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Niklas Nilsson  
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*Central Asia- Caucasus Institute  
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The Silk Road Studies Program  
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Västra Finnbodavägen 2, 131 30 Stockholm-Nacka, Sweden  
Email: [info@silkroadstudies.org](mailto:info@silkroadstudies.org)

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The Central Asia-Caucasus Institute  
Paul H. Nitze School of Advanced International Studies  
1619 Massachusetts Ave. NW, Washington, D.C. 20036  
Tel. +1-202-663-7723; Fax. +1-202-663-7785  
E-mail: [caciz@jhuaig.admin.jhu.edu](mailto:caciz@jhuaig.admin.jhu.edu)

Editorial correspondence should be addressed to Dr. Svante Cornell, Director for Research and Publications, at [scornell@silkroadstudies.org](mailto:scornell@silkroadstudies.org)

## Executive Summary

As Georgia is approaching its Parliamentary elections on May 21, 2008 it continues to grapple with the fine-tuning of its electoral system, in a context of a severely polarized domestic political scene and a mounting crisis in its relationship with Russia. The conduct of the election is of significant importance to Georgia's international reputation, as it is clearly to constitute a measure of the country's democratic progress, and its ability to live up to its international obligations. Ahead of the elections, the Georgian government has sought to improve its electoral system to meet many of the recommendations issued by international observers following the Presidential Election on January 5. Improvements include a more inclusive election process and a lowered threshold for representation in Parliament, improved multi-party representation in the election administration, and improved capabilities for managing complaints and appeals. Shortcomings are, however, still noted, especially concerning the potential use of administrative resources by campaigning officials, and the underrepresentation of opposition representatives in leadership positions in the election administration. Also, controversial and unilateral amendments to the election legislation, especially regarding the increase of single-mandate constituencies for seats to be filled through majoritarian constituencies, were passed only months before the elections.

The elections take place in a severely polarized political environment, characterized by a notable lack of trust between the contesting parties. The effects of the domestic crisis in November are still intensively felt, and Russia's moves to unilaterally reinforce its ties with Georgia's breakaway regions have served to further radicalize the political climate. Indeed, it is notable that Georgia is seeking to hold free and fair elections in the midst of the perhaps most serious challenge to its sovereignty and territorial integrity in more than a decade – a situation that many observers poses a substantial risk of leading to war with its former colonial overlord, Russia. Moscow's

decision to upgrade its political and military posture against Georgia at this point in time clearly sap the energies of the entire political system, but most obviously those of the government that is simultaneously forced to deal both with this very clear and present threat to the country's security and the complex process of electoral and political reform. That this effort would be difficult for any government to manage, let alone that of a country dismissed as a failing state only half a decade ago, is obvious; that the Western response has so far failed to be forceful has made Georgia's predicament worse.

Georgia's political debate has failed to focus on the contents of policies, as the main forces have focused their campaigns on discrediting each other, leaving very little room for constructive political debate. Negotiations between the ruling party and the opposition seemed to be making progress during February. However, instead of seeking a workable compromise, the opposition sought to extract concrete concessions from the ruling party and threatened to organize protest rallies and hunger strikes to reinforce these demands. These actions give the opposition a clear responsibility in the failure of negotiations. However, the ruling party's consequent decision to unilaterally push through amendments to the election legislation did not serve to improve the level of trust in the election process.

In spite of remaining deficiencies, Georgia has come a long way in its democratic transition. The fact that Georgia's Parliamentary elections will be judged according to much higher standards than ever before is a testimony in itself to this progress. The further development of democracy in Georgia will nevertheless be dependent on addressing the deep polarization of Georgian society, and to continue this process through constructive and consensus-seeking dialogue between political forces. Moreover, the events of recent months and years have showed the extreme difficulty of conducting democratic reform in a security environment as stressed as Georgia's, where the very sovereignty of the country remains under a very real and growing threat. Indeed, for Georgia to be successful in consolidating its democracy, it will need the support of its partners not only in its domestic affairs, but also in establishing the basic sovereignty and security without which a viable democracy cannot thrive.

## Introduction

The 1990s saw impressive economic and political reform in Central and Eastern Europe. By the early 2000s, a dozen countries that had only a decade earlier been under communist one-party rule were considered consolidated enough democracies to be on track to gain membership in the European Union. These countries had a history of pre-Communist pluralism to look back to, and were boosted by the prospects of membership in European institutions, chiefly the EU and NATO. But the democratic wave that swept through Eastern Europe stopped firmly at the borders of what had been the Soviet Union, with the sole exception of the Baltic states. Instead, various forms of semi-authoritarian rule developed across the post-Soviet states, and no democratic breakthrough took place for the first decade of their independence – quite to the contrary, a backlash was visible in several states, most notably Russia. But this sense of gloom changed in 2003, when what soon came to be known as the ‘Rose Revolution’ ushered into power in Georgia a western-educated elite that pledged allegiance to democratic principles and the building of a functioning state based on the rule of law; and moreover seemed intent on living up to these principles. A year later, the process was duplicated in Ukraine’s orange revolution.

These twin processes constitute the greatest hope for the development of sustainable democracy in the post-Soviet space. Together with the EU’s expansion into Southeastern Europe, they contributed to the emergence of a wider Black Sea region that is increasingly accepted as constituting Europe’s southeastern corner; and brought back hopes for the political development of the remainder of the post-Soviet states. Yet as has been experienced in both states, a revolution by itself did not bring democracy, and the new leaderships faced immense domestic and external challenges to their stated goals. Domestically, reforming the Soviet-style bureaucracy, fighting corruption, dealing with virulent and sometimes irresponsible opposition, and managing authoritarian tendencies within the ruling elite have constituted difficult tests – and in Georgia’s cases, handling the legacy of two unresolved territorial conflicts over Abkhazia and South Ossetia. Externally,

both states have had to contend with a resurgent and increasingly hostile Russia, whose leadership felt directly threatened by democratic revolutions on its periphery. Indeed, Russia's President Putin appears to have made it his mission to contain and if possible roll back the democratic achievements in Georgia and Ukraine, fearing that they would otherwise eventually spread to Russia itself and threaten the form of government there.

