widely assessed as a mechanism to impose undue influence on the free will of voters. Apart from the party coordinators, the gatherings of other suspicious individuals near the polling stations created a tense atmosphere and posed an additional risk to the expression of the free will of voters.
- The 2020 Parliamentary elections were also marked with the prevalence of imbalanced and modified summary protocols (having a surplus or a shortage of ballots) and with the flawed process of addressing identified shortcomings. To correct the imbalances in the summary protocols, correction protocols were issued either by the precinct or the district election commissions. It is noteworthy that more correction protocols were drawn up in the district election commissions

(DECs) than in the precincts (PECs)¹. Corrections were made not during the DEC sessions but were processed in an informal environment. Also, correction protocols were mostly issued without relevant legal grounds. In particular, numbers in the summary protocols were revised not based on a recount, but through a verbal or written explanatory notes of a commission member, which is insufficient and incompliant with the positive electoral standards. Drawing up correction protocols and issuing Ordinances without a recount were considered as a mechanism for achieving balances in the summary protocols.

- The resolution of the election-related disputes and appeals did not uphold the high standards of credibility and trustworthiness. ISFED also observed the tendency of rejecting the complaints or denying to consider them with just formalistic reasons. Regrettably, discussion on the submitted complaints in the DECs was conducted without due consideration of circumstances and hearing on the merits. More precisely, instead of checking the relevant election-related documentation, DECs relied solely on the explanatory notes provided by PEC members. Apart from effective administration of elections, ensuring public trust in election results is one of the key responsibilities of the election administration. Trust could have been achieved through the transparent and effective resolution of each complaint and appeal. Contrary to this, the complaints handling process did not prove to be either transparent or coherent in eradicating irregularities and discrepancies identified in the summary protocols.
- The hearings of the election-related appeals in the common courts were also conducted with various drawbacks. As observed in the election commissions, courts also applied a superficial and formal approach to adjudicating the complaints. Predominantly, courts fully concurred with the decisions made by the DECs, even when the decisions were not sufficiently backed up with evidence and/or the complainants had substantial arguments. Courts' decisions were mostly identically formulated. In particular, justifications of decisions were analogous and included reference to irrelevant legal norms. City (regional) courts and the courts of appeal failed to uphold a high standard of election-related dispute resolution.

¹ According to the official data, 271 correction protocols were drawn up in DECs for proportional race after the Election Day, while 258 correction protocols were drawn up in PECs on the Election Day; 360 were drawn up in DECs after the Election Day for proportional race, while 242 were drawn up in PECs on the Election Day.

I. ISFED Observation Mission

The present report summarizes the results of monitoring of the October 31, 2020 parliamentary elections by the International Society of Fair Elections and Democracy (hereinafter, ISFED). ISFED conducted pre-election, election day, runoffs and post-election monitoring throughout Georgia.

ISFED carried out the pre-election monitoring over the period of five months before the Election Day, from June 1 to October 31 of 2020, through its central office and 68 long-term observers (LTOs) in 73 electoral districts. ISFED released six interim reports of pre-election monitoring.

On the Election Day, October 31 of 2020, ISFED carried out its monitoring in all electoral districts. Its observation mission monitored the opening and setting up of the polling stations, voting, counting and tabulation of results. To assess qualitative and quantitative aspects of the election, ISFED used the Parallel Vote Tabulation (PVT) methodology². On the Election Day, ISFED's observation mission consisted of 980 observers deployed in the precinct and 73 observers deployed in the district election commissions and, additionally, 78 mobile groups. ISFED also deployed observers in 4 polling stations opened abroad.³ Data analysis and incidents center comprising of 20 operators and 11 lawyers operated in the central office in Tbilisi. **On the Election Day, ISFED's monitoring mission did not cover the so-called "Covid precincts" and the mobile ballot-box voting process administered by the "special groups" serving voters hospitalized or quarantined due to Covid-19.**

On November 21, ISFED observed runoff elections in 17 majoritarian districts through 35 mobile groups. Due to the lack of competition in runoffs and the dramatic spike of Covid-19 cases, ISFED's monitoring mission was limited.⁴

ISFED also monitored the post-election period through its lawyers and 68 observers. Post-election observation covered complaints handling in election commissions and courts, and the results tabulation process.

ISFED election observation mission of the 2020 Parliamentary Elections was made possible through the financial support of the United States Agency for International Development (USAID), the European Union (EU) the National Endowment for Democracy (NED). Views expressed in this report belong solely to ISFED and do not necessarily reflect the position of the donor organizations.

² Parallel Vote Tabulation (PVT) is an election observation methodology that enables the detection of irregularities in a timely manner, evaluation of the entire Election Day process and verification of accuracy of the official results. PVT methodology is applied to randomly selected representative sample of polling stations throughout Georgia.

³ Polling stations opened for voters registered at the Georgian consulate in London, Warsaw, Vienna and Barcelona.

⁴ Opposition political parties boycotted the runoff elections. Since the Election Code of Georgia does not envisage the possibility of withdrawing a candidate from the second round, the ballot shows two contestants having the best results in the first round. Due to healthcare crisis, observers' deployment to the polling stations for the entire day, was unreasonably risky for their health and well-being.

II. Political Context

Georgia's October 31 parliamentary elections took place in the times of a global pandemic, soaring economic crisis and tense political environment. The political situation escalated one year earlier, on June 20 of 2019 when a Russian Duma MP took the Chairman's seat in the parliament of Georgia. This image prompted public outrage. Massive protest movements sparked in the aftermath of June 20th events made the government concede and promise the transition to the proportional electoral system.

In November 2019, public protests sparked again after the ruling party backtracked on its promise and the Georgian Parliament voted down the constitutional amendment envisaging a transition to a fully proportional electoral system from 2020. Opposition political parties decided to boycott the legislature and took to the streets again. On March 8, through the negotiations facilitated by Georgia's international partners, political parties reached the consensus on electoral reform. Among other things, changes in the electoral framework envisaged modification of the electoral system, revision of political party finance rules, and the introduction of gender quota mechanism in high legislative and local government bodies to boost women's representation.

The Covid-19 pandemic and its dire socio-economic consequences defined the most salient issues in the lead-up to the pivotal parliamentary elections. The government somewhat effectively managed the epidemiological situation in the first wave of the pandemic and to mitigate its devastating socio-economic impact initiated extensive social assistance packages on central and/or on local levels. Social assistance programs put the ruling party in preferential position compared to its competitors. Also, constrained by the Covid-19 related regulations, political parties could not conduct a traditional election campaign. In an attempt to adapt to the new reality, political parties actively utilized social media to communicate with their constituents.

The pre-election campaign was marked with confrontation among political parties and candidates, usually exacerbated by polarized media environment and increasingly influential, anonymous, sponsored smear campaigns in social media. Thus, the media environment offered unfavorable condition for smaller/new political parties to promote their political agenda and programmatic priorities. The polarized media landscape significantly diminished the voters' ability to make fully informed choices.

Criminal investigation, which brought into the spotlight David Gareji Monastery Complex and border dispute with Azerbaijan, was launched four weeks before the election and became the central divisive topic in the pre-election period. On August 17 of 2020, the Prosecutor's Office launched an investigation about the actions directed at violating the territorial integrity of Georgia, followed by the detention of two members of the state

commission on the delimitation and demarcation of borders. The time of the launch of the investigation, tense pre-election environment, signs of selective justice approach in the process of investigation, and populist statements made by the ruling party representatives referencing to the alleged criminal activities of their predecessors, raised concerns about the politically motivated investigation, aimed at discrediting the opponent. This case of alleged surrendering of Georgian lands by the previous government has become the major theme of the pre-election campaign and dominated not only traditional media but was intensively circulated in social media too.

Following the first round of Election Day, while the election results were still being tabulated in DEC's, opposition political parties expressed their distrust in the election outcome and called a rally in front of the DEC's. On November 8, opposition political parties and their supporters gathered in front of the parliament and later moved towards the building of the Central Election Commission. Riot police used disproportional force against the protesters – water cannons, without prior notice. The next day, on November 9, the government issued the Ordinance⁵ prohibiting gathering at public places or relocation both by vehicle and on foot from 22:00 to 05:00 in the big cities of Georgia⁶. Imposed restrictions remained active during the runoffs.

Ruling party, Georgian Dream, in the first round, won 13 majoritarian districts out of 30. Runoffs were scheduled to determine the winner in the rest of the 17 majoritarian districts. Opposition political parties boycotted the runoffs.

⁵ Ordinance of the Government of Georgia №322, May 23, 2020, Tbilisi, On the Approval of Isolation and Quarantine Rules.

⁶ Tbilisi, Batumi, Kutaisi, Rustavi, Zugdidi, Gori and Poti.

III. Legislative Reform

2020 parliamentary elections were preceded by the comprehensive reform of the electoral legislation. Under revised mixed electoral system, as envisaged in the March 8th agreement reached between the ruling and the opposition parties, 120 members were to be elected in a single nationwide constituency, through closed party lists, and 30 in single-member constituencies. Also, the party threshold in the proportional contest was temporarily reduced from 5 to 1 percent of valid votes cast.⁷ Though these changes did not introduce a long-awaited and strongly supported fully proportional electoral system, it was widely and unanimously perceived as a step forward to a more pluralistic legislature and representative democracy.

On July 8-10 of 2019, the Parliament of Georgia renewed its work on the election reform with the purpose of incorporating the recommendations prepared by OSCE/ODIHR following the observation of the 2018 Presidential Elections.⁸ The task force was composed of representatives of political parties, international partners and civil society organizations.

Draft laws on the amendments to the organic law of Georgia on the Election Code, to the organic law of Georgia On Political Associations of Citizens, and to the Criminal Code of Georgia were registered in the Parliament of Georgia on June 24, 2020. The amendments were discussed under a fast-track procedure and were adopted with the third reading by the Parliament of Georgia on July 2, 2020.

In the process of the election reform, ISFED and Transparency International – Georgia released their joint assessment and recommendations on key issues pertaining to the reform, namely the composition of the election administration, media regulations, misuse of administrative resources and political party funding. Regrettably, the majority of the recommendations were not reflected in the legislation.⁹

The election reform included the following legislative changes:

Composition of the Election Administration

- The norm preventing a potential rise of the conflict of interest in the process of forming the PECs was entered into force.
- An additional criterion for the selection of commission members was introduced: an individual could not be appointed as a commission member if s/he had been

⁷ Draft constitution law adopted by the Parliament of Georgia: <https://bit.ly/3c9L6Ud>

⁸ October 28 and November 28, 2018 Presidential elections in Georgia, Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission Final Report, February 28, 2019, Warsaw: <https://bit.ly/2Xto6IA>

⁹ Recommendations for the Improvement of Election Environment: <http://www.isfed.ge/geo/angarishebi/2019-2020-tslebis-saarchevno-reformis-shefaseba>

appointed by a political party as an election commission member (at any level) in the last general elections.

- When appointing a so-called professional member of the PEC, it became obligatory that a candidate is supported by the majority of respective DEC's professional members.

Use of Administrative Resources

- Participation in the pre-election campaign became prohibited for the employees of the legal entities under public law, employees of non-profit (non-commercial) legal entities established by the State or a municipality. The same restriction applies to the public school teachers/principals during working hours, or while fulfillment of their official duties.
- Posting an advertising video on the broadcaster from the 60th day before polling, containing information about the work done or planned by a relevant agency, became prohibited for a state authority or a municipal body.

Gender Quota

- Mandatory gender quota obliged political parties to include at least every fourth person of different gender in their proportional party list for the 2020 parliamentary elections.
- Phased introduction of gender quota mechanism for the 2024 and 2028 parliamentary elections, resulting in at least 33% representation of women in the legislature.
- A mandatory 50% gender quota was introduced for every local government election until 2028.¹⁰

Political Party Funding

- A regressive model of party funding entered into force: A party is eligible for annual state funding if it overcomes the 1% electoral threshold. According to the funding allocation formula, a party receives 15 GEL for each vote up to 50,000 and 5 GEL for each additional vote.
- An incentive mechanism to boost women's representation entered into force: political parties eligible for public funding could receive an increase of 30% in funding if they include at least one of each gender within every three candidates on their lists.¹¹

¹⁰ The Organic Law of Georgia, the Election Code of Georgia, Article 203

¹¹ Amendment to the Organic Law of Georgia on Political Associations of Citizens, <https://matsne.gov.ge/ka/document/view/4914411?publication=0#DOCUMENT:1>;

IV. Election Administration

The global pandemic posed unprecedented challenges for the 2020 parliamentary elections in Georgia not only in regard to the administration of elections but also in terms of ensuring public safety and realization of voters' constitutional rights. Moreover, the election system was recently modified and the number of electoral subjects was abundant. What remained unchanged was the controversial rule regarding the composition of the election administration. The rule of appointment of professional members of the commission, as well as the rule of appointment of commission members by the parliamentary political parties in proportion with the number of votes received in the last parliamentary elections, resulted in a dominant representation of the ruling party in the election commissions.

