



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Georgia - Researched and compiled by the Refugee Documentation Centre of Ireland on Tuesday 19 & Wednesday 20 February 2013

Information required on the 2012 Georgian parliamentary elections particularly:

Any reports of members of the Election commission, being attacked or robbed of ballot boxes;

Any reports of intimidation, by supporters of the Georgian Dream Party

Commenting on events of 2012, a report published in January 2013 by *Human Rights Watch* notes:

“The October 2012 parliamentary elections marked Georgia's first peaceful transition of power since independence. The opposition Georgian Dream coalition, led by billionaire Bidzina Ivanishvili, defeated President Mikheil Saakashvili's ruling United National Movement (UNM), gained a majority in parliament, and formed a new government. Harassment and intimidation of opposition party activists and other violations marred the pre-election environment” (Human Rights Watch (31 January 2013) *World Report 2013 - Georgia*).

A report issued in October 2012 by the *United States Congressional Research Service* notes:

“On October 3-4, the CEC reported that groups of GD supporters were threatening the work of electoral officials at nearly a dozen district headquarters, demanding that the election officials reverse “fraudulent” vote counts resulting in wins for UNM candidates in constituency races” (United States Congressional Research Service (15 October 2012) *Georgia's October 2012 Legislative Election: Outcome and Implications*, p.4).

GEC is an acronym for Central Electoral Commission; GD is an acronym for Georgia Dream.

Commenting on reports from election observers, this document also states that:

“The observers raised concerns that a majority of fines levied and activists detained during the campaign involved supporters of GD” (ibid, p.4).

A report published by *Civil Georgia* in October 2012 notes:

“Activists from Georgian Dream coalition are gathered outside District Election Commissions (DECs) in several of those provincial constituencies where United National Movement's (UNM) MP candidates, according to official results, are leading in majoritarian races. Chairman of the Central Election Commission (CEC), Zurab Kharatishvili, said on October 3, that activists were exerting pressure on members of DECs” (Civil Georgia (3 October 2012) *CEC: Members of Some DECs Intimidated*).

DEC is an acronym for District Election Commissions.

In October 2012 *Civil Georgia* states:

“Chairman of Central Election Commission, Zurab Kharatishvili, said elections in at least two out of total 53 precincts in Shida Kartli region’s town of Khashuri will be annulled amid reports of armed and masked men breaking into several polling stations and falsifying vote tallies” (Civil Georgia (2 October 2012) *Polls in Two Precincts in Khashuri Expected to be Annulled*).

A report issued in October 2012 by the *International Society for Fair Elections and Democracy* notes:

“Violations were observed during the closing and counting process in 4% of precincts” (International Society for Fair Elections and Democracy (2 October 2012) *2012 Parliamentary Elections, Statement, Closing of precincts and election results*).

In November 2012 a *Council of Europe* report states:

“The vote took place in a well organised and calm manner. A large number of observers and party proxies were present in all polling stations. This increased the transparency of the process, but led to overcrowding in a number of PECs. Reportedly, this overcrowding, as well as the large number of supporters of all parties present around many polling stations, occasionally led to some tensions” (Council of Europe (29 November 2012) *Observation of the parliamentary elections in Georgia (1 October 2012)*).

PEC is an acronym for Precinct Election Commissions.

This document also notes:

“Overall, the vote count took place in line with legal procedures in most places, but was less positively assessed by international observers than the conduct of the vote, especially in the regions. In the regions, a number of isolated incidents took place during the vote count and pressure was exerted on party proxies and observers” (ibid).

A report published in December 2012 by the *Organization for Security and Co-Operation in Europe* notes:

“Overall, election day was calm and peaceful throughout the country and the process was assessed positively by international observers. Procedures were generally adhered to, although counting and tabulation received a less positive assessment. The CEC began releasing preliminary results and posting results protocols on its website in the early morning hours the day after the elections, contributing to transparency” (Organization for Security and Co-Operation in Europe (21 December 2012) *Georgia, Parliamentary Elections, 1 October 2012: Final Report*).

This document also points out that:

“Shortly after the elections, as early indications of possible outcomes of the majoritarian races became available, a number of DECAs came under pressure from groups of supporters, in particular from the GD bloc. In some 20 districts, supporters gathered in considerable numbers outside DECAs, often in response to calls from their respective majoritarian candidates” (ibid).

It is also noted in this document that:

“Freedoms of association, assembly and expression were respected, overall, although some incidents marred the campaign, especially as election day approached. There were numerous verbal and physical altercations between UNM and GD supporters, obstruction of campaigning by the UNM and the GD, and some cases of vandalism of campaign offices” (ibid).

UNM is an acronym for the United National Movement.

This publication also states:

“Unauthorized persons were present in 52 polling stations (4 per cent) and in 15 stations were observed interfering in the process. In addition, there were also reports of authorized party proxies or citizen observers interfering in the voting process or intimidating voters” (ibid).

This document also notes that:

“Unauthorized persons were only noted in four polling stations; however, in all instances they were observed interfering in the counting process” (ibid).

This report also states:

“Despite a largely peaceful election day, isolated disturbing incidents occurred in Khashuri. After midnight, uniformed personnel, allegedly from the Special Forces of the Ministry of Interior, entered some polling stations during the vote count and at gunpoint demanded that the respective PEC sign blank result protocols. The GD and citizen observer groups later challenged the results from these polling stations, which in most cases resulted in ballot recounts, reruns, or both... Following the investigation into the disruption of the vote count in the Khashuri PECs, the OSCE/ODIHR EOM was not aware of any arrests or charges filed against the perpetrators” (ibid).

It is also noted in this report that:

“Shortly after the elections, as early indications of possible outcomes of majoritarian races became available, a number of DECAs came under pressure from groups of supporters. In particular, such pressure emanated from GD supporters, who gathered in considerable numbers outside some DECAs and at times were encouraged to do so by their respective majoritarian candidates. The pressure on the DECAs, which included verbal threats against chairpersons and members, continued during the following days and peaked as DECAs were set to decide on challenges to individual PEC results filed on or after election day. Overall, some 20 disputed election districts were affected, mostly involving close races between the UNM and the GD candidates, but also included some districts showing a clear victory for the UNM candidate, based on early results. Following a decision by the DEC in Tetrtskaro to annul precinct results allegedly taken under duress and reports about physical attacks on the DEC premises in Terjola, on 3 October, the CEC chairperson held a briefing and issued a press release in which he called "upon election subjects and their supporters not to interfere with the work of the election administration, work that is defined by legislation, so as to guarantee the provision of final results".” (ibid).

No further information on these issues could be found among sources available to the RDC.

References

Civil Georgia (3 October 2012) *CEC: Members of Some DEC's Intimidated*
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Civil Georgia (2 October 2012) *Polls in Two Precincts in Khashuri Expected to be Annulled*

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

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Freedom House
Google
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Immigration and Refugee Board of Canada
Internal Displacement Monitoring Centre
International Crisis Group
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Lexis Nexis
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