Georgia was long the poster-child of democratic development in the region, at a time when Ukraine's revolution appeared to disintegrate. But in November 2007, a violent crackdown on anti-government protestors in Tbilisi cracked the otherwise polished marble of Georgia's emerging democracy. What seemed to be mere peaceful protests covered a much more complex reality, however. The Georgian scene in 2007 included a government that in its zeal for political and economic reform had gradually come to be perceived as aloof from the everyday concerns of citizens. It included a shady tycoon with criminal connections bankrolling the opposition and controlling media outlets to undermine the government. It also featured an assertive Russia pressurizing the Georgian government through various economic, political and military means, adding to the sense of insecurity in Georgia's government that precipitated the crackdown.<sup>1</sup>

The government's decision to intervene against demonstrators was roundly criticized and tarnished its democratic credentials. Nevertheless, it immediately sought to restore them through the announcement of snap Presidential elections, effectively providing the public an opportunity to judge on its record. On January 5, President Mikheil Saakashvili was re-elected in what can only be termed a landslide. He obtained over 50 percent of the vote, his nearest rival obtaining roughly half of that. While the opposition cried foul, claimed victory, and accused the government of widespread vote rigging, the international community and its election observation mission gave the election a passing grade. Asserting that the election had met most international standards, the international observers had legitimized and affirmed the democratic credentials of the Georgian government. But while simultaneously raising important objections, they also made it clear Georgia had a long way to go before its democracy was consolidated. Indeed, the observers explicitly stated that a number of

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<sup>1</sup> See Svante E. Cornell, Johanna Popjanevski and Niklas Nilsson, *Learning from Georgia's Crisis: Implications and Recommendations*, CACI & SRSP Policy Paper, December 2007.



shortcomings would have to be addressed before the parliamentary elections to be held in the spring of 2008, and that the government would be judged on its improvement of the electoral system for these elections.

Georgia's May 21 parliamentary elections therefore carry great importance for the country's future. Not only will their conduct determine to what extent Georgia is progressing toward consolidating its democracy, in turn with substantial consequences for its relationship with Euro-Atlantic institutions; it will also play a crucial role in Georgia's national security. Indeed, the elections do not take place in a vacuum. Quite to the contrary, the four months between the presidential and parliamentary elections have seen the further deterioration of the regional security situation. Three inter-related developments have contributed to this. First, Kosovo's supervised independence was recognized by western states in February, heightening tensions with Russia, which had opposed the move and threatened to retaliate in the South Caucasus. At NATO's April summit in Bucharest, Georgia and Ukraine failed to receive a Membership Action Plan, but were promised eventual membership in the Alliance in the summit's final communiqué. Finally, soon after the summit, Russia made good on its promise and unilaterally upgraded its relationship with Georgia's breakaway regions of Abkhazia and South Ossetia, and – also unilaterally – increased its military presence in the Abkhazian conflict zone under the guise of peacekeeping. The move drew international condemnation, effectively disqualified Russia from its position as peacekeeper and facilitator of negotiations in the conflict zones, and increased the risk of war between Georgia and Russia. This sequence of events would have strained any Georgian government's ability to pay attention to internal reforms and domestic politics; but the fact that this all took place weeks before a decisive parliamentary election only made matters that much worse.

One thing is nevertheless clear: the standards that Georgia has set for itself, and to which it is held, are of a fundamentally different nature than most post-Soviet states. In many if not most post-Soviet states, the contentious issues surround the very basic fairness and freedom of the vote. Systematic use of administrative resources, total government dominance of the political scene, systematic undermining of opposition forces, lack of opposition access to media, and deeply problematic vote counts are endemic problems even in countries that have graduated from ballot box stuffing, and where elections

may technically be termed free, but not fair. But in Georgia, the international electoral missions have made clear that such practices are no longer acceptable, and that Georgia is expected to have rid itself of such typically post-Soviet problems. Instead, the bar is set higher, as much of the discussion surrounds the delineation of the dividing line between the government's activities and the ruling party's electoral campaign; and the fine-tuning and correct implementation of legislation that, on the whole, is considered a solid ground for conducting a genuinely democratic election.

Indeed, what is expected of Georgia is no longer a good election by post-Soviet standards, but an election comparable in quality and fairness with those held in the new EU and NATO members in Central and Eastern Europe. But only five years ago, Georgia was dismissed as a failing state, and since then, its internal and external security challenges have grown rather than receded. In this context, the standard that Georgia has set for itself and which its western partners will hold it to indeed poses a daunting task. When the inevitable ensuing acrimony erupts following the election, the level of difficulty of the task that Georgia's reformers have embarked upon should be kept in mind.

## Political Context of the Parliamentary Elections

In practice, the electoral campaign for the parliamentary election began on January 6, the day following the Presidential Election. As such, no time was available for the calming of political tensions that had been lingering since November, and exacerbated with the opposition's refusal to accept the results of the presidential elections. Unfortunately, this has meant that the campaign has taken place in a deeply polarized political atmosphere, in which the level of civility between political actors remains low. While the government has sought to go some distance to compromise on opposition demands, the opposition has continued to display a preference for confrontation, in the form of street protests or hunger strikes, rather than political compromise and negotiations.

### Political Context

The deeply polarized political climate in Georgia was characterized by a considerable lack of trust between political contestants. The domestic crisis unfolding during the fall of 2007 and culminating with the violent crackdown on November 7 was still intensively felt ahead of the Parliamentary elections, and both the authorities and opposition have failed to sufficiently engage in constructive dialogue for an issue-based campaigning climate to be created, let alone sustained. Instead, the antagonism between opponents is as severe as ever, with opposition leaders seeking to discredit the government and demanding the resignation of several officials, such as the Minister of Interior, the Chairman of the Central Election Commission and the Director-General of the Georgian Public Broadcaster, while some government officials have often retorted by calling opposition figures traitors and criminals.<sup>2</sup> Since before the presidential election, the opposition's tendency to vilify the government and President Saakashvili personally as

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<sup>2</sup> Parliamentary Assembly of the Council of Europe, "Honouring of Obligations and Commitments by Georgia", AS/Mon(2008)14, 9 April 2008.

“fascist” and “terrorist” has been the perhaps most destructive aspect of the country’s political atmosphere. While the government has to some extent retaliated in kind and carries the additional responsibility of incumbency, the opposition’s rhetoric has been an important element in the lack of dialogue and compromise.

### *The Patarkatsishvili Complication*

Antagonism between the ruling party and the opposition was further reinforced by the fact that opposition activities during the fall were in large part funded by late tycoon Arkadi “Badri” Patarkatsishvili, whom the government suspected of plotting a coup to overthrow the government. The oligarch on several occasions utilized his ownership of the opposition’s main media outlet, Imedi TV, for issuing several harsh statements against the government during the November crisis. Government allegations against Patarkatsishvili later appeared to be confirmed by evidence produced through a sting operation, made public in late December, only weeks before the Presidential election in which Patarkatsishvili was running as a candidate. In video and audio footage, Patarkatsishvili was seen and heard in his London home in an attempt to bribe a high level interior ministry official to generate faked documents indicating electoral fraud on election night, and to utilize the likely public discontent to take over power, if necessary “liquidating” the interior minister. When confronted with these accusations, Patarkatsishvili failed to deny their accuracy.