Despite the dramatic spike of Covid-19 cases, the election administration managed to fit into the timeframes prescribed in the law and to effectively manage the vote casting procedures. However, discrepancies in the summary protocols, the lack of will to address them and the utterly formalistic approach of handling complaints, significantly eroded the trust towards the election administration body.

Instead of a timely, transparent, and proactive handling of the shortcomings related to the summary protocols, the election administration's approach failed to galvanize public confidence in the process.¹² Though the corrections of discrepancies in the summary protocols were largely made in a legally compliant manner, another legitimate goal of the election legislation was disregarded – ensure public trust in the election and its outcome.

Covid-19 Related Regulations

After declaring the Covid-19 global pandemic, elections in some countries were postponed, while some countries conducted them with respective regulations and constraints. Despite a high risk of further spread of the virus, the government of Georgia did not postpone the elections. So the importance of the election administration to manage the process increased even more.

Challenges posed by the pandemic were multifaceted: first, it was necessary to regulate the pre-election campaign events, to prevent the further spread of the virus; Also, the election administration had to ensure the realization of the constitutional right of an increasingly high number of hospitalized or quarantined citizens. To address emerging risks, on July 2 of 2020, changes were introduced in the organic law the Election Code of Georgia, which authorized the Central Election Commission (CEC) to determine sanitary and hygienic requirements for entering/leaving and staying/moving in the buildings owned and/or transferred to the election commissions. Also, the CEC was granted the right to create a

¹² The day after voting, the PEC members were gathered by the DEC's to draw up correction protocols that were based on verbal explanations and later, DEC's issued the Ordinances based on verbal notes.

special group substituting a commissioner in case of his/her failure to perform assigned duty due to health conditions.¹³

Fast-track adoption of the decree¹⁴ of the CEC, issued on August 19 of 2020, faced some criticism. The decree defined the rules of the participation of the voters staying in inpatient facilities and isolation (quarantine, self-isolation) and allowed the creation of special groups and determined some sanitary-hygienic requirements for the polling day. The voters staying in inpatient facilities and isolation (quarantine, self-isolation) could participate in the elections through mobile ballot boxes provided upon their request within the window of given two days¹⁵. Later, the deadline was extended to October 27 of 2020.¹⁶ Legal regulation of the participation of hospitalized or quarantined voters just 12 days before the Election Day and the tight timeframe for requesting mobile ballot boxes service, did not prove effective for the realization of voters' universal right.

The Central Election Commission (CEC) Composition

Despite stakeholders' tireless efforts and due to the authorities' pushback, the 2019-2020 election reform did not apply to the CEC composition rules. ISFED's recommendation on the revision of the appointment formula to ensure a more balanced representation of political parties and to address the effective dominance of a single political party was not considered.

At the end of 2019, four members of the CEC were re-elected after the expiration of their tenure. This raised concerns regarding the credibility and the appropriateness of the process.¹⁷

On November 5 of 2019, the President of Georgia announced an open competition for four non-partisan vacant positions of CEC's membership. President approved the rules of the competition too.¹⁸ Though all four members were selected in compliance with the legal norms prescribed in the Election Code, the composition of the selection commission, evaluation criteria and justification of decisions remained problematic.

¹³ Organic Law of Georgia – Election Code of Georgia, Article 199, <https://matsne.gov.ge/ka/document/view/1557168?publication=65>

¹⁴ The Central Election Commission of Georgia, October 19, 2020, Decree №45/2020 “On the Participation of Voters Staying in Inpatient Facilities and Isolation (Quarantine, Self-Isolation) in the Elections of 31 October 2020, Creation of Electoral Precincts and Special Groups, and Determination of Some Election Measures and Sanitary-Hygienic Requirements” - <https://www.matsne.gov.ge/ka/document/view/5019260?publication=0>

¹⁵ Registration procedures for self-isolated voters: <https://bit.ly/3giN3hq>

¹⁶ Registration deadline for self-isolated voters has been extended: <https://bit.ly/37LxueB>

¹⁷ Irregularities identified in the selection of CEC's non-partisan members: <http://www.isfed.ge/geo/angarishebi/tsekos-profesiuli-tsevrebis-shesarchev-konkursshi-gamovlenili-kharvezebi>

¹⁸ President's Decree #05/11/02, November 5, 2019, On the open contest to select candidates for the membership of the Central Election Commission and creation of its selection commission; <https://bit.ly/2JDMqj0>

Precinct Election Commissions (PECs) Composition

A formalistic approach prevailed in the process of selecting non-partisan members of PECs by the District Election Commissions (DECs). In addition, unreasonably short deadlines for the selection process undermined the credibility of the recruitment process.

In the majority of DECs, commission members had predetermined winner candidates. Those candidates in the lists were pre-marked that had to be selected. Opposition parties' representatives were demanding the revision of the session agenda so that there was some time allocated for disputes on each candidate before their selection. In some districts, this request was voted on but failed due to the insufficient support among DEC members. For this reason, the recruitment process was accompanied by the opposition protest. In some districts, opposition parties' representatives even refused to participate.¹⁹

Notably, some of the PEC authorities, namely, commission chairpersons, deputy chairpersons and secretaries were affiliated with the ruling party. As reported by the opposition parties, commission authorities were appointed even without informing and engaging their representatives.²⁰

Counting and Tabulation of Results

ISFED assesses that the mismatches in the summary protocols, (either a surplus or a shortage, expressed in the discrepancies between the number of voters' signatures and the sum of valid and invalid ballots) undermined the perceived integrity of the election process. Such issues required timely and adequate reaction from the election administration. In particular, in the spirit of eradicating the discrepancies, the election administration should have opened sealed election materials and conducted recounts in all disputed precincts. The counting and results tabulation process should have been conducted with the participation of all the interested stakeholders. As a result, the public would have become more informed and reassured whether the imbalances were technical errors or violations of the election procedures. Regrettably, the election administration did not uphold high standards of transparency in this regard and not recounting the votes in disputable precincts left many questions unanswered.

Illegal Agitation in Social Networks

Pandemic-driven social distancing policies significantly boosted the role and the use of social media among voters and electoral subjects. However, the election administration did not change its approach to the instances when a public servant used his or her social media account for agitation during their working hours. It was only assessed as the misuse of

¹⁹ 2020 Parliamentary Elections, IV Interim Report of Pre-Election Campaign Monitoring: <http://bit.ly/397INiF>

²⁰ Ibid

administrative resources²¹- utilizing the means of communication funded from the state budget.

This well-rooted malpractice, unaddressed by the CEC, is a very narrow definition of a concept of agitation, defined by the Election Code of Georgia. Such a narrow definition of this term in relation to social networks does not serve its legitimate purpose of preventing potential negative effect on the electoral environment.

²¹ Election Code of Georgia, article 48, paragraph 1, sub-paragraph B

V. The State Audit Office of Georgia

During the 2020 Parliamentary Elections, the State Audit Office (SAO) of Georgia actively reported on its activities to inform the representatives of the electoral subjects and local/international organizations working on the electoral issues. According to the data published by the Office, from September 1 through December 3 of 2020, total revenue received by the electoral subjects, inclusive of endowments and state funding, amounted to 46,764,250 GEL. The contrast between donations received by the electoral subjects was, as previously, notable.²² The following political parties in the table share the highest total amount of revenues and expenditures:

Political Party	Revenue (GEL)	Expenditure (GEL)
Georgian Dream – Democratic Georgia	18,049,688	18,278,208
United National Movement	5,693,185	5,760,334
Lelo for Georgia	5,880,036	5 848,526

In the pre-election period, based on the reports submitted by electoral subjects, the SAO initiated administrative proceedings in 13 cases.²³ Though the SAO consistently reported on the cases of an administrative offense, there is no registry of submitted complaints that would filter the status of either ongoing or finalized proceedings.

In the pre-election period, an investigative journalism platform *Dossier* released reports on political union *The Alliance of Patriots*' alleged Russian ties. Two reports were released on August 24 and 31 of 2020. *Dossier* claimed that according to the documents obtained from the chairman of the Russian President's Directorate for Interregional Relations and Cultural Contacts with Foreign Countries, *The Alliance of Patriots* was connected to and funded from the Kremlin-associated network²⁴. According to the SAO report, based on materials received from the Office of the General Prosecutor of Georgia, it started to study the legality of the donations made by 37 people. An administrative offense protocol was drawn up by the SAO on one case, though the court did not confirm the violation and, consequently, the administrative offense case was terminated.²⁵

In the framework of its social media monitoring efforts, ISFED identified the following three Facebook pages engaged in organized discrediting campaigns against opposition parties: *Arqivi • Archive*, *Politikuri Motvaltvale* and *Davasrulot*. Their political ads on

²² Final Report on Financial Monitoring for October 31, 2020 Parliamentary Elections, <https://bit.ly/3vXRTIH>

²³ Ibid

²⁴ NGOs Urge SAO to React on the Dossier's Report Pertaining the Alliance of Patriots: <http://bit.ly/2ZBBuKO>

²⁵ Final Report on Financial Monitoring for October 31, 2020 Parliamentary Elections, <https://bit.ly/3vXRTIH>

Facebook were sponsored by the organization *Davasrulot*,²⁶ constituting the violation of Georgia's electoral legislation. After publicizing this information, the SAO studied the legality of the non-commercial legal entity *Davasrulot's* pre-election activities, confirmed the administrative offense and issued the relevant protocol.

²⁶ ISFED's report: Organization *Davasrulot* Behind the Sponsored Discrediting Campaign on Facebook <https://bit.ly/2OFMxko>

VI. The Interagency Commission for Free and Fair Elections

The Interagency Commission for Free and Fair Elections (IACFFE) was created for the 2020 Parliamentary Elections, with the decree #560 of the Justice Minister, issued on June 30 of 2020. Chaired by the Justice Minister,²⁷ IACFFE engaged representatives of various state agencies.²⁸ IACFFE commenced its duty with biweekly meetings from July 14 of 2020. After registration of electoral subjects was complete, IACFFE shifted to weekly meetings. IACFFE meetings were conducted in a constructive manner. Opposition political parties were not engaged in the commission activities.

ISFED, together with other election observation organizations, was engaged in the commission's work and raised number of issues identified during the pre-election monitoring process, those including the cases of campaigning by the public servants in social networks during business hours. In response, IACFFE just issued the recommendation for public servants employed in central or local government agencies to refrain from electoral campaigning, including through social media networks, during working hours and/or on duty.

Challenges identified by ISFED in its 2018 presidential elections monitoring report remain unaddressed. Namely, the procedure for submitting reports/applications, format and procedures for reviewing them are not defined. Effective mechanisms for responding and preventing electoral violations are not instituted either.

Despite ISFED's proposal, the system to monitor the implementation of IACFFE's recommendations is not put in place, questioning the effectiveness of the Commission's work.

²⁷ Interagency Commission's Interim Report - <https://www.justice.gov.ge/Ministry/Index/1581>

²⁸ The Interagency Commission for Free and Fair Elections was created through the decree #560, paragraph 1, issued on June 30, 2020 by the Minister of Justice. Its statute details that the Commission engages relevant high-level representatives from the following ministries: Justice, Foreign Affairs, Internal Affairs, Finance, Defense, Infrastructure and Regional development, Education and Health. Prosecutor General, State Security Service and State Audit Office are also involved in the Commission's work, together with the Head of Municipal Inspection Service of Tbilisi City Hall: <https://www.justice.gov.ge/Ministry/Index/1578>

VII. Media Environment

Ahead of the Parliamentary Elections, Georgia's media landscape was marked with an abundance of broadcasters but due to simmering hyperpolarization, media failed to ensure balanced and inclusive reporting of political and electoral issues.²⁹

The lack of constructive, issue-based debates significantly reduced the voters' ability to make an informed choice. During the pre-election campaign, the electoral subjects did not participate in the political debates hosted by the broadcasters affiliated with their opponent, hence, this significantly reduced communication platforms with voters.

The broadcast market changed dramatically after July 18, 2019 with the European Court of Human Rights (ECHR) verdict, which granted TV company *Rustavi 2* ownership to its former owner.³⁰ The change of management was followed by the massive changes in personnel.³¹ Journalists were openly reporting about the threats of intervention in their editorial policy and alleged instances of violation of their labor rights.³²

Two new TV stations were created before the elections. Former director of *Rustavi 2* established a new TV channel *Mtavari Arkhi* that started airing in September 2019. One month later, *TV Formula* also went on air for the first time.³³

On April 19 of 2019, the decision by the supervisory board to dismiss the general director of the public broadcaster's *Ajdara TV* (based in Batumi, Adjara) was widely perceived as a possible attempt to intervene in the TV channel's editorial policy.³⁴ The supervisory board³⁵ carried out managerial changes, including some reshuffle of personnel, which prompted journalists' protest. They raised concerns citing the potential threats to editorial independence and freedom of speech under new management.³⁶ These developments were negatively assessed either by local and international organizations.³⁷

In the pre-election campaign, informing citizens about the political and electoral developments and safeguarding journalists so that they fulfill their professional duties should be in the interest of government interest. Reported assaults on the journalists of *Mtavari Arkhi* and *Georgian Public Broadcaster (GPB)*, and their subsequent injury was

²⁹ Pre-election Campaign Final Monitoring Report, 2020, <http://bit.ly/36UQoQm>

³⁰ Strasbourg Court Dismissed the Rustavi 2 Case, on.ge, July 18, 2019, <https://bit.ly/3c7Ui8q>

³¹ Nika Gvaramia is No Longer Rustavi 2 Director - Update Reflected in Civil Registry, on.ge, July 18, 2019, <https://bit.ly/3cBuqCU>

³² Coalition on Media Advocacy Reacts on the Developments on Rustavi 2 Case, August 20, 2020, <https://bit.ly/2TaVfp>

³³ Davit Kezerashvili Became the Owner of Controlling Stakes at Formula Creative Television, on.ge, September 5, 2019, <https://bit.ly/2LuBRj8>

³⁴ Advisory Board of Adjara TV Dismissed Natia Kapanadze, April 19, 2019, on.ge, <https://bit.ly/2T8MBZ4>

³⁵ Kokhreidze Appointed as the New Director Adjara TV – Journalists Fear on the Change Editorial Policy, on.ge, November 22, 2019, <https://bit.ly/3c wd9Lg>

³⁶ Information available at: <https://ajaratv.ge/article/55878>

³⁷ Civil Society Organizations React on the Impeachment of the Director of Adjara TV and Radio, <https://bit.ly/2LTBVJq>

the utterly negative incident of disturbing media representatives to fulfill professional duties. Due to ineffective action from the law enforcement bodies, the violent act was not prevented on time.³⁸ Incidents obstructing journalists' professional work are potentially criminal activity and negatively affect not only the pre-election environment, but also threaten journalists' freedom and safety.

In the pre-election period, broadcasters established an ambiguous practice for verifying the content of the political/electoral advertisements. *Mtavari Arkhi* did not air *European Georgia's* political advertisement due to the former President's appearance in it. As explained, Mikheil Saakashvili, as a foreign citizen was prohibited from engaging in pre-electoral campaigning. The same ad, however, was aired without hindrance on *Rustavi 2* and *TV Pirveli*.³⁹ Notably, against their own justification, *Mtavari Arkhi* many times provided the platform for *Mikheil Saakashvili* to discuss electoral issues.

Free Georgia's controversial political advertisement, featuring negative agitation against political party *Lelo for Georgia*, was aired on *TV Pirveli*, *Imedi*, *Mtavari Arkhi* and *Maestro*,⁴⁰ but *Imedi TV* requested amendments in the antagonistic component of the content before airing it.⁴¹

The Election Code of Georgia and the Georgian Law on Broadcasting require broadcasters to provide fair and impartial coverage of the election campaign. The Election Code also regulates the fair allocation of airtime and equal opportunities for participating in televised debates. The Code also defines rules of allotting free or paid airtime for political advertising.

Based on the Law on Broadcasting, responsibility for the content of pre-election and social advertisements does not rest with a broadcaster.⁴² Instead, the responsibility lies with a buyer.⁴³ However, a broadcaster is obliged to ensure that the aired advertisement and the information about its sponsors are compliant with Georgian legislation.⁴⁴ Notably, the legislation establishes controversial rule pertaining to the verification of advertisement content: on the one hand, broadcasters are not responsible for the content, meaning that they should not be held accountable for the advertisements' non-compliance with the law; while, on the other hand, broadcasters are responsible to ensure the legality of the information aired in the advertisement. Such ambiguous provisions create room for interpretation, leading to potential autonomous interpretations and misunderstandings.

³⁸ ISFED Condemns Physical Assault on Journalists, <http://bit.ly/2SPKPvh>

³⁹ Mtavari Arkhi Rejected Political Party's Commercial Political Advertisement: <https://bit.ly/3u3nFmA>

⁴⁰ Regulation Commission Rejected Lelo's Appeal Against the Free Georgia: <https://droa.ge/?p=87549>

⁴¹ International Election Observation Mission Georgia – Parliamentary Elections, October 31, 2020 <https://www.osce.org/files/f/documents/a/a/469020.pdf>

⁴² According to the article 63 of the Law on Broadcasting, placement of improper, unfair, unethical and clearly false advertisements is prohibited. The 3rd paragraph of the same article defines the responsibility of a broadcaster on the content of pre-election advertisement.

⁴³ Ibid

⁴⁴ Ibid, article 70

Risks persist either for broadcasters while making the decision on airing an advertisement, or by the Communications Commission while conducting control and oversight of the legal compliance of broadcasters' work.

Additionally, a TV show host's nomination as a majoritarian candidate posed a particular challenge in the election campaign.⁴⁵ The question emerged regarding the compatibility of the journalistic work with the electoral campaign, as while hosting a TV show and having access to an airtime put this candidate in an advantageous position in comparison to her contestants.

Discrediting Campaigns in Social Media

In the pre-election period, organized discrediting campaigns that harm democratic processes, significantly intensified. The Covid-19 driven social distancing policies encouraged political parties and candidates to utilize social media networks more intensively. Hence the social media became one of the key platforms for communicating with constituencies. The pandemic forced people isolate at homes and tied them to their internet devices. The risk being that social media-tied citizens are more vulnerable to conspiracy theories and thus the effect of disinformation is higher.

Political parties and candidates actively utilized social media mainly to inform voters about their pre-election campaign activities and party platforms. Targeted discrediting campaigns perpetrated by anonymous accounts, were pervasive in social media. Some accounts and pages behaved in a coordinated manner⁴⁶ to carry out consistent and organized malign information campaigns. Various tactics were employed, such as: openly discrediting pages, false media pages and false support pages on Facebook trying to cloud the rational judgment of voters and influence their electoral behavior. Notably, organized discrediting campaigns were carried out either against the opposition or against the ruling parties.⁴⁷

Apart from the Facebook pages aimed at influencing voters, pages oriented at manipulating value-based issues and deepening societal division were also actively operating in social media. Such Facebook pages orchestrated targeted disinformation and propaganda campaigns, directed to sow irrational fears, anti-Western, anti-liberal, xenophobic, and homophobic sentiments. By spreading divisive narratives about value-based issues, such pages were actively engaged in supporting of pro-Russian political actors. Besides anti-Western and anti-liberal views, openly pro-Russian narratives were also spread and

⁴⁵ Nanuka Zhorzholiani Nominated as a Majoritarian Candidate: <https://mtavari.tv/news/16767-mazhoritarad-dasakhelebis-shemdeg-nanuka>

⁴⁶ Organized networks operating in Georgia were engaged in coordinated inauthentic behavior that Facebook officially confirmed in three separate instances. In December 2019, and in April and October of 2020, Facebook removed from its platform 1 361 accounts operating in Georgia. The majority of these accounts were part of an inauthentic network connected to the Georgian Dream and some of them connected to the United National Movement. Facebook also removed coordinated network of Kremlin-affiliated news agency - News Front, targeting Georgian audience.

⁴⁷ Social Media Monitoring Report of the 2020 Parliamentary Elections: <https://bit.ly/2X4iFLp>

amplified. The overwhelming majority of messages were based on nationalistic and religious motives so that they would become more acceptable for people and would curb raising doubts about their potential malignant intentions.⁴⁸

One of such networks was removed by Facebook several days prior to the elections. “Alt-Info,” which positions itself as a media organization, was mainly publishing about Georgian domestic politics, the EU, Russian politics, parliamentary elections, political figures, and was actively criticizing other media organizations, immigrants, minorities, and the LGBT+ community. As Facebook noted, some of such content was loaded with hate speech.⁴⁹

⁴⁸ Ibid

⁴⁹ October 2020 Coordinated Inauthentic Behavior Report, November 5, 2020
<https://about.fb.com/news/2020/11/october-2020-cib-report/>

VIII. Pre-Election period

President of Georgia set October 31 as the date of holding parliamentary elections in Georgia.⁵⁰ So, the pre-election campaign officially kicked off on September 1, 2020. Though, electoral subjects had already started their election campaign months earlier.

According to CEC data, 78 political parties submitted their application to run for the office in Georgia's legislature. 23 of them were rejected or removed from the registration list for various reasons. In total, 50 electoral subjects registered for the parliamentary elections, that included 48 parties and 2 election blocks. DEC registered 11 voter initiative groups, while the same number of them were rejected.⁵¹

Challenges to Inclusive Election Environment

Gender Statistics

Out of 6 882 candidates in the proportional party lists proposed by all 50 electoral subjects, 3 049 (44.30%) were women and 3 833 (55.70%) men. Proportional lists were composed in line with the mandatory gender quota requirement. Out of 490 majoritarian candidates, 107 (21.84%) were women and 383 (78.16%) men. Of 479 majoritarian candidates nominated by the political parties/blocs, 105 (21.92%) were women and 374 (78.08%) men. Voters' Initiative Groups nominated 11 candidates – 2 (18.18%) women and 9 (81.82%) men.⁵² The aforementioned data, once again, demonstrates the importance of the gender quota mechanism in boosting women's representation in electoral processes. In contrast with the proportional race, women's representation remained astonishingly low in the list of majoritarian candidates, not subject to mandatory gender quota mechanism.

Notably, the launch of the gender information portal by the CEC should be assessed in a positive light. The portal features gender statistics of every election since 2014, including citizens in voters list, voters who cast their votes, candidates nominated by electoral subjects, etc.⁵³

⁵⁰ Decree of the President of Georgia N 31/08/01 on scheduling parliamentary elections in Georgia, issued on August 31, 2020 - <https://cesko.ge/res/docs/20200831175804N31.08.01.pdf>

⁵¹ The CEC Report on the October 31, 2020 Parliamentary Elections, p. 28 - <https://cesko.ge/res/docs/AnnualParliament-20211.pdf>

⁵² Ibid

⁵³ Ibid, page 39

Participation of Ethnic Minorities

According to the CEC data, 348 polling stations opened in the regions densely populated by ethnic minorities: Georgian-Azerbaijani – 211, Georgian-Armenian – 133, Georgian-Azerbaijani-Armenian – 4. Also, to increase the local population's awareness on the electoral issues and enhance their participation in electoral processes, informational videos and instructions for PEC members were translated into Azeri and Armenian languages. Also, in the regions populated by the ethnic minorities, voters could verify their information in the voters' list in Armenian and Azeri languages.⁵⁴

Persons with Disabilities

According to the important changes⁵⁵ implemented in the Election Code prior to the elections, a voter using a wheelchair could submit the request to the election administration to be assigned to an accessible polling station. As CEC reported, this service was used by 14 people. Notably, there were 1 134 accessible polling stations throughout Georgia (basic adaptation – 239, wheelchair ramps – 895),⁵⁶ equipped with special voting boosts.

Regrettably, not all polling stations are accessible in Georgia and if they are, all necessary standards are not in place, which significantly hinders or makes it impossible for people with impaired physical mobility to access polling stations independently. Persisting challenges in this regard impede the realization of the constitutional rights of people who use wheelchairs.

To make voting and election-related information more accessible for voters with hearing impairments, informational videos were accessible with sign language interpretation. Also, sign language interpretation of the CEC press briefings was provided. It was possible to request information from the CEC via video calls from an operator who knew sign language.