Leading opposition representatives were slow and half-hearted in seeking to distance themselves from Patarkatsishvili, in spite of his clearly undemocratic means and goals. The presence of such a figure in the background of the November crisis and as a candidate in the Presidential election served to reinforce the government’s perception of a security threat and its suspicion that parts of the opposition were interested in grabbing power by any means available, rather than in the democratic process. Patarkatsishvili’s death in a heart attack in London in January may have reduced the immediate threat. However, Patarkatsishvili’s long-time ally and mentor, exiled Russian oligarch Boris Berezovsky, has stated that he is continuing Patarkatsishvili’s “struggle”. During the Presidential Election, Berezovsky had funded an exit poll, which seemingly consisted only of a handful of political consultants from an Ukrainian firm, and whose staff was not seen at polling stations. An hour before the major exit poll conducted by

Georgian NGOs was announced, the Berezovsky-funded exit poll announced its “results”, which found that Saakashvili had lost the election. This information – which appeared to constitute intentional disinformation – was immediately carried by Russian media outlets, whereas western outlets wisely abstained from citing it. To what extent Berezovsky remains involved in Georgian politics and to what end remains unclear.

The presidential election campaign thus highlighted the danger that asymmetric threats can pose to a nascent democracy. The main asymmetric threat in Georgia was the role played by wealthy oligarchs such as Patarkatsishvili and Berzovsky, who clearly exploited the openness of Georgia's political system and its internal polarization and volatility for narrow political and economic aims. Had Georgian authorities not been able to expose Patarkatsishvili's plot, the oligarch could have made serious damage to the election process and to the country's stability. Moreover, his machinations could also have hurt Georgia's international standing, as western leaders in the absence of incontrovertible evidence would have been likely to dismiss the Georgian government's allegations of a coup attempt as fantasies taken out of Hollywood rather than events based in fact. Indeed, the episode highlights the difficulty faced by nascent democratic states in countering non-democratic opponents seeking to exploit and abuse the vulnerability of the democratic system and the popular mood. The possibility of continued efforts by non-state actors to undermine Georgia's political process should not be discounted.

#### *The International Context: An Increasingly Hostile and Assertive Russia*

Divisions in Georgian politics are further compounded by the international context in which these elections are to take place. In connection with NATO's Bucharest summit and discussions on Georgia's prospective Membership Action Plan, Russia has applied a series of means to increase its political pressure on Georgia. This has above all taken the form of several actions on Moscow's part to reinforce its relations with Abkhazia and South Ossetia, officially opening economic and political ties and providing for the establishment of Russian representation on both state and regional level in these regions, through a decree signed by President Putin on April 16. These moves follow on years of growing Russian encroachment on Georgia's sovereignty in the conflict zones that began with a discriminatory visa regime imposed on Georgia and which excluded the conflict zones; the mass

issuing of Russian passports to the residents of the territories; claims to a right to protect Russian citizens abroad; the direct appointment of serving Russian security officials in the governments of the separatist territories; and the opening of precincts on their territories in Russia's 2007 parliamentary elections.

The most recent moves, coming against this background, create a sense of urgency in Georgia's security affairs, not only because they constitute an escalation of hostile acts by Russia, but because they for the first time appear to constitute a legal departure from Moscow's *de jure* recognition of Georgia's territorial integrity. The April 20 downing of a Georgian unmanned reconnaissance aircraft over Abkhazian territory marks demonstratively increased Russian military activity in the region. While Moscow has denied all involvement in the incident, video and radar recordings presented by the Georgian side provide evidence that the aircraft involved was a Russian MIG-29, most likely operating from the Gudauta base in Abkhazia that Russia following OSCE resolutions was supposed to have vacated in 2001. These events have stirred considerable concern in Tbilisi, where Russia's actions are understood as steps toward a "*de facto* annexation" of Georgian territory. While Georgia has received some diplomatic western support in the face of Russia's moves, either the United States or Europe have still to act concretely to match their declaratory support for Georgia's territorial integrity with actions.

The severely strained Russian-Georgian relations already have two problematic implications for the pre-election political climate in Georgia. First, Russia's aggressive actions against Georgia's breakaway regions pose a real and troubling threat to Georgia's national security and territorial integrity. These have likely thwarted most chances for the implementation of the unprecedentedly compromise-oriented peace plans for Abkhazia and South Ossetia presented by Tbilisi in March 2008. Moreover, if Moscow continues to pursue its policy toward the breakaway regions in the manner it has envisioned, the risk of a military confrontation will rise. These moves are likely to force Tbilisi to declare Russian peacekeeping forces illegal, thereby offering them the choice of either withdrawing or *de facto* turning into an occupational army – the latter possibility with deeply troubling potential implications.

Such a development could lead to direct confrontation between Georgian and

Russian forces: the Russian MFA's special envoy for relations with CIS states on April 25 officially stated Russia would consider military action in the regions to protect resident Russian "citizens", should Georgia seek to resolve the conflicts by force. It should be noted that residents of Abkhazia and South Ossetia have been provided with Russian passports in unilateral Russian moves in the post-conflict period, an illegal act under international law. The fact that Georgia is forced to deal with a serious external threat while simultaneously seeking to manage the most competitive and democratic elections in the country's history cannot but impede the prospects for a constructive pre-election climate, and significantly increases the risks also of domestic unrest and of rising militaristic attitudes both among politicians and the wider population. Indeed, reports from Tbilisi indicate that a fear of war is growing rapidly in the country.

Second, in the polarized Georgian political climate, the Russian threat has not led to growing unity and responsible steps toward compromise, but instead to all political sides seeking to capitalize on the crisis for electoral purposes. It seems that the level of trust the parties have in each other is so low that the crisis rather serves to drive political factions further apart, and to further radicalize the climate.