The websites of the CEC and its Learning Center were accessible for blind and visually impaired persons.⁵⁷ Also, polling stations were equipped with magnifying glasses visually impaired voters.

⁵⁴ The CEC Report on the October 31, 2020 Parliamentary Elections, p. 36 - <https://cesko.ge/res/docs/AnnualParliament-20211.pdf>

⁵⁵ Organic Law – Election Code of Georgia, article 200.

⁵⁶ The CEC Report on the October 31, 2020 Parliamentary Elections, p. 37

⁵⁷ Ibid

Political Campaign

ISFED launched its observation mission on June 1 2020 and until the election day produced and released 6 interim reports⁵⁸ that reflected the observed irregularities and possible violations of electoral law in the entire pre-election campaign period.

The introduced regulations and constraints to curb the spread of the Covid-19 imposed a devastating effect on the Georgian economy. To mitigate the Covid-19 induced socio-economic crisis, the government started to provide relief packages to those affected the most. Social assistance to vulnerable groups of society was usually distributed by persons affiliated with the ruling party Georgian Dream. Such an approach blurred a line between the ruling party and the government and raised questions about potential cases of vote-buying and misuse of administrative resources. The ruling party representatives were actively participating in charity activities in local municipalities and distributed social benefits packages by themselves. The representatives of the opposition political parties were also reported to distribute food products, offer cheap medicines or other social support initiatives to their constituents.

Reportedly, the majoritarian candidates, who had officially declared their candidacies in the elections, distributed food baskets in some electoral districts. Some majoritarian candidates funded food baskets from their personal budgets. Others were engaged in events funded by the local governments or the business sectors. The information about food, medicine or other goods distributed by the MPs, was actively promoted through their Facebook accounts/pages and media. Most of such charity events took place before the official election campaign officially started.⁵⁹

In its initial phase, the election campaign was running peacefully. However, closer to the Election Day, number of incidents of violence increased, including physical confrontation, harassment of opposition activists, and intimidation/coercion.

⁵⁸ ISFED's Pre-Election Monitoring Reports:

The 1st Interim Report -

- <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-I-shualeduri-angarishi>

the 2nd Interim Report - <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-II-shualeduri-angarishi>

The 3rd Interim Report - <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-III-shualeduri-angarishi>

The 4th Interim Report - <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-IV-shualeduri-angarishi>

The 5th Interim Report - <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-V-shualeduri-angarishi>

6th Interim Report - <https://isfed.ge/geo/angarishebi/2020-tslis-saparlamento-archevnebis-monitoringis-VI-shualeduri-angarishi>

⁵⁹ ISFED's Pre-Election Monitoring 1st Interim Report, p. 4-8

Abuse of administrative resources by the ruling party remains one of the predominant hallmarks of the pre-election campaign. Civil servants and principals of public schools and kindergartens frequently attended party meetings and were reported to be actively campaigning in favor of the ruling party even during their working hours.

The pre-election campaign was also marked with high-ranking religious clerics being involved in the campaign in favor of the ruling party by attending the Georgian Dream's meetings with local residents or the party's candidate nomination events.

ISFED considers pressure on its observers particularly alarming. Four of such instances were reported in the pre-election period. ISFED urged the ruling party and all other electoral subjects to refrain from any type of pressure and harassment against election observers.

Cases of Violence

Politically motivated incidents of violent physical confrontations took place during the campaign. Closer to the Election Day, as the pre-election campaign intensified, the number of incidents increased. ISFED observed 19 acts of violence and physical confrontation in the pre-election period.

Regrettably, a negative tradition of tense campaign environment in Marneuli and Bolnisi, continued in 2020. The confrontation even saw the use of arms. Closer to the election date, as reported in the ISFED's pre-election environment monitoring reports, the confrontation between two major political parties exacerbated in these regions.⁶⁰

Violent physical encounters between the representatives of United National Movement (UNM) and Georgian Dream (GD) inflicted injuries to activists, observers, DEC and media representatives. ISFED strongly condemned physical violence and urged law enforcement bodies to investigate incidents urgently.⁶¹

Pressure/Intimidation/Obstruction

In the capacity of its pre-election monitoring, ISFED reported 90 facts of pressure/intimidation/obstruction, including:

⁶⁰ ISFED's Pre-Election Monitoring 4th and 5th Interim Reports, p. 7 and 6-7 respectively

⁶¹ ISFED's Statement: <https://isfed.ge/geo/gantskhadebebi/ISFED-gmobs-jurnalistebeze-gankhortsielebul-fizikur-dzaladobas>

Pressure on Opposition Political Parties and their Activists

ISFED observed that the instances of pressure, intimidation and obstruction against voters, activists, and opposition politicians, prevailed in the pre-election period and challenged the overall integrity of the electoral processes. Closer to the polling day, such incidents intensified – on the one hand, it hindered politicians' communication with their constituents and, on the other hand, impeded voters' participation in the electoral processes and expression of their free will. ISFED assessed that the number of such incidents was higher than other types of violations of election campaigning rules. Pressure, intimidation and obstruction against opposition politicians and activists manifested in various forms.

The opposition political parties were actively reporting about the pressure and intimidation of their activists occurring throughout Georgia. They also argued that due to such incidents, they were usually short of election campaign staff. The opposition political parties were also reporting about the surveillance of their leaders and members. In some cases, the ruling party activists attended the events of the opposition parties to disrupt meetings and intimidate citizens. More precisely, the opposition parties noticed that ruling parties' local activists and/or representatives of local self-government bodies used to attend campaign meetings in the regions and recorded the identities of the attendees. This has negatively affected citizens' political participation and their engagement in electoral processes.

Local organizations of opposition political parties reported that the representatives of the Mayors' Offices were reported to be intimidating opposition activists and manipulating social benefits packages. Opposition politicians did not name victims of such tactics to protect them from potential pressure. Therefore, it is challenging to address such issues because victims of intimidation and manipulation are not usually comfortable with speaking up and going public.

During the pre-election campaign, offices of some political parties were also vandalized. Notably, the target of such violent acts were mostly UNM's offices located in different regions of Georgia.

Gender Motivated Harassment of Women Politicians

ISFED critically reacted to the attempts of blackmailing women politicians with leaking their private recordings. Organized discrediting campaigns in social media were also prevalent. Investigation of blackmail/intimidation cases⁶² against female politicians and holding perpetrators accountable for it, should be the priority of the Georgian government and its law enforcement bodies. Without timely and adequate reaction to such precedents,

⁶² ISFED Pre-Election Monitoring 6th Interim Report, p. 7-8

women's political participation cannot be increased. And gender quota mechanism is not sufficient in this regard.

Pressure on Civic Activists and Media

Civic activists and media representatives also became victims of pressure and intimidation, including the threats of the physical damage. The Georgian Dream member of the local council in Dmanisi threatened to injure the journalist of the Mtavari Arkhi because of his video report.⁶³

Sometimes, the ruling party supporters were aggressive towards the journalists of the critical broadcasters.

On the Election Day, the ruling party accused some opposition parties of planning destructive actions and blamed critical media for amplifying these efforts. Released telephone conversation recording between *TV Pirveli* journalist and the head of the UNM's Ozurgeti organization was brought up as an example of such case. The ruling party noted that this conversation was based on leaked information. Though the Georgian Dream's access to a journalist's private telephone conversation raised concerns about the potential illegal surveillance. ISFED assesses that releasing journalist's private audio tape should be assessed not just as an obstruction of their work, but also as an attempt of pressure and intimidation.⁶⁴

On October 21, Vato Tsereteli, owner of *TV Pirveli*, announced that his father, Avtandil Tsereteli was ambushed by strangers at Lisi Lake area, requesting his son to change TV broadcaster's editorial policy – otherwise they threatened to murder him.⁶⁵

The Georgian Charter of Journalistic Ethics published the statement noting that Nika Laliashvili,⁶⁶ who later became a director of *Imedi TV*, was telling Maestro TV journalists how to report stories without harming the interests of the ruling party. The Charter ruled the interference in the editorial independence of the journalists and noted that cases like this and extremely polarized media landscape in the pre-election period do not go in line with the objectives of impartial informing of the citizens and fair conduct of elections.⁶⁷

⁶³ ISFED Pre-Election Monitoring 4th Interim Report, P. 9-10

⁶⁴ ISFED's Pre-Election Monitoring 6th Interim Report, p. 4

⁶⁵ ISFED's Pre-Election Monitoring 5th Interim Report, p. 19

⁶⁶ By then, Nika Laliashvili was holding the position of the deputy director of TV Imedi. TV Maestro was the part of the TV Imedi's media holding. Since September of 2020, Nika Laliashvili holds the position of TV Imedi director.

⁶⁷ ISFED's Pre-Election Monitoring 5th Interim Report, p. 19-20

Pressure on ISFED's Observers

During the pre-election period, 4 cases of pressure on ISFED's observers were reported. Specific incidents took place in Senaki,⁶⁸ Sajarejo,⁶⁹ Dedoplistskaro⁷⁰ and Shuakhevi.⁷¹ In three cases, the observers were told that their work was attracting attention and thus, they were closely monitored.

ISFED strictly condemned the aforementioned facts and urged all political actors to refrain from interfering in the work of observers while carrying out their duties.

Dismissals on the Alleged Political Grounds

ISFED identified 14 cases of dismissals on alleged political ground, mostly pertaining to employees of local municipalities.

The tendency of frequent turnover at the Mayor's office was prevalent in the pre-election period. In several municipalities, some employees' contracts were not extended, allegedly on political grounds and dismissed employees were substituted with new personnel, who were more experienced in electoral issues and campaigning.⁷² Such precedents were identified in Martvili, Zugdidi, Tkibuli, Chiatura, and Ninotsminda.

ISFED is especially concerned over the pressure on school principals and teachers to be engaged in a political campaign and use of their job security as an instrument. The six-year tenures of many school principals expired in the pre-election period, but some of them maintained their positions as acting principals. It remained unclear based on which criteria some persons were given an advantage over the others. Those principals whose contracts were not renewed noted that those who preserved their position were politically loyal and therefore reliable in the pre-election. Due to the political pressure, the majority of principals and teachers chose not to talk about this issues in public. Some principals even admitted that they were pressured during their tenure. ISFED observed such cases in Qsani, Tserovani,⁷³ Saburtalo, and Gldani.⁷⁴

⁶⁸ ISFED's Pre-Election Monitoring 1st Interim Report, p. 12

⁶⁹ ISFED's Pre-Election Monitoring 2nd Interim Report, p. 13

⁷⁰ ISFED's Pre-Election Monitoring 5th Interim Report, p. 31

⁷¹ ISFED's Pre-Election Monitoring 6th Interim Report, p. 4

⁷² ISFED's Pre-Election Monitoring 2nd Interim Report, p. 8-9

⁷³ ISFED's Pre-Election Monitoring 5th Interim Report, p. 20-21

⁷⁴ ISFED's Pre-Election Monitoring 6th Interim Report, p. 9-10

Alleged Misuse of Administrative Resources

ISFED detected 61 cases of alleged misuse of administrative resources, perpetuated to serve the interests of the ruling party.

Georgian Dream's majoritarian candidates were engaged in the activities funded by the state or local government budgets. This was an illustrative example of blurring the line between government and the ruling party and had been prevalent practice throughout the election campaign. Though the Election Code does not regulate the use of state resources before the official start of the election campaign, such facts had a distinctly negative effect on the pre-election environment and went against the principles prescribed in paragraph 5.4 of the OSCE Copenhagen Document, according to which clear division between the state and the ruling party should be preserved and the state shouldn't be equated with the ruling party.

During their business hours, public servants of local self-government bodies and city halls, also representatives of the non-commercial legal entities and employees of schools and kindergartens, were actively attending ruling party's meetings with their constituents and their candidates' nomination events. Such instances were observed throughout Georgia and they all included the signs of misuse of administrative resources. Prohibition of engagement in the campaign and electoral agitation activities entered into force only after the official launch of the pre-election campaign in September.

The aforementioned facts, identified by ISFED, prove that mayor's representatives in various administrative entities were not neutral in fulfilling their professional duties and often served as agitators of the ruling party.

Official Facebook Pages Supporting the Ruling Party

ISFED documented the use of municipalities' official Facebook pages in support of governing party (and its candidates). For example, on August 22, on the official Facebook page of Oni municipality the statement of Georgian Dream's political council was shared. The statement announced the appointment of authorities on high-level local political positions and the nomination of majoritarian candidates for the Adjara Supreme Council. Facebook post included information about Oni mayoral candidate and the flag of Georgian Dream. The same page also shared the information about Georgian Dream's candidates for by-elections, also video reports by *Imedi TV* and *Kvira Regionuli*. Additionally, the same

page shared the Facebook post by *Bidzina Ivanishvili for Georgia* regarding the meeting with governors in the Administration office of Georgian Government.⁷⁵

Vote-Buying

ISFED documented 64 cases of alleged vote-buying, most of which - 37 - were connected to the ruling party and its majoritarian candidates. The number of alleged vote-buying cases by the opposition political parties were as following: UNM – 5 cases, Lelo for Georgia - 5, Free Georgia – 4, European Georgia – 3, Alliance of Patriots – 2, Girchi – 1, Strategy Aghmashenebeli – 1, Georgian Roots – 1, Georgian Idea – 1, Reformer – 1, Kakha Okriashvili – 2, independent candidate Enzel Mkoyan – 1. Cases of alleged vote-buying mostly involve the distribution of food and medicine, issuing stipenda, visits to nursing homes, offering treatment to voters or other free services.

In the period from March through June, ISFED observed the ruling party's majoritarian candidates personally distributing food and/or medical products during various social events. Such cases included signs of vote-buying which is prohibited according to article 25² of the Law on Political Union of Citizens.⁷⁶

Assistance packages distributed by Kakha Okriashvili, incumbent majoritarian MP of Dmanisi and Tsalka, were especially sizeable. He distributed food products to 16 000 households in this majoritarian district, worth half a million Georgian Lari, with the following note: "Package of food products, yours, Kakha Okriashvili, Humanitarian Assistance." Media communication products, covering the social events were also put out by his press office. By then, he had already officially declared his candidacy for 2020 parliamentary elections in the aforementioned electoral districts.⁷⁷

Opposition political parties, UNM and Lelo for Georgia were also noticed in an alleged vote-buying. They conducted social assistance distribution events. Non-commercial legal entity *Modzraoba Momavlisatvis – Momo*, affiliated with the Lelo for Georgia, distributed food products for all 152 households in the village Ergneti.⁷⁸ The UNM representatives also distributed food products among social vulnerable families in various electoral districts.⁷⁹

⁷⁵ ISFED's Pre-Election Monitoring 3rd Interim Report, p. 20

⁷⁶ ISFED's Pre-Election Monitoring 1st Interim Report, p. 4-8

⁷⁷ ISFED's Pre-Election Monitoring 1st Interim Report, p. 5-6

⁷⁸ ISFED's Pre-Election Monitoring 1st Interim Report, p. 9

⁷⁹ ISFED's Pre-Election Monitoring 2nd Interim Report, p. 7 & ISFED's Pre-Election Monitoring 3rd Interim Report, p. 9-10, 12

Social and Charitable Projects

In the lead-up to the elections, the government of Georgia implemented or announced some social and charity projects, initiated, purportedly, to win the voters over. ISFED reported five facts of such a tactic.

MPs of Georgian Dream initiated a policy of legalizing overpays of received minimum substance allowances, social assistances and pensions issued from December 1, 2016 to July 20, 2020 and terminating relevant administrative, legal or enforcement measures recouping these funds.⁸⁰ These initiatives did not immediately enter into force, but served to improve a public image and win the voters over. Also, during the pre-election period, the Government initiated to subsidize the utility bills in the months of winter.⁸¹

Apart from the projects initiated by the government, large-scale charity projects connected to ruling party chairman, Bidzina Ivanishvili and his own Cartu Bank, were also initiated and became an integral part of the ruling party's pre-election campaign. One project worth mentioning is handover of the former territory of Hippodrome to Tbilisi City Hall for free⁸².

Unauthorized Persons' Participation in the Election Campaign

ISFED registered 37 facts of unauthorized persons' involvement in the pre-election campaign, namely, public servants, religious authorities, foreign citizens and members of the election commissions.

Despite some legal changes to prevent unauthorized persons' engagement in the electoral campaign,⁸³ civil servants, representatives of municipal bodies, public schools and kindergartens were still actively attending (during their work hours) ruling party's meetings with constituencies and public presentations of its candidates. To side-step legal responsibilities prescribed in the Election Code, public servants would take one day off to attend the party's pre-election campaign meetings.

Civil servants and employees of municipal bodies were also campaigning on Facebook in favor of the ruling party and its candidates, during their business hours. They were sharing Georgian Dream's and its candidates' posts and promotional political video advertisements.⁸⁴

⁸⁰ ISFED's Pre-Election Monitoring 3rd Interim Report, p. 12-13

⁸¹ Winter Utility Bills to be Funded from the Budget- <https://www.radiotavisupleba.ge/a/30769021.html>

⁸² ISFED's Pre-Election Monitoring 5th Interim Report, p. 32

⁸³ Organic Law – Election Code of Georgia, article 45.4.h

⁸⁴ ISFED's Pre-Election Monitoring 5th Interim Report, p. 24-25

ISFED also found instances of PEC and DEC commissioners' participating in the pre-election activities.⁸⁵ In four cases, election commissioners were attending the meetings of the candidates with voters, which is strictly prohibited by the electoral law.

Foreign citizens' engagement in the pre-election campaigning was also observed. Georgia's electoral law does not allow a foreign citizen to get involved in Georgia's electoral processes. Against this regulation, videos of Mikheil Saakashvili, making promises on behalf of his party were actively circulating on social media.⁸⁶

In various regions, religious leaders were also observed participating in Georgian Dream's pre-election meetings with voters. In Akhaltsikhe, representatives of the Armenian Apostolic Church were also reported to be present at the campaigning events. ISFED also documented religious leaders openly supporting an opposition candidate. Information about this was published in the local newspaper, distributed for pre-election campaigning purposes.⁸⁷ In Marneuli, priest Giorgi Jamdeliani also made the political statement against Georgian Dream candidate, Zaur Dargali.⁸⁸ Notably, the Election Code of Georgia prohibits spiritual leaders' engagement in the pre-election campaign.

Hate Speech Rhetoric in the Pre-Election Campaign

Despite a polarized and aggressive pre-election environment, hate speech did not appear to be the hallmark of the 2020 parliamentary elections. The election administration effectively and urgently reacted to some isolated cases that had emerged.

The Alliance of Patriots of Georgia posted political advertisements on Facebook, containing hate speech. In particular, their video clips were charged with anti-Turkish messages, aimed at fueling religious and ethnic hostilities in the society. According to article 45, paragraph 3 of the Election Code of Georgia, political parties, majoritarian candidates, electoral subjects, and their supporters may present a program for further activity, but the same paragraph stipulates that the election program shall not contain propaganda for war or violence, appeals for change or overthrow of the existing state and social order with violent means, appeals for violation of the territorial integrity of Georgia, national strife and animosity, or religious or ethnic confrontation.⁸⁹

⁸⁵ ISFED's Pre-Election Monitoring 4th Interim Report, p. 18 & ISFED's Pre-Election Monitoring 5th Interim Report, p. 25-26

⁸⁶ ISFED's Pre-Election Monitoring 4th Interim Report, p. 17

⁸⁷ ISFED's Pre-Election Monitoring 5th Interim Report, p. 27 & ISFED's Pre-Election Monitoring 3rd Interim Report, p. 21-22

⁸⁸ ISFED's Pre-Election Monitoring 2nd Interim Report, p. 13-14

⁸⁹ ISFED's Pre-Election Monitoring 3rd Interim Report, p. 22

ISFED addressed the CEC with a request to timely and adequately address the anti-Turkish video clips. The political party was fined following the CEC decision.

IX. Election Day

I Round

On October 31, 2020, electoral commissions adhered to prescribed Election Day opening and voting procedures. However, inconsistencies and irregularities in the vote tabulation and summary protocols drafting process undermined the integrity and the trust in the electoral process.

In the process of opening and setting up the polling stations, the following shortcomings were observed: interfering in the work of observers, violation of procedures of casting lots, and mishandling of electoral documentation.

During the voting process, some major violations occurred, including attempts of intimidation, obstruction and even physical assault on ISFED's and other organizations' observers. Also, at some polling stations, cases of physical confrontation and assault on media representatives were observed. Such an environment creates significant pressure on observers to fulfill their duty and seriously undermines the very cause of the election observation mission.

Violations of the secrecy of vote and attempts to control the free will of voters were among the most severe transgressions of the polling procedures. Around the polling stations, mobilization of party activists and coordinators, tracking the voters, was particularly high. This long-standing malignant method to influence the free will of the voters was once again utilized.

As a result of the flawed vote tabulation process, imbalances in the summary protocols, expressed in either surplus or shortage of ballots, were prevalent.⁹⁰

Additionally, in some polling stations, commission members were found to be reluctant in handing over duly approved copies of summary protocols, mainly due to technical difficulties or lack of technical capacities.

⁹⁰ More information about this is available in the X chapter.

PVT Results

Based on PVT data, polling stations' opening, voting and results tabulation procedures largely adhered to relevant laws and norms. Though some major issues were revealed during and after the process of drafting summary protocols.

Opening and Setting up of Polling Stations

ISFED received reports about the opening of the polling stations from 97% of its PVT observers.⁹¹ Notably, polling stations were opened in compliance with the relevant laws and procedures.

- **99.5%** of ISFED observers were free to observe the polling station openings. This is slightly worse compared to the 2016 Parliamentary Elections when all (100%) ISFED observers were allowed to fulfill this duty.
- **1.8%** of polling stations were not ready to receive voters by 08:00 am, compared to **4.2%** in the 2016 Parliamentary Elections. The voting started slightly later in these precincts, but progressed without complications.
- The casting of lot procedure was violated on **0.9%** of polling stations, which is a slight increase compared to the previous parliamentary elections when such violation took place in **0.3%** of polling stations.

Voting Process and the Closure of Polling Stations

- At **99.6%** of polling stations in Georgia, voters cast their ballots using proper voter identification documents. This figure is a slight improvement compared to the 2016 parliamentary elections (98.0%).
- At **97.6%** of polling stations, voters were always checked to be properly inked. This figure is statistically different from the previous parliamentary elections when 97% of polling stations properly checked whether a voter was inked.
- At **99.5%** of polling stations, the ballot papers were properly validated with a signature and a seal. This figure has marginally improved from the 2016 Parliamentary Elections (98.0%).

⁹¹ 3 special polling stations and 25 polling stations for the quarantined voters are included in the ISFED's sample but was not observed.

- At **98.6%** of polling stations, voters were always properly inked, which is almost identical with the previous data, when **98.7%** of polling stations properly inked their voters in 2016.
- The secrecy of vote was always ensured at **95.6%** of polling stations, which is statistically not different from the 2016 Parliamentary Elections (95%).
- Cases of violation or intimidation during the voting process were identified at **2%** of polling stations, which is a slight worsening from the 2016 Parliamentary Elections (1%).
- At **99.7%** of polling stations, voters were not limited by the Covid-19 regulations to cast their votes.
- At **97%** of polling stations, since their opening till 17:00, the voting process was running in compliance with the Covid-19 regulations.
- At **91.8%** of polling stations, by the time of closing the polling stations (20:00), there were no queues.

Vote Count

- At **99.8%** of polling stations, the presence of unauthorized individuals was not reported during the counting process. This figure is statistically not different from the previous parliamentary elections (**99.9%**).
- At **4.4%** of polling stations, party representatives were not present. Representatives of Georgian Dream were present at **90.4%** of polling stations, United National Movement representatives at **87.15%** of polling stations, Alliance of Patriots at **54.4%** of polling stations, Lelo at **62.1%**, European Georgia at **69.0%** and Georgian March at **11.6%**.
- In the vote counting process, at **99.4%** of polling stations, the procedure for casting lots was properly conducted.
- From 17:00 to results tabulation, Covid-19 regulations were properly protected at **98.3%** of polling stations.
- **One or more complaints were submitted at 42% of polling stations.**

Final Results

On November 1, 2020 ISFED released its statement regarding the PVT results,⁹² according to which the election results of three electoral subjects, Georgian Dream, United National Movement and Giorgi Vashadze-Strategy Aghmashenebeli, did not match with the CEC's official results.

As previously, ISFED conducted an internal audit of its PVT results, aimed at detecting the reason for the discrepancy between ISFED's and CEC's results.

PVT audit was conducted in four phases:

1. Audit of data submitted by observers;
2. Check of the correction protocols drawn up by the DEC's;
3. Check the accuracy of margin of error;
4. Review of the database.