For President Saakashvili and the United National Movement, the crisis is not only the most severe challenge to Georgia's territorial integrity faced during its time in power; it also constitutes both a risk and an opportunity. The risk is that the government appears 'weak' on Russia, while the opportunity for the President and the ruling party is to retain their image as the country's responsible leaders. The government has sought to urge the opposition forces to return to the negotiating table, for discussions on other than electoral topics. The President on April 23 offered opposition leaders a format for regular meetings on national security matters and Georgia's relationship with Russia. The opposition, however, has refused to attend meetings with the President, whom they consider illegitimate as a result of alleged violations during the Presidential Election. Representatives of the nine-party opposition coalition have termed the invitation a mere PR stunt, intended to force the opposition into renewed negotiations, and have accused the President of consciously fueling the crisis in order to gain public support ahead of the Elections, in spite of the remarkable restraint that international powers agree it has exercised during this very testing period. Not staying at

that, the opposition argues that Mr. Saakashvili himself bears the responsibility both for Georgia's failure to gain a Membership Action Plan with NATO and the increasingly strained relationship with Russia, in spite of the government's rather measured response to the events. Representatives of the small but vocal Labor party, which has often taken stances in alignment with Moscow, went as far as to state that the only acceptable topic for negotiations was the President's resignation; the Republican Party, perhaps the most responsible in the opposition, has stated it would meet with the Parliamentary Chairperson or the Prime Minister for consultations on the topic; however meetings with the President himself were ruled out.

These reactions are clear manifestations of the polarization and lack of trust between the parties in Georgian politics. The crisis in relations with Russia is set to remain a key focus of Georgian politics following the elections as well. It impeded the prospects for a constructive campaigning climate, as it further reduced the room for issue-based political debate and instead opens for militaristic rhetoric and mutual allegations of treason. Much of Georgia's international reputation depends on the conduct of the Parliamentary Elections of May 21, and the fact that these are to take place under severe Russian pressure does not help.

### **Players and Campaigns**

The largest contestants in the May 21 Parliamentary elections consist of the ruling United National Movement (UNM), and the nine-party opposition bloc, running in the Parliamentary elections as "United Opposition-the National Council-New Rights". The UNM has been the ruling party in Georgia, with an overwhelming parliamentary majority, since the Parliamentary elections on March 28, 2004, shortly after the Rose revolution. The UNM candidate list is headed, after the withdrawal of Parliamentary Speaker Nino Burjanadze, by Foreign Minister David Bakradze (who has resigned from his ministerial post for campaigning purposes). The UNM has focused its campaign on welfare issues, promising a "United Georgia without Poverty".

The ruling United National Movement's main opponent is the opposition coalition, formed in October 2007 and comprised of nine opposition parties as well as several individual political figures. The coalition is led by MP Levan Gachechiladze and contains among others the Conservative Party, former



Foreign Minister Salome Zourabishvili's Georgia's Way, the Freedom party led by Konstantine Gamsakhurdia, the People's Party led by Koba Davitashvili, and the Movement for United Georgia formed by former Defense Minister Irakli Okruashvili. The Republican Party, headed by David Usupashvili and standing out as the opposition party with the most elaborate political agenda, left the coalition on February 29 and is now running independently. In return, David Gamkrelidze's New Rights Party joined the coalition in connection with the hunger strike during March. The opposition coalition has hitherto focused its campaign on questioning the outcomes of the Presidential Election, and on allegations of electoral violations ahead of the Parliamentary Elections, while lacking much of an issue-based political platform.

Other players include seven additional parties: the small and outspokenly populist Labor Party, led by Shalva Natelashvili; the Christian-Democratic Party led by former Imedi TV anchor Giorgi Targamadze; the Christian-Democratic Alliance; The Georgian Politics; Our Country; National Party of Radical Democrats of Georgia; and the Union of Georgian Sportsmen. Also running in the Elections are two additional party blocs: the Rightist Alliance-Topadze Industrialists; and Traditionalists-Our Georgia-Party of Women.

### **Government-Opposition Dialogue and Contested Issues**

While steps toward a dialogue have been taken both by the opposition and the government, this failed to overcome the polarization resulting from last Fall's events and develop into a true search for compromise. The most contested issues were the administration and outcome of the January 5 Extraordinary Presidential Elections, and the management of shortcomings in these elections through electoral reform. The opposition continually refused to recognize the results of the Presidential Elections, claiming these were severely manipulated through intimidation of voters and an election administration at all levels biased in favor of the ruling party, considering both vote counting and management of complaints. While such allegations have to a limited extent been confirmed by the reports of international observer missions, there is little evidence that the violations that did take place were of the magnitude claimed by the opposition, or that these had any significant impact on the overall election results. Seemingly, the opposition's overt focus on the past election and its antagonistic approach to the ruling

party prevented it from developing a clear political agenda of its own. Rather than engaging in dialogue with the authorities or addressing complaints through legal processes, the opposition has taken to street demonstrations and hunger strikes. The government, on its part, remained reluctant to properly investigate violations during the Presidential Election, and to implement several reforms of the election administration, prescribed by international observers.

#### *Government-Opposition Negotiations*

On January 29, the nine party opposition coalition, along with the New Rights Party, the Industrialists and the Party of Future signed a joint memorandum outlining 17 opposition demands and setting a February 15 deadline for the government to agree on these, otherwise new protests were to take place. The opposition's demands included, with respect to the November crisis and the Presidential Election, a recount of disputed votes in the presidential election and proper investigation of all irregularities during the election, release of a list of persons allegedly imprisoned on political charges, investigations of excessive use of force on November 7, the resignation of the Interior Minister and Prosecutor General, and the abolishment of Interior Ministry units allegedly used for political repression. Regarding the procedure and administration of the Parliamentary Elections, the opposition demanded constitutional amendments abolishing the first-past-the-post system for electing majoritarian MPs, the resignation of the old – and a confidence vote on a new – cabinet after parliamentary elections, parity representation in election administration at all levels and opposition right to appoint chairs in DEC and PEC, consensus appointment of a new CEC chair, restrictions on officials to take part in the election campaign, improvement of the UEC for management of complaints during the election process, and the provision of public access to polling station CCTV camera records.

The first round of official talks between the UNM, led by parliamentary chairperson Nino Burjanadze and the opposition coalition took place on February 1 and continued on February 5. Initially, progress seemed to be made, especially on reforming the system for electing majoritarian MPs and amendments on resignations and a confidence vote for the cabinet. Talks were interrupted on February 8, as the opposition demanded the immediate release of persons arrested on November 7 and the dismissal of CEC

Chairman Levan Tarkhnishvili and Public Broadcaster Chairperson Tamar Kintsurashvili, and declared their intention to hold protest rallies on February 15 unless these demands were met.

On February 14, the UNM disclosed a memorandum responding to the opposition's demands, which sought to meet certain demands, while not responding to others. It was claimed that CCTV camera records were already public and that irregularities recorded or otherwise evidenced during the Presidential Elections would be investigated (the demand for a recount of votes was rejected). Constitutional amendments were envisioned subjecting the *existing* cabinet to a confidence vote. Persons arrested during November 7 would be released, however it was stated that most persons on the opposition's list had nothing to do with these events, or were arrested on drug charges on November 7. Rather than investigating only the excessive use of force, the UNM proposed setting up a commission which would investigate all issues related to November 7, including excessive use of force and intimidation of political opponents by government forces, but also the mass unrest, alleged attempted overthrow of the constitutional system, and cases of cooperation with foreign security services. The investigations would not result in criminal proceedings against anyone. The UNM agreed to set up a commission tasked with elaborating reforms of the Interior Ministry and a monitoring council for law enforcement agencies; however the resignations of the Interior Minister and Prosecutor General demanded by the opposition were rejected. The UNM agreed to set up a new board for the GPB based on consensus between political forces.

#### *Electoral System and Seat Allocation*

Interestingly, the UNM seemingly agreed to the proposal of replacing the first-past-the-post system for electing the 50 majoritarian MPs (out of 150) with a regional proportional system, allowing several MPs to be elected from each constituency. This system would likely have benefited the opposition in the parliamentary election. The UNM also agreed to reform the DEC's into the same system as the CEC and PECs, thus consisting of 13 members, including one chair, 6 non-affiliated members, and 7 representatives of political parties. This system for all three levels of the election administration does not fully meet the opposition's demand for parity, as the chair and non-affiliated members have previously been nominated by the President and appointed by the Parliament for the CEC, the formerly five

members of the DEC's by the CEC, and by the DEC's for PEC's. During the Presidential Election, these appointed members frequently voted in favor of the ruling party, putting their impartiality in question. A heavy responsibility for the conduct of the Parliamentary Elections therefore lies on the improved professionalism of these appointees.

The UNM also seemed to agree on revising the CEC, while the memorandum did not address the demand for appointing chairs in part of the DEC's and PEC's. It also undertook to clarify the UEC on issues relating to the campaigning of the President and other officials. The UNM also undertook to set up a Special Council for managing election disputes, composed according to consensus between political forces. It is also agreed that CCTV cameras would be set up at all polling stations, and that proper mechanisms for making footage publicly available immediately on request will be developed.

The opposition, including the nine-party coalition and the New Rights and Labor parties, denounced the UNM memorandum, claiming the authorities failed to meet any of their demands, and held a protest rally on February 15, where it warned of establishing a "town of tents" in Tbilisi and starting a mass hunger strike unless their three immediate demands were met: Resignation of the CEC chair and GPB Director-General, and the release of all persons on their presented list of "political prisoners". The opposition claimed that an agreement had been prevented by hardliners within the UNM. Several Parliamentary votes on the proposed constitutional amendments were postponed, as the UNM preferred not to pass these amendments unilaterally during the opposition's boycott of the Parliament.

On February 22, opposition coalition leader Levan Gachechiladze called off the planned hunger strike and claimed that Ms. Burjanadze had promised all opposition demands would be met. This was however denied by Ms. Burjanadze. Calling off the protests caused some dissent among opposition ranks, as several members of the coalition wanted them to continue. Negotiations between the ruling party and the opposition continued over the appointment of a new Board of Trustees for the GPB, regarding which progress was made. On February 26, a completely re-elected board was approved by the Parliament, permitting the resignation of the GPB Director General. The GPB's new administration has since signed a memorandum with contesting political parties on broadcasting principles during the

election period.

The government also did release several persons arrested on November 7, although far from everyone on the opposition list. The demand concerning the CEC chair remains to be addressed. Talks then moved on to the composition of new election administrations and constitutional amendments, including the abolition of the first-past-the-post system, and reducing the threshold for representation on part lists from 7 percent to 5 percent.

During March, a substantial controversy developed around the planned constitutional amendments regarding the election of majoritarian MPs. During negotiations between the government and opposition in February, both sides seemed to have agreed on abolishing the first-past-the-post system for electing majoritarian candidates in favor of regional proportional lists. However, the UNM changed its mind on the issue, proposing instead that one majoritarian MP be elected from each of Georgia's 75 constituencies, thus not only maintaining the system the parties had previously agreed to scrap, but adding 25 majoritarian seats in parliament and therefore also reducing the number of MPs elected on proportional lists from 100 to 75.

This effectively ended all negotiations, as the opposition again moved to street protests, and gathered for renewed rallies outside the Parliament on March 8, demanding a recount of the votes of the Presidential Election. Several opposition leaders also initiated a hunger strike; however the number of participants in the opposition's rallies was markedly less than during previous rallies. The opposition refused to accept what the ruling party termed a compromise in increasing the number of proportionally elected MPs from 75 to 100, and the constitutional amendments were passed on March 12. This triggered an upsurge of opposition protests throughout March which failed to gather significant amounts of supporters. The opposition denounced several proposals from the government to resume dialogue, claiming that the constitutional amendments constituted a betrayal of agreements made in February. On March 20, the opposition presented a "compromise solution" to instead elect the 75 MPs on regional proportional lists, a proposal which was supported also by the Republican Party (no longer part of the opposition coalition). The UNM nevertheless refused to accept changes to the passed amendments, which were approved on March 21. Apart from the provision on majoritarian MPs, these also included some provisions on improving the process for submitting complaints on election conduct,

abolishing additional voter lists and voter registration on Election Day, improved accessibility to CCTV camera footage from polling stations, and the introduction of multi-party representation also in DEC. While these measures were included in the February 14 memorandum, they were denounced by opposition representatives. According to opposition arguments, the UNM will still gain the majority in all levels of the election commissions, the appointment of CEC chairman is not addressed, and procedures for submitting complaints were complicated rather than simplified. On March 25, after an appeal by the Patriarch of the Georgian Orthodox Church, the opposition ended the hunger strike.

The negotiation process, in spite of certain constructive periods, became increasingly difficult throughout February and March. The opposition's perceived need to obtain quick results and extract concrete concessions from the ruling party, and its tendency to stress new demands and threaten to instigate new street protests on several occasions during the negotiations left little room for compromise. Seemingly, negotiations took the form of a chicken race, where the opposition sought to force the government to publicly display signs of weakness, while the government perceived its response to the opposition demands put forward on February 14 as going a long way toward a compromise, and did not view additional concessions as possible or necessary.

Moreover, the government considered the concessions offered as largely in line with the recommendations of international observers, and thus as a sound response to international criticism of the Presidential Election. In the end, it seems that the radical stance taken by the opposition did not serve to improve either its domestic or international approval. Its boycott of the parliament on several occasions caused a delay in approving the agreed constitutional amendments on a lowered threshold from 7% to 5% and suggested reforms of the election administration. This served to undermine the opposition's negotiation position, and granted the UNM space for pushing through constitutional amendments significantly improving its position before the Parliamentary Elections. The increase of first-past-the-post majoritarian MPs is likely to benefit the UNM and the decision to pass the amendment, especially in light of its previous commitment to introducing a regional representative system, is indeed questionable and has served to further antagonize the political sides.