The audit revealed a mistake in the formula calculating votes gained by the electoral subjects. In particular, together with counted votes, invalid ballots were also included in calculation, resulting in a discrepancy in the final results of three electoral subjects. Crucially, the miscalculation did not affect the number of parliamentary mandates received by political parties.

Thus, according to the revised PVT, final results of the October 31st 2020 Parliamentary Elections are allocated in the following way:

⁹² <http://www.isfed.ge/geo/2020-saparlamento/201101022808khmebis-paraleluri-datvlis-PVT-shedegebi>

PVT Revised Results

Election Subject	Calculated percentage	Margin of error	Minimal result	Maximum result
#41 Georgian Dream – Democratic Georgia	47.6%	0.7%	46.9%	48.3%
#5 Block – United National Movement – United Opposition – Strength is in Unity	27.4%	0.6%	26.8%	28.0%
#2 Bakradze, Ugulava, Bokeria-European Georgia-Movement for Liberty	3.8%	0.2%	3.6%	4.0%
#8 David Tarkhan Mouravi, Irma Inashvili – Alliance of Patriots	3.2%	0.1%	3.1%	3.3%
#56 Lelo – Mamuka Khazaradze	3.2%	0.2%	3.0%	3.4%
#27 Block – Giorgi Vashadze – Strategy Aghmashenebeli	3.1%	0.1%	3.0%	3.2%
#36 Girchi	3.0%	0.2%	2.8%	3.2%
#24 Aleko Elisashvili – Citizens	1.3%	0.1%	1.2%	1.4%
#10 Shalva Natelashvili – Labor Party of Georgia	1.0%	0.1%	0.9%	1.1%

After the completion of the internal audit, ISFED explained that the error in the formula resulted from a human error and the process, in its entirety, had been free from any political influence. Constant attacks on PVT results, statements about its alleged falsification and discrediting campaign against the international expert, aimed at pressuring the civil society and represented an attempt to divert public attention from the main problem.

Voter Turnout

On October 31, Georgians showed high enthusiasm for the election by going to the polls despite the potential exposure to the Covid-19. The CEC reported a **56.1%** turnout.

To contextualize better, the table below reflects the comparable data garnered through PVT methodology, regarding the voter turnout for the 2020 and 2016 parliamentary elections.

Voter turnout	Voter turnout 2020 ⁹³	Voter turnout 2016 ⁹⁴	Voter turnout by 12 pm 2020 ⁹⁵	Voter turnout by 12 pm 2016 ⁹⁶	Voter turnout by 5:00 pm 2020 ⁹⁷	Voter turnout by 5:00 pm 2016 ⁹⁸
Georgia	56.7%	52.9%	19.1%	19.7%	44.9%	41.8%
Tbilisi	55.0 %	49.9%	18.2%	17.9%	43.6%	40.6%
Regions	57.2%	52.3%	19.4%	20.6%	45.4%	42.6%

II Round

On November 21, 2020 runoff elections took place in 17 majoritarian districts of Georgia. Even though the Georgian Dream candidates were the sole participants in all 17 districts, ruling party coordinators were still mobilized outside of the polling stations. ISFED observed the mobilization at **201** polling stations of **18** electoral districts.⁹⁹ In some precincts, party coordinators arranged transportation of voters to the polling stations by minibuses. Also, ISFED reported that employees of local municipalities were pressured by their superiors to participate in the election.¹⁰⁰ This long-standing malign practice is harshly criticized and is assessed as pressure on the free will of voters. Regrettably, even in the uncontested elections, the ruling party employed such indecent tactics.

Additionally, ISFED observers registered 1 case of vote-buying, 1 case of repeated voting (so-called carousel), 2 cases of obstruction of observers' rights, 1 case of unauthorized person's presence at the polling station and 1 case of violation of voting procedures. Also,

⁹³ Margin of error +/- 0.6%

⁹⁴ Margin of error +/- 0.9%

⁹⁵ Margin of error +/- 0.2%

⁹⁶ Margin of error +/- 0.3%

⁹⁷ Margin of error +/- 0.5%

⁹⁸ Margin of error +/- 0/6%

⁹⁹ Calculated according to electoral districts included in the majoritarian districts;

¹⁰⁰ <https://isfed.ge/geo/presrelizebi/gantskhadeba-2000-saatistvis-gamovlenili-darghvevebis-shesakheb->

at several polling stations, a dinner table with alcoholic drinks was set for the commissioners. Thus, some commissioners were fulfilling their duties under the influence of alcohol.¹⁰¹

¹⁰¹ <https://isfed.ge/geo/gantskhadebebi/gantskhadeba-1500-saatistvis-gamovlenili-darghvevebis-shesakheb>.

X. Analysis of Summary Protocols

Due to identified imbalances and shortcomings in summary protocols, ISFED thoroughly examined PVT data retrieved from its polling station sample. More specifically, ISFED studied summary protocols of proportional election results from 850 polling stations, including 25 special - so-called Covid-19 polling stations and 3 stations opened in the penitentiary facilities.

ISFED took the following approach:

- Studied proportional summary protocols and their supportive documentations (correction protocols, commission members' explanatory notes and Ordinances issued by the DEC's);
- Compared the copies of certified and sealed summary protocols that the observers received after the closing of the polling stations to the ones uploaded on the CEC website;
- Analyzed the summary protocols with mismatches, in which the sum of votes received by electoral subjects and invalid ballots were higher or lower than the number of voters who cast their votes on a particular polling station;
- Identified some tendencies of shortcomings and errors in drawing up the summary protocols.

Analysis of Proportional Summary Protocols Surplus of Ballot Papers

“Surplus imbalance” can be described as the situation in which the sum of votes received by the electoral subjects and invalid ballot papers exceeds the number of voters who cast their votes and signed upon verification.¹⁰² Surplus of ballot papers means that after the opening of a ballot box, more ballot papers were found than the voters who showed up at the polling station. This means that the voting process and/or vote count were not conducted properly.

ISFED's study concluded that 8% of summary protocols of PVT sample, were imbalanced in a way that the sum of the total number of votes received and invalid ballots, exceeded the number of voters who cast their votes.¹⁰³ Out of the aforementioned 8%:

¹⁰² The fourth row of summary protocol – “Total number of signatures of all voters who participated in the elections “

¹⁰³ At 4.2% of polling stations surplus was defined by five and more ballot papers.

- At **3.6%** of polling stations, surplus imbalances were amended with the correction protocols at the DEC's on the following day, or later, with the DEC Ordinances;¹⁰⁴
- At **1.3%** of polling stations, neither correction protocols nor Ordinances were issued to correct surplus imbalances; Only explanatory notes had been provided, or the entry was corrected directly in the summary protocol;
- At **0.6%** of polling stations, the proportional summary protocols were corrected in dubious circumstances. This mostly means the certified and sealed photocopies of summary protocols and its original versions uploaded on the CEC website do not match and show different results.
- At **1.8%** of polling stations, the surplus imbalances were corrected on the voting day, at the polling stations, though the summary and correction protocols were drawn up with shortcomings;¹⁰⁵
- In **0.7%** of summary protocols, surplus imbalances were corrected on the polling day, at the polling station, based on the correction protocol.

Also, in **2.5%**¹⁰⁶ of summary protocols with surplus imbalances, corrected at the polling stations, the balance was not achieved in **1.2%** of them and surplus imbalance turned into shortage imbalance.

Shortage of Ballots

Shortage imbalance in summary protocols refers to the situation when the sum of votes received by the electoral subjects and invalid ballots is less than the number of voters who participated in the elections on that specific polling station (registered their signature upon verification). This means that after the opening of the ballot box fewer ballot papers were found in it compared to the number of ballots handed out by PEC members.

Shortage of ballots in the proportional summary protocols was identified at **25.8%** of polling stations of PVT sample.¹⁰⁷ Out of the aforementioned 25/8%:

- At **19.4%** of polling stations, correction protocols and/or Ordinances have not been issued to correct the shortage in summary protocols;

¹⁰⁴ At 2.9% of polling stations balance was reached in the summary protocols; at 0.7% of polling stations balance was not reached. Imbalance was corrected after a recount at 0.1% of polling station (1 polling station out of the sample).

¹⁰⁵ Shortcomings identified in summary or correction protocols: summary/correction protocol not sealed; is drawn up on the wrong paper; corrected figures are indicated in the wrong boxes; amended figures are crossed/changed in the summary protocols; is improperly sealed and dated; commission members' signatures on the summary and correction protocols do not match

¹⁰⁶ Sum of 1.8% and 0.7%, where surplus imbalance was identified and corrected on the polling day, at the polling station.

¹⁰⁷ At 8.0% of polling stations were shortage of five and more ballot papers were identified;

- At **2.9%** of polling stations, shortage imbalances were corrected on the next day or later, based on the correction protocols or Ordinances issued at the DEC.¹⁰⁸
- At **2.5%** of polling stations, shortage imbalances were corrected on the same day, based on the correction protocols issued at the PEC, but the correction protocols were drawn up improperly;¹⁰⁹
- At **1%** of polling stations, shortage imbalances were corrected on the same day, based on the correction protocols issued at the PECs.

Also, out of **3.5%**¹¹⁰ of summary protocols with shortage imbalances which were corrected on the same day, at the polling stations, the balance had not been achieved in **1.9%**. Thus, the shortage imbalance continued to persist.

According to the Election Code, ballot papers are the state property. It is prohibited to take ballot papers out of a polling station, to take them away, or to destroy them on the polling day without permission.¹¹¹ Thus, the shortage of ballot paper is most likely to be connected with the violation of law by either a voter or the precinct commission. The reason for the shortage might be due to intentional and unconscious withdrawal of a ballot paper from a polling station. As the recount of such controversial polling stations did not take place, ISFED can't confirm whether the ballots were lost during the voting process or whilst the counting, due to negligence or intentional transgression perpetrated by a commission. Regrettably, the shortage of ballot papers is not considered as an electoral violation. So, such instances usually remain unaddressed by the CEC. ISFED insists that the shortage of ballot papers should be perceived as a serious violation with a potentially high effect on election results.

Shortcomings in Summary Protocols

Apart from imbalances, number of other shortcomings were detected in the proportional summary protocols, namely, data modification and the lack of requisitions.¹¹²

¹⁰⁸ Out of 2.9% of summary protocols, imbalance prevailed in 1.3% even after a correction.

¹⁰⁹ Shortcomings identified in summary or correction protocols: summary/correction protocol not sealed; is drawn up on the wrong paper; corrected figures are indicated in the wrong boxes; figures are crossed/changed in the summary protocols; no indications that corrections were made; is improperly sealed and dated; commission members' signatures on the summary and correction protocols do not match; time of drawing up the correction protocol precedes the time of drawing up the summary protocol.

¹¹⁰ Sum of 2.5% and 1%, where imbalances were corrected on the same day at the polling station.

¹¹¹ Organic Law– Election Code of Georgia, article 63.

¹¹² Summary/correction protocol not sealed; seal number is not or is improperly indicated; time and date of summary protocol is not or is improperly indicated; commission members' signatures on the summary and correction protocols do not match; time of drawing up the correction protocol precedes the time of drawing up the summary protocol; there is no indication that modified data has been modified for correction purposes.

Examination of summary protocols showed the instances of adding or editing the requisites to the summary protocols after certification and sealing.¹¹³ Such instances were found in **3.4%** of PVT sample polling stations.¹¹⁴ In **1.2%** of summary protocols, results in the observers' copies and results on the same protocol uploaded on the CEC website did not match.

In **6.7%** of polling stations of PVT sample, results in the summary protocols are modified or struck-through.¹¹⁵ Out of such flawed protocols, in **0.6%** of them, votes received by the electoral subjects are modified after the copies of the protocols were already handed over to the observers.¹¹⁶ Out of **5.3%** of summary protocols, the number of votes received by the electoral subjects is modified or struck-through, while in **0.7%** of summary protocols, the number of invalid ballot papers or registered voters is modified or struck-through, and in **0.7%** of summary protocols, another type of shortcomings is corrected. At **1.2%** of polling stations, modified numbers in the summary protocols were reaffirmed at the correction protocols drawn up at the polling stations, while in **0.7%** of cases, modifications were justified with the correction protocols drawn up at the DEC. Correction protocols were not issued to reaffirm the modified number in **4.8%** of summary protocols.