*Additional Controversies*

On April 4, the activist Public Defender, Sozar Subari, demanded the resignation of the CEC chair, after claiming a review by the Public Defender's Office of CCTV camera recordings from 12 randomly selected polling stations revealed large-scale inflation of voter turnout in 8 cases, along with several instance of multiple voting. The Public Defender also accused the CEC chair of having deliberately sought to prevent the review of these tapes, as well as continually doing so in reviewing additional ones. According to the Public Defender, amendments to the UEC will actually restrict access to CCTV footage. The CEC dismissed the alleged scale of the accusations, stating that the reviewed tapes revealed only three instances of violations, which were still unacceptable and had been referred to the General Prosecutor's office. However, it claimed that what the Public Defender termed inflated turnout was due to votes cast in mobile ballot boxes and "attached precincts", mainly in the form of military bases, to several of the reviewed precincts.

This controversy was soon overshadowed by alleged malpractice in the UNM's submission of MP candidate lists to the CEC. The UNM submitted a list of MPs only minutes before the deadline of 18.00 on April 21. Parliamentary Speaker Nino Burjanadze's last minute decision to withdraw from the UNM list, over disagreement on the party's candidates, raised suspicion among the opposition that the UNM might seek to alter the candidates presented on the list after the submission deadline. As opposition representatives in the CEC demanded to see the list, they were refused to do so by the CEC chair, claiming the CEC office was closed and the list would be available the next morning. After several opposition politicians, as well as domestic and international observers arrived at the scene, the list was presented after four hours. It was however located in another room than first pointed out by the CEC chair.<sup>3</sup> The opposition then demanded that the UNM should not be allowed to run in the elections and that the CEC chair should be replaced, while the CEC claimed it acted according to prescribed standards.

Regardless of whether serious violations did take place in these two cases, the failure of the CEC in several instances to provide transparency to its

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<sup>3</sup> OSCE/ODIHR Election Observation Mission to Georgia, Parliamentary Elections 2008, "Interim Report No 1", 10-25 April 2008, p 5.

functioning and decision-making process has served to further reduce confidence in the election administration on part of both the opposition and domestic observers. It is imperative that the election administration, on all levels, improve both its professionalism and its transparent functioning. It is exactly this kind of mismanagement that may cast doubts over the conduct of the upcoming elections, stemming from an inability to both scrutinize real irregularities professionally and to credibly discard perceived ones.



## **Reforms of the Electoral System: International Recommendations and Georgia's Reaction**

Since the Rose Revolution, the international community – especially the OSCE and Council of Europe – have assisted the Georgian government's efforts to improve the electoral system and legislation to conform to OSCE standards. Both the parliamentary elections of 2004 and the 2008 presidential elections were considered significant improvements upon earlier elections held in the country, but the international observers nevertheless found important shortcomings that they urged the Georgian government to address ahead of the 2008 parliamentary elections. The following pages will discuss the main recommendations of these international missions, and the Georgian government's response.

### **The 2004 Parliamentary Elections**

In Georgia's Repeat Parliamentary Elections on March 28, 2004, the OSCE Office for Democratic Institutions and Human Rights Election Observation Mission (OSCE/ODIHR) International Election Observation Mission (IEOM) reported significant progress over previous elections in Georgia. Specifically, serious improvements were noted in the election administration, including the professionalism of the CEC, efforts to produce updated voter lists, training of election officials and improved secrecy of the vote. The pre-election period was, with the exception of Adjara, commended as free and peaceful. Shortcomings noted included a lack of clear separation between the state and political parties, providing a potential for misusing administrative resources for campaigning purposes. Also, a lack of balance and independence was noted in the composition of election commissions at all levels, State TV failed to provide balanced coverage of campaigns, and the election threshold of 7% was not lowered in accordance with OSCE recommendations.

### **The January 2008 Presidential Election**

The OSCE/ODIHR EOM issued its final report on the January 5, 2008, Extraordinary Presidential Election on March 4, 2008. The assessment reads that while the election was “consistent with most OSCE and Council of Europe commitments and standards for democratic elections, it also revealed significant challenges which need to be addressed urgently. Although this election represented the first genuinely competitive post-independence presidential election, shortcomings were noted”. The most serious shortcomings in this regard were identified as the campaign being “overshadowed by widespread allegations of intimidation and pressure, among others on public-sector employees and opposition activists”, of which some were verified by the OSCE/ODIHR EOM. Further, it was noted that the distinction between State activities and the campaign of Mikheil Saakashvili was blurred. The voting procedure on Election Day received positive judgment, while several flaws were noted in the following vote counting and tabulation procedures, as well as in the handling of complaints.<sup>4</sup> This section examines the criticism and recommendations provided by the OSCE/ODIHR EOM after the Presidential Elections, and discerns actions taken by the government to correct these shortcomings.

#### *Election Administration*

The election was managed by a three-tiered election administration, consisting of Central, District and Precinct Election Commissions (CEC, DEC and PEC). In response to opposition demands, amendments were made to the Unified Election Code (UEC) only weeks before the Presidential election, allowing for a broader political representation in the CEC and PECs. These consisted of a chairperson and five members nominated by the president and appointed by the Parliament, while seven members were appointed by those political parties funded by the state budget. DECAs did not have any formal party representation, but consisted of five members appointed by the CEC. The election administration did receive criticism from the Election Observation Mission (EOM). PECs were described as

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<sup>4</sup> OSCE Office for Democratic Institutions and Human Rights, “Georgia Extraordinary Presidential Election, 5 January 2008: OSCE/ODIHR Election Observation Mission Final Report”, Warsaw, March 4, 2008, p 1-2.

often lacking sufficient training for conducting the vote count. Also, opposition parties were under-represented within these, an effect of the appointment of six PEC members by the DEC, and the remaining seven by political parties. DEC frequently corrected protocols submitted by PECs even though this exceeded their authority, which was circumscribed through amendments to the UEC. The CEC was criticized for being chaotic and overly politicized, frequently taking decisions through votes along party lines, rather than legally founded and professional judgment. CEC sessions also lacked transparency, opening for criticism of decisions taken within this body.

The EOM urges to improve professionalism within election commissions, and to prevent the dominance of one political party in these. Also, it recommends improvements in the administrative support provided in particular to the CEC. The government has thus reformed the DEC, in accordance with the formula applying to the CEC and PECs, consist of 13 members, including seven appointed by political parties. This is intended to alleviate criticism raised against the DEC especially during the vote tabulation procedure in the Presidential election, during which several irregularities were noted. It however remains unclear which measures will be applied to improve professionalism at all levels, thus the risk of continual disagreement along party lines within the commissions still exist. Also, the appointment of those commission members not appointed by political parties need to be more clearly based on professionalism, as there is a clear risk that the ruling party may otherwise create a majority for itself within these.