Correction Protocols Drawn Up at the DECs

A summary protocol is one of the key legal documents defining the legitimacy of the election results. Therefore, the rules of composing and correcting it are strictly prescribed in the law. Correction protocol should be drawn up at the PECs, immediately after making a mistake in the document and the inscription "corrected" should be put alongside the respective data. Also, correction protocol should be certified with the PEC seal and registered in the logbook.¹¹⁷

The 26th article of the Election Code allows PEC to draw up a correction protocol at DEC for minor technical mistakes immediately after detecting the mistake, no later than the day following the polling day. Correction protocol should be supported with the statement of

¹¹³ Paragraph 8 of article 71 of the Election Code reads that a photocopy of a summary protocol shall be certified by the PEC seal and signatures of the PEC chairperson and secretary (these protocols shall have the same legal force as PEC summary protocols). After distributing photocopy of the protocol to observers or any other interested persons, any type of modification in the original document of the summary protocol causes changes between two legally equal documents and represents the violation of law. Such practice undermines the trust towards summary results.

¹¹⁴ At 0.9% of polling stations (out of 3.4%), more than one cases were identified.

¹¹⁵ In the 3rd paragraph of the 70th article, modification of summary protocols is prohibited. This norm is imperative and does not allow exceptions. according to the same article, the higher election commission shall consider whether a modified summary protocol is void. The 4th paragraph of the same article defines that if any mistake is made during filling out a summary protocol, in order to correct it, an inscription 'corrected' shall immediately be put alongside the respective data in a summary protocol.

¹¹⁶ At one polling station, reversed scenario was observed: sealed summary protocol is modified but the same one updated on the CEC website do not reflect this modification.

¹¹⁷ Organic Law – The Election Code of Georgia, article 70.

a PEC member. It should be drawn up only on sufficient legal and factual grounds and not as a prevalent practice.¹¹⁸

This mechanism was integrated into the Election Code in 2017¹¹⁹ and aimed at allowing to correct human errors made in the process of filling out the protocol, which is usually immediately recognized by a commission. So, logically, if it is immediately noticed, it should be immediately corrected too. Thus, this mechanism is not introduced to handle the imbalances identified long after the vote count.

Against the spirit of the law, drawing up protocols in the DEC's was a prevalent practice and more correction protocols were drawn up in the DEC's than in the PEC's.¹²⁰

Election System	Correction protocols drawn up in the DEC's	Correction protocols drawn up in the PEC's
Proportional	271	258
Majoritarian	360	242

ISFED considers that the practice of drawing up correction protocols in the DEC's does not demonstrate the high standard of electoral processes. Especially, considering that not so rarely, correction protocols were issued without any formal or legal grounds. In many cases, amendments were drawn up based on the written or oral explanatory notes and without a recount of the polling station at question. This approach is neither trustworthy nor coherent. DEC's should have conducted recounts to detect the real causes of imbalances and drawn up correction protocols after that.

All PEC members are obliged to sign a summary protocol of polling results, thus certifying their presence at an electoral precinct and confirming the summary protocol's data. The protocol is approved by the PEC seal. Considering that the correction protocol is drawn up to amend the summary protocol, to ensure the legitimacy of the change, it is necessary that all the PEC commissioners who signed the summary protocol, sign the correction protocol too.¹²¹ In the majority of cases, the number of signatures on the summary protocols and the

¹¹⁸ Organic Law – Election Code of Georgia, article 26.2.d¹

¹¹⁹ Organic law of Georgia issued on July 26, 2017 about the changes to be implemented in the organic law of Georgia – The Election Code, article 1.14 - <https://matsne.gov.ge/ka/document/view/3738281?publication=0#DOCUMENT:1>;

¹²⁰ Data in the table reflects the official statistics provided by the CEC (01/03/2021-03-11/228).

¹²¹ According to paragraph 5-7 of 71st article of the Election Code, if a PEC member does not agree with the data entered in a PEC summary protocol, he/she shall have the right to attach his/her dissenting opinion to the protocol in writing. The same commissioners have to sign summary/correction protocols too. Dissenting opinion, together with the summary protocol will be submitted to the higher commission.

correction protocols did not match, raising concerns about the proper management of the process.

Additionally, in some DEC meetings, ISEFD's observers were not allowed to attend the process of drawing up the correction protocols,¹²² with the argument that it was a matter of internal discussion and not an official session of the commission. DEC meetings, as well as the results tabulation process generally, should meet the standards of openness and transparency.

Ordinances Issued at the DEC Meetings

DEC Ordinance is an individual administrative act, issued in specific cases and within the specific limits defined in the Election Code of Georgia and the CEC Ordinances.¹²³ As noted earlier, a correction protocol is the most common way to correct an error in a summary protocol, but it has its limited timeframe – it is not allowed to issue a correction protocol later than the day after voting. So, the amendments made later were initiated through DEC Ordinances, issued either after a recount or based on the PEC member's explanatory note. Notably, the majority of explanatory notes were signed by its author and did not show either seal or the date and time while these requisites being vital to prove the legality and the credibility of the document.

Overall, to correct the imbalances, DEC has issued the Ordinances for **1.9%** of PVT sample polling stations. In **1.1%** of them, corrections were made following a recount, while in the case of **0.8%** of polling stations, verbal or written explanatory notes were deemed sufficient.

Analysis of the DEC-issued Ordinances demonstrated that they are not adequately substantiated and are predominantly issued without a comprehensive study of the factual grounds of the case. In most cases, DEC meetings used to rely on PEC members' explanatory notes. Thus, such Ordinances do not meet the legal standards for substantiation of an administrative act.

PEC and DEC Members Explanatory Notes

ISEFD's PVT analysis revealed that explanatory notes/statements were drawn up at **15.6%** polling stations, amounting to 133 polling stations, out of 850. In total, 151 explanatory notes were issued, out of which:

¹²² For example, Batumi, Zugdidi, Poti DEC meetings.

¹²³ Organic Law – Election Code of Georgia, Article 30.1.b, 30.4.

- 102 Statements referred to the missing requisites in the summary/correction protocols, 31 of them were issued concerning the imbalances and 17 - in the spirit of correcting the data;¹²⁴
- 32 DEC Statements were drawn up on October 31, while 89 – on November 1. Twenty Statements were issued later, mostly on November 2. In some cases, Statements issued by DEC's fall within the November 3-9 timeframe;
- The date is indicated in 109 DEC Statements, while the time was missing. Ten Statements did not have either date or time indicated. According to indicated date and time, 11 Statements (out of 89), were most likely drawn up at the PECs, 13 – in DEC's and the location of 65 Statements could not be identified as they have missing time and date stamps.

¹²⁴ In most cases it corrected the of voter turnout data by 12:00 or 05:00 pm and the number of received ballot papers.

XI. Electoral Disputes

The complaints submitted by ISFED to the election commissions either in the pre-and post-election period or on the polling day were handled in disregard to the principles of electoral dispute resolution.

In the process of reviewing the complaints, the DEC's did not express will to examine all detected infringements thoroughly and with just a formal excuse denied to consider them. Superficial approach in reviewing the complaints, attempts to justify violations on various grounds, and leaving perpetrators without imposing relevant legal liabilities, significantly diminished the standard of dispute resolution of the election administration.

DEC's attempted to assess any serious violation as a technical mistake and thus, to avoid imposing legal liabilities to the offenders. Ineffectiveness of complaints' review process undermines the efficacy and the mission of the appeals mechanism - to eliminate and prevent electoral violations and thus, improve the electoral environment.

Due to tight deadlines established for electoral dispute resolution, reviewing complaints on the violations observed in the majoritarian districts was particularly challenging for the main DEC's.¹²⁵ The main DEC's were responsible to adjudicate complaints on the alleged violations that occurred in the subsidiary DEC's. This significantly increased the workload for the main DEC's and made their job more challenging as they naturally lacked the information about the cases received from the other electoral districts.

Because of the tight deadlines, only a few decisions made by the DEC's were appealed in the courts. The court hearings were tokenistic. Correction protocols and commissioners' explanatory notes, drawn up days after the election day, were considered as a substantial evidence at both city (regional) courts and at the courts of appeal. The courts' decisions were not duly justified and it was not obvious which facts were examined for ruling the case. In some cases, the courts failed to adequately assess the potential impact of inaccuracies identified in the summary protocols, on the election results.

¹²⁵ The Principal District Election Commission – fully exercises the power vested in the article 21 of the organic law, the Election Code of Georgia; the Auxiliary District Election Commission - partially exercises the power vested in the article 21 of the organic law, the Election Code of Georgia

Complaints Requesting for the Revision of Election Results and Identified Tendencies

On the day after the voting, the correction protocols were drawn up by the DEC's to correct imbalances in summary protocols, correction of data and technical errors. Corrections were not made at the official DEC sessions – instead, members of PEC's were invited to the DEC premises to draw up correction protocols in an informal setting. Though electoral legislation allows¹²⁶ correction protocols to be drawn up on the next day as an exception and not as a prevalent practice, with a PEC member's explanatory notes, or on the basis of legal and factual grounds. Neglecting this standard, correctional protocols were drafted in a non-transparent environment.

Due to detected shortcomings in the correctional reports, ISFED applied to DEC's with the request to recount 162 electoral precincts. Most of the complaints were rejected or were not discussed due to being groundless or being submitted by an unauthorized person. Accredited ISFED representatives were even equipped with the proper power of attorney, though it still did not deem sufficient for the DEC's.¹²⁷ In some cases, DEC's misinformed ISFED representatives about the time of hearings. Consequently, complaints were rejected even without ISFED being able to present their arguments. Such an approach not only contradicts the rules of administrative proceedings and standards of good electoral practice, but also demonstrated the lack of will to address electoral violations.

Identified Tendencies

Explanatory Notes

For the DEC's, the PEC members' explanatory notes were deemed as the main evidence in any case, even if the circumstances indicated in the notes were not supported with any proof and represented the opportunity to avoid responsibility. ISFED identified the tendency of explanatory notes' being of identical content.

Correction Protocols and DEC Ordinances

Errors and shortcomings in summary protocols were corrected on the next day through correction protocols at election districts. The majority of them were issued not on the basis of a thorough study of PEC materials or a recount, but - on PEC members' oral or written explanatory notes. After the expiration of the deadline of drawing up the correction protocols, DEC Ordinances were issued to address the shortcomings identified in summary protocols.

The complaints requesting to recount of polling stations, were mainly rejected because of

¹²⁶ Organic Law - The Election Code of Georgia, article 26.2.d1 1

¹²⁷ Information about the complaints logged by ISFED's requesting the recount -

<https://isfed.ge/geo/gantskhadebebi/ISFED-is-mier-saarchevno-ubnebis-gadatvlis-motkhovnit-tsardgenili-sachivrebi>

the DEC's Ordinances that were drawn based on PEC members' explanatory notes. According to the DEC, complaints were ill-grounded and therefore rejected. DEC's explained that as explanatory notes and Ordinances were already issued regarding the appealed protocols, and imbalances/shortcomings addressed, the problems were resolved.

Complaints Regarding Obstruction of Observers Work

Demanding the imposition of relevant legal liability, ISFED filed 17 complaints pertaining to the cases of obstruction of observers' rights. In nine cases, ISFED requested the imposition of administrative liabilities. One appeal was fully satisfied and one - only partially. Fourteen appeals were dismissed, and one was not considered. Notably, while discussing the complaints, the majority of the DEC's were relying on the explanatory notes provided by the PEC members, who denied disrupting the observers' work. So, the complaints expressed by the observers were ascribed to their fantasies. Cases where ISFED's observers were harassed by the commission members, were also neglected and remained unaddressed.

Neglecting the Imposition of Administrative Liability

ISFED filed 37 complaints regarding the grave violations of electoral legislation (such as modification of data in the summary protocols, obstruction of observers' rights, violation of summary protocols' transmission rules), demanding the imposition of administrative liability on perpetrators. DEC's did not satisfy the majority of ISFED's complaints and imposed procedural liability on the PEC members instead of an administrative one. Even the cases of very explicit violations, when complaints were backed up with the modified protocols, were assessed as minor transgressions, unable to influence meaningful effect on election results.

Complaints' Statistics

In the pre-election period, ISFED applied to relevant state agencies regarding cases of the violation of electoral laws perpetrated by the election subjects. 26 complaints were submitted to the electoral administration pertaining to various types of violations, including misuse of administrative resources and the violation of agitation rules through the social network. ISFED applied to the State Audit Office of Georgia, regarding the alleged illegal donations of a party and cases of possible vote-buying (all 19 cases of alleged vote-buying that ISFED reported in its first interim report were reported to the SAO). Also, appeals requesting the termination of use of budgetary resources in the pre-election period were submitted to the court. Regrettably, similar to the post-election experience, hearing of ISFED's appeals in the pre-election period did not uphold the standards of effectiveness and impartiality. In handling the complaints, both, the election administration and the

courts operated in a very narrow definition of legislation and with this approach, failed to curb illegal agitation and abuse of the state's budgetary resources. ISFED submitted 371 complaints regarding the violations detected in the first round, while also entered 37 notes in the precinct logbooks, out of which, 29 were addressed locally in the precincts.