In the process of pre-election voter registration, the CEC did conduct a country-wide update before the Presidential Election. Irregularities nevertheless occurred, including the presence of deceased persons on voter lists, and omissions of eligible voters. Voter registration was allowed on Election Day, resulting in a large number of additional votes. As prescribed by the UEC, PECs sent these ballots to the CEC for counting, which was poorly administrated and lacked uniform standards for ballot validation. The EOM recommended voter list updates, improved mechanisms to update the registry on voter request, and improved practices for counting votes cast by voters registered on Election Day, if this option is to remain at all. The government instructed the civil registry to conduct further updates of voter lists, the results of which were published by the CEC on April 14. An

additional SMS service for voters to control their presence on voter lists has been introduced, in addition to the internet service provided during the Presidential election. Further, Election Day voter registration has been abolished in order to avoid the irregularities experienced in administrating these votes.

The EOM reported generally good voting practices in the vast majority of precincts, however with some regional variations. A few serious irregularities were nevertheless reported. Counting procedures by PECs were however assessed as poor in 23% of the cases observed. These counts were flawed by several procedural errors and, in 8% of the cases, tampering with voter list entries, election results, or results protocols. Difficulties were also noted for several PECs in completing results protocols, of which many lacked required information or PEC stamps and signatures. As for tabulation of results at the DEC level, the procedure was termed “slow and often chaotic”. In some cases, DEC’s revised PEC protocols, a practice not allowed for in the UEC. The EOM recommended clarified procedures for voting and vote-counting, reinforced legal provisions on posting result protocols for public inspection, and improved training of PEC members.

The government claims the main problem during the vote counting process was the overly complex procedure for filling out protocols, resulting in cases of incorrect accounting of results, and consequent allegations of protocol manipulation. It has responded through introducing simplified result protocols, which consist of one page only, as opposed to protocols with one page for signatures and one for figures used during the Presidential election. In addition, revisions in the composition of DEC’s are expected to increase the transparency of administration at this level. As for domestic election observers, these no longer need to announce in advance which district they are monitoring, and are free to observe anywhere unannounced.

The EOM claimed that the installation of CCTV video cameras at polling stations in some instances endangered the secrecy of the vote, and criticized practices applied in handling recorded material. The necessity of CCTV cameras should therefore be reconsidered, and the objectives of their use clarified. The government claims that a previous lack of specific time guidelines for review of alleged irregularities led to confusion on the purpose of the cameras. Regulations concerning the presence of cameras in election precincts and their use in relation to claims of potential election abuse have

now been clarified. A fifteen minute period of CCTV recording at the time of any alleged irregularity during the vote or counting procedure can now be reviewed at the DEC level or at a relevant court hearing.

### *Campaigning*

The alleged use of administrative resources was a recurring theme of opposition criticism of Mr. Saakashvili's campaign. The EOM confirmed that this did occur, in particular through the distribution of vouchers for "utilities and medical supplies to pensioners and other vulnerable groups", distributed as a "subsidy from the President", and featuring number 5, Mr. Saakashvili's number on the ballot. Thus, in some instances there was no clear demarcation between state spending and Mr. Saakashvili's campaign. The EOM recommended that a clearer line be drawn between state activities and campaigns, and that UEC provisions on the use of state resources are clarified. The government has instructed the CEC to create a "memorandum" defining public guidelines for the use of administrative resources. This code of ethics was drafted with participation of a broad group of local and international NGOs (some of which have been highly critical of the government), including the Georgian Young Lawyers' Association (GYLA), New Generation-New Initiative (NgNi), the International Society for Fair Elections and Democracy (ISFED) and the U.S. National Democratic Institute (NDI). However, the government stresses that according to the UEC, campaigning during the election is not restricted for high government officials at the level of Minister, Deputy Minister, MPs, mayors, local council or local legislative members. For bureaucrats, campaigning is not allowed while performing government duties. These provisions have been further clarified within the UEC.

In order to allow an improved plurality of candidates to register for the Parliamentary elections, the number of signatures required for a party's registration has been lowered from 50,000 to 30,000, while for single mandate candidates, all signature requirements have been abolished. The constitutional amendments passed in March lower the threshold for entrance to the Parliament based on the national party list system from 7% to 5%.

### *Complaints and Alleged Intimidation*

The EOM noted that both during campaigning and after the election, several allegations of irregularities concerning campaign and election irregularities,

as well as intimidation and pressure on voters were voiced. However, relatively few complaints were submitted to election commissions and courts, chiefly by opposition parties and domestic NGOs. Many of these appear to not have been properly investigated. Concerning campaign-related complaints, decisions on adjudication in the CEC were sometimes taken solely by the CEC chair, with CEC lawyers not always respecting impartiality when presenting cases. CEC sessions lacked transparency, and inconsistent application of the law by the CEC and courts tended to favor the ruling party candidate. Court hearings were generally carried out in an open manner, however judgments often lacked sound legal basis. All court cases against the ruling party candidate and officials were rejected. Reports were also submitted to various instances of intimidation and threats against opposition supporters, some implicating law enforcement officials which were, according to the EOM, seldom investigated.

The EOM stated that UEC provisions for handling complaints are complex and inconsistent, and do not fully incorporate legal safeguards in adjudication of complaints or appeals, such as the right to open and transparent hearings. It was unclear to which election commission or court complaints should be submitted, and complaints were frequently dismissed citing technical errors in their submission. The EOM recommended clarifications and improved consistency in the UEC concerning the protection of electoral rights, and a clearer division of responsibility between courts and electoral bodies. Also, more transparency was recommended in handling complaints, and these should not be rejected solely on technical grounds. The EOM stressed that the government must ensure that any form of pressure or intimidation is fully investigated and punished.

In response to these recommendations, the government strengthened a rapid response mechanism termed the “Inter-Agency Task-force”, first established for the Presidential elections. This body is designed to allow for immediate reaction from the Ministry of Justice and Ministry of Interior to any claims of intimidation of parties or candidates during the electoral process. A special pro-active unit within this group was established to provide assistance for all political stakeholders to exercise their rights. Also, a code of conduct condemning all forms of intimidation has been created and signed by all political actors.