Out of filed complaints, 65 of them were satisfied, 48 only partially satisfied and 206 of them were dismissed, leaving 52 unconsidered. Some of the DEC-issued Ordinances regarding the outcome of the complaints' review did not accurately reflect the factual circumstances and did not respond to the requested action. For example, some Ordinances read that an election observer was demanding the imposition of administrative liability against the commission member. Though this aspect of appeal was satisfied, DEC's had not reviewed the other request of the same complaint regarding the recount of polling results for a specific PEC. Nevertheless, DEC stated that the complaint had been fully satisfied.

The majority of the complaints that requested the recounts were considered to have insufficient evidence and were left unconsidered. Out of 162 summary protocols appealed by ISFED, DEC's recounted 15 precincts pursuant to the court's decision or their initiative. Application to annul the results of 3 mobile ballot boxes were submitted to three DEC's and only one of them was satisfied. Other complaints focused on various other violations, including obstruction of work of observers (17), cases of physical violence or threats of such (3), inappropriate filing of electoral documentation (76), violation of vote secrecy (8), violation of casting lot procedures (9), filling out of the control sheets incorrectly (8) and others.

ISFED submitted 19 complaints to the common courts, challenging DEC's decision to dismiss or deny the consideration of complaints requesting a recount of 32 polling stations. Subsequently, the court mandated 2 DEC's to recount 4 precincts.

Due to tight deadlines and the lack of resources, ISFED managed to submit 13 complaints in the courts of the first instance, while 6 complaints were submitted to the court of appeals. Courts largely shared the decisions made by the administrative bodies, even when it was not sufficiently grounded, or there were considerable arguments on the side of the complainant. In most cases, courts did not manage to exercise their functions – determine the legality of actions of administrative bodies and ensure high legal standards of electoral dispute resolutions. Courts conducted predominantly formalistic and superficial disputes. Judges' lack of qualification for handling election-related disputes was also noticeable, the decisions were not sufficiently and coherently justified. ISFED also observed the violation of deadlines to resolve the case, while despite the tight deadline, there was no concession for complainants to submit their complaints on time.

XII. Recommendations

To improve electoral and democratic processes in Georgia, ISFED offers its recommendations to various stakeholders:

Legislative Recommendations

- Election administration should be composed in a way that the rule of selecting party-appointed members ensures a more balanced representation of political parties. More precisely, the principle of one party receiving a maximum of one appointee to the election commission at each level is recommended (so-called parity principle);
- To ensure the credibility and impartiality of a competition recruiting professional members of the commissions, the reputable and experienced election observation organizations should be engaged; Interviews with the candidates should become mandatory. Also, standards for greater transparency should be introduced; The commission should have to justify the selection process and establish mechanisms for appealing the decision;
- The parliamentary approval mechanism for appointing non-partisan (professional) members of the CEC should be revised in a way that it eliminates possibilities of a partisan decision and at the same time, do not leave the room for artificially impeding the process;
- Due to the increasingly high role of social networks in political communication, terms of use of social networks in the campaigning period should be legally regulated. Law should redefine the agitation definition so that undue and narrow interpretation of this term is prevented;
- Agitation in social networks during working hours or while being on duty should be prohibited for civil servants. Also, using the state resources (such as equipment, internet connection) for agitation should be outlawed;
- Considering the peculiar nature and tight timeframe of electoral disputes, the template of complaints should be updated. Also, the submission of a complaint and a court hearing should be online.

State and Local Self-Government Bodies

- The practice of tasking civil servants and employees of non-profit (non-commercial) legal state entities to collect the so-called “lists of supporters” should be eliminated. Central and local government officials should demonstrate their solid and unequivocal stance on not allowing a forceful involvement of their subordinates in electoral campaigning;
- Central and local governments should not allow the dismissal of public servants on political grounds;

- Ministry of Education and Science should ensure absolute depoliticization of schools and raise the awareness of schoolteachers and other personnel about the forms of political pressure/intimidation and ways to defend oneself from it;
- Amidst pandemic, due to the increased need for distribution of social assistance packages, a clear line between the state and the ruling party must be established. Central and local governments should make sure that beneficiaries of social assistance are aware of the source of benefits;
- While distributing social assistance with the help of state and local budgetary resources, local government bodies should act upon the principles of integrity and rule out any discrimination based on political grounds and/or partisan affiliation;
- Local government bodies should remain neutral in the pre-election period; engaging mayoral representatives in the pre-election partisan activities and implementing politically motivated personnel changes should be strictly unacceptable;
- The local government should refrain from initiating electorally motivated social and infrastructural projects that aim at winning voters over instead of implementing public policy priorities.

Election Administration

- The standard of electoral dispute resolution should increase on every level and the administrative proceedings should become more comprehensive. When making a decision, election administration should not only rely on the commissioners' explanatory notes. In addition, it should not become the source of exemption in case of violation of electoral law;
- The election administration should stop the practice of narrow interpretation of the law and should follow the spirit of the law. The election administration should encourage uniform interpretation of the law and should foster the establishment of universal practices.
- Additional criteria should be introduced to exclude the possibility of appointing non-partisan/professional members of a commission who served as a party-appointed commissioner in the last elections or were associated with one.
- To improve transparency and accountability of the election administration, live streaming of CEC and DEC meetings should be introduced.

Political Parties

- Political parties should refuse to employ the forms of engagement with their constituencies that might be characterized with signs of vote-buying;
- Candidates running for an office should refrain from distributing social assistance personally so that they do not violate legal norms on vote-buying and political pressure;

- Candidates running for an office should refrain from participating in the events funded by the central or local government budgets;
- Neither central nor local government should discriminate and/or pressure and intimidate civic activities, political opponents, opposition supporter citizens, and media;
- Political parties and candidates should refrain from mobilizing their supporters to attend public meetings of opposing parties/candidates. They should not let their supporters disrupt meetings of other electoral subjects and their campaign activities;
- During the election campaign they should refrain from aggressive rhetoric, attacking one another, discrediting opponents, engaging in negative campaigning, using hate speech and engaging in any other actions and making appeals that may polarize the society;
- Political party leaders and candidates should distance themselves from discrediting messages and negative campaigns run on social networks created for supporting them and/or discrediting their opponents. Instead, they should demand public disclosure of sources of financing for such campaigns;
- Electoral subjects should not use or encourage the use of discriminatory rhetoric that fosters stereotypes.

Investigative Bodies

- Acts of physical violence and attacks against politicians and activists in the pre-election should be examined in a timely and transparent, and proportional penalty applied;
- Ensure political neutrality of employees of the law enforcement agencies;
- Investigative agencies should pay more attention to crimes perpetrated against female politicians, including the release of private recordings and timely and effective investigation of possible blackmail against them.

State Audit Office of Georgia

- To ensure the transparency of its work, the State Audit Office should create a register of all submitted applications and appeals so that interested actors are able to monitor its proceedings and get all the necessary information about the process;
- Make all the necessary steps to ensure effective and timely response to the possible cases of illegal donations and contributions in the election campaigning.

Interagency Commission for Free and Fair Elections

- The Interagency Commission on Free and Fair Elections should become more inclusive and engage all relevant actors in its decision-making process;
- The Commission's recommendation should become legally binding and should incur liability for its non-compliance;
- Mechanisms to monitor the implementation of the Commission's recommendations and ways to react to their negligence should be prescribed in the law;
- To improve coordination and accountability between the state agencies, the Commission should be structurally subordinated to the Prime Minister.

Media

- Media outlets and broadcasters, during the electoral period, should understand their tremendous influence on the electoral environment and should exercise their professional duties with a high sense of responsibility. Journalists should not let extreme politicization of their media platforms. They should also inform voters in a balanced and objective manner;
- To increase the opportunities for informed choice, media outlets should support active and inclusive reporting on political parties' platforms and programs.

Methodology

The International Society for Fair Elections and Democracy (ISFED) conducted comprehensive monitoring of the pre-election period, Election Day, the runoff, and the post-election period of the 2020 Parliamentary Elections nationwide.

The pre-election monitoring began on June 1, 2020. The organization monitored the election in all electoral districts, through **68 long-term observers** (LTOs).

In their work, the LTOs relied on established international standards for observer organizations¹²⁸, which implies comprehensive, objective, transparent and unbiased monitoring of the process. The pre-election monitoring focused on the following issues:

- Monitoring of public meetings of political parties/electoral subjects and their political activities;
- Monitoring the process of formation of the election administration and its performance;
- Identification of instances of intimidation/harassment on political grounds, interference with political activities and vote-buying;
- Identification of facts of misuse of administrative resources.

During the monitoring, ISFED relied on public information requested from the administrative agencies, as well as information provided by the electoral subjects, media, NGOs and individual citizens. ISFED verified each report by interviewing witnesses and all parties involved in an incident. In addition to monitoring, ISFED also filed complaints with relevant election commissions intending to take legal action against investigated violations.

ISFED observed the Election Day and quantitatively and qualitatively analyzed the received data using the Parallel Vote Tabulation (**PVT**) methodology.¹²⁹ Several days before the elections ISFED conducted two simulations of the entire PVT process of the election day that aimed at testing whether the software was functional and whether the observers were able to communicate information via text messages thoroughly and effectively. The simulation was held efficiently, as 96% of observers reported accurate information to ISFED.

¹²⁸ In the process of monitoring ISFED follows the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations, the declaration is available at: <http://www.gndem.org/declaration-of-global-principles>; For evaluations ISFED relies on and shares the principles and the spirit of the OSCE Document of the Copenhagen Meeting.

¹²⁹ By using the **PVT** methodology on Election Day, the organization is able to collect quantitative and qualitative data from randomly selected precincts and analyze the information; assess the entire process of Election Day in a systematic and unbiased manner, including opening of polling stations, voting, closing of polling stations, counting of votes and tabulation of results; receive fact-based information and take further actions with the aim of improving the process; detect errors/violations during opening of polling stations and tabulation of votes; generalize information received from randomly selected election precincts to election precincts nationwide; verify official results of the Election Day.

During the first stage of preparations for the Election Day, ISFED updated its existing monitoring methodology, the system of reporting and communication, databases, forms of monitoring, instructions, guidelines and other electoral materials.

For the 2020 parliamentary elections, ISFED updated the process of preparing and training short-term observers (STOs) of Election Day. An online training module was prepared for the experienced observers, while STOs with less experience, having monitored not more than two elections within ISFED, received two-day in-person trainings.

In preparation for the Election Day observation mission, the organization delivered:

- **52** trainings for up to **800** short-term observers;
- Online training course for nearly **350** observers;
- **2** trainings for **73** DEC observers;
- **2** trainings for **78** election day mobile groups;
- Trainings for **11** election day lawyers;]
- Trainings for **20** PVT operators.

On Election Day, **SMS and Incidents Centers** were operating at the central office. Information received by the observers via text messages throughout the day was accumulated in a special database and further verified by the operators if needed. Processing and analysis of verified information were performed by a group of experts.

Any violation detected at the electoral precincts or districts on Election Day was reported to the incident center, composed of lawyers. After consulting with lawyers, observers took further actions regarding each violation, including filing complaints with PECs or DEC. Verified and processed information was entered into a database by the lawyers. The database contained information not only about violations, but also about complaints filed with electoral precincts and districts.

Based on the strategy designed by ISFED, upon detection of a violation, an observer, firstly, indicated it to the election commission for resolving it. If the PEC failed to take adequate measures, the observer filed a complaint.

Filing the complaints and taking any other action aimed at following three main objectives: a) to record a violation and ensure that it is resolved in a timely manner; b) to identify incompetent members of election commissions in order to replace them with more qualified individuals in the future and ensure that training for PEC members covers the most problematic issues; c) to develop recommendations for improving the legal framework.

On the Election Day and during the runoff, ISFED informed the public on trends identified, violations detected and voting results by releasing statements and holding press conferences.

The Elections Portal (www.electionsportal.ge) was actively operating on the Election Day and information about the incidents detected by the organization was posted there in real-time.