The government has also sought to simplify procedures for filing complaints,

and clarify the jurisdictions of election commissions and courts. For this purpose, a three-tier complaint process has been established where appeals must first be submitted to the election commission at the level on which the irregularity was noted, and then to courts. In addition, a procedure exists for a third-tier complaint process to question the results of the Parliamentary elections. Also, simple errors in filing complaints can no longer be cited to consider complaints inadmissible, and applicants will be given an opportunity to correct such errors.

### *Media Coverage*

According to the EOM, the Georgian Public Broadcaster as well as the private TV channels Rustavi 2 and Mze clearly favored Mr. Saakashvili during the Presidential election campaign, both in terms of positive coverage and airtime. Meanwhile, the Imedi TV and Kavkazia channels provided platforms for the main opposition candidates. The problems in Imedi's operation, both in the aftermath of the state of emergency in November and in its suspended broadcasting due to alleged pressure by both its owner (oppositional business tycoon Badri Patarkatsishvili, who died in late January) and the authorities, did serve to reduce critical media coverage. Coverage was however considered more balanced during the last two weeks of the campaign. While all qualified candidates were provided free air time in both public and private media, paid airtime was very expensive, a fact effectively benefiting Mr. Saakashvili's campaign. The EOM called for more balanced and factual coverage in public TV, clarifications in legal criteria for election subjects to receive free air time, and monitoring by the CEC of provisions of free and paid air time by TV channels. For paid air time, rates should be at the same level as commercial advertisement. It was also urged that media should not be held liable for broadcasting unlawful statements made by candidates or party representatives.

The government appeared unwilling to modify current regulations on media coverage and referred to Georgian law, which already allows all qualified candidates free airtime in public and private broadcasting (1 min per hour and 90 sec per 3 hours, respectively). Further, all broadcasters are obliged to hold regular debates with equal representation of all political actors. Currently, two political talk shows per week are held on the Public Broadcaster and four per week on the main private channels.

## Conclusions

Ahead of the 2008 Parliamentary Elections, the Georgian government has taken steps to improve the legal framework for the elections and the election administration, meeting several of the recommendations provided after the Presidential election. As noted in the first interim report issued by the OSCE/ODIHR Election Observation Mission, significant improvements include an improved inclusiveness and transparency for candidate registration, along with a lowered threshold for entering Parliament. Regarding the election administration, work to improve the effectiveness and transparency of the CEC is noted, although this was in part overshadowed by the controversy surrounding the submission of the ruling party's candidate list. Other improvements comprised multi-party representation also at the DEC level, the provision of more legal staff to the CEC and DEC, and training of DEC and PEC members. The system for filing, administering, and responding to complaints has been improved, although the EOM questions a shortened deadline for appeals.

Nevertheless, shortcomings still exist. The EOM interim report notes as problematic that the remaining potential use of administrative resources by high officials, and that opposition parties remain under-represented on DEC and PEC managerial positions. While instances of alleged intimidation are still being reported, domestic observers report a decrease in such instances compared to the Presidential election campaign. The 15 minute restriction on CCTV footage appears as an unnecessary limitation to the use of this material. Finally, the late and highly controversial amendments to the election system, especially the increase in single mandate constituencies, were taken without consultation and consensus, and the considerable difference in the number of voters in these constituencies could be considered a challenge to the equality of the vote. The increase of single mandate MPs



from 50 to 75 is also widely viewed as being in the ruling UNM's favor.<sup>5</sup>

Thus, while the authorities have sought to implement several important recommendations from previous observer missions, these have been accompanied by the introduction of standards which could reinforce its position ahead of the elections. The deep polarization in Georgian politics have prevented amendments based on broader consensus between political parties, ensuring that the election results will be questioned by the opposition based on election practices alone.

The process leading up to the May 21 parliamentary elections are a testimony to Georgia's determination to proceed with democratic reform in its ambitions for Euro-Atlantic integration, but also to the remaining challenges facing a nascent post-Soviet democracy whose very viability as a state was called into question only five years ago. Indeed, Georgia has already moved past the level of freedom and fairness expected in post-Soviet elections, and has come to be judged by different standards. As a country actively seeking membership in NATO, Georgia has now by its own choice come to be judged by different and higher standards than most other post-Soviet states – in fact, it is no measured against the standards of the new mainly Central and Eastern European member states of the EU and NATO. While this in itself indicates, how far Georgia has come, it also implies that the country's remaining shortcomings, stemming in part from the Soviet legacy, will be that much more visible.

Georgia's democratic development is giving the country a markedly non-Soviet character, although traces of the Soviet past remain in its bureaucracy and its institutions. Given the rapid character of its transition, it is nevertheless only to be expected that more time will be necessary for the consolidation of Georgia's democracy.

Assessing Georgia's medium term prospects of consolidating democracy, the deep polarization of its politics and its precarious security environment in fact appear more worrisome than the albeit important facets of its electoral system and reform. Indeed, if not overcome, the deep polarization and antipathy characterizing relations between government and opposition will

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<sup>5</sup> These assessments are given in OSCE/ODIHR Election Observation Mission to Georgia, Parliamentary Elections 2008, "Interim Report No. 1", 10-25 April 2008.

pose a major obstacle to the development of a culture of compromise and dialogue that is a prerequisite for a healthy democracy. Both the government and the opposition share the blame for this state of affairs; while the government's responsibility are heavier due to incumbency and its control over the state apparatus, it is also imperative to stress the importance of the opposition taking on its democratic responsibility. Reducing this polarization and working to build a culture of dialogue and compromise rather than seeking short-term narrow political gains will be a major task both for Georgia's political actors and its international partners in the future.

Secondly, the deteriorating security environment in Georgia, with increasingly active and hostile Russian steps to undermine its sovereignty and territorial integrity, also undermines the conditions for a consolidated democracy. Democracy cannot thrive if a country's very sovereignty is in question, and the international community's tolerance of Moscow's bullying will have implications for the viability of democratic principles in the region. It should not be forgotten that it is not only the pro-western orientation of Georgia and Ukraine that are perceived as a threat by the Russian ruling elite around Vladimir Putin; indeed, it is in equal measure their democratic development that is seen as a danger to the Kremlin's interests.

## Authors' Bio

**Niklas Nilsson** is a Researcher with the Stockholm office of the Central Asia-Caucasus Institute & Silk Road Studies Program Joint Center, focusing on ethnic relations and political development in the South Caucasus. He is project coordinator of the Joint Center's project on national integration in Georgia. He is the author of several articles and publications on Caucasian affairs.

**Svante E. Cornell** is Research Director of the Central Asia-Caucasus Institute & Silk Road Studies Program Joint Center, and a co-founder and Director of the Institute for Security and Development Policy. He is the author or editor of five books and fifty articles on politics and regional security in Eurasia, with a specific focus on the Caucasus.