



Office for Democratic Institutions and Human Rights

GEORGIA

PARLIAMENTARY ELECTIONS 26 OCTOBER 2024

ODIHR NEEDS ASSESSMENT MISSION REPORT 20-24 May 2024



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28 June 2024

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I. INTRODUCTION

Following an invitation from the authorities of Georgia to observe the 26 October 2024 parliamentary elections, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) to Tbilisi from 20 to 24 May. The ODIHR NAM included Meaghan Fitzgerald, ODIHR Head of Election Department, Vladimir Misev, ODIHR Senior Adviser on New Voting Technologies, and Kseniya Dashutsina, ODIHR Election Adviser. The NAM was joined by Tim Knoblaue, Senior Programme and Administrative Officer of the OSCE Parliamentary Assembly.

The purpose of the mission was to assess the pre-election environment and the preparations for the parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions, as well as with representatives of political parties, media, civil society, and international organizations. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and share their views.

II. EXECUTIVE SUMMARY

In line with the Constitution, the parliamentary elections will be held on 26 October 2024. Voters will elect 150 members of parliament for four-year terms under fully proportional election system for the first time. The pre-election environment is characterized by continued political tensions, entrenched polarization and fragmentation of the opposition, and large-scale public demonstrations, most recently against the shrinking space for civil society, prompted by the adoption of the Law on Transparency of Foreign Influence.

Elections will be held under a significantly revised legal framework, with the last amendments tabled in May 2024. The 2022 amendments were adopted following inclusive public discussions and were broadly accepted and introduced among others electronic vote counting. However, the 2023 and 2024 amendments, including those related to the selection and decision-making of the Central Election Commission (CEC), and removal of gender quotas and other changes in the candidates' lists were widely criticized by the majority of ODIHR NAM interlocutors. Several ODIHR NAM interlocutors also voiced concerns that the legislation is frequently amended with most changes introduced through expedited processes in a close proximity to the elections, often in a rushed and non-inclusive manner and to the benefit of the ruling party. While authorities stated that the changes were done with the aim to improve electoral process, many ODIHR NAM interlocutors noted the electoral legal framework requires comprehensive review to address outstanding ODIHR recommendations.

Elections will be administered by three levels of election administration, headed by the CEC. The CEC has commenced election preparations, and issued a number of decisions related to these elections, and is conducting a large-scale training and certification of staff, as well as voter

information campaign. Many ODIHR NAM interlocutors stated that recent changes in the appointment mechanism of the CEC Chairperson and other non-partisan members, coupled with the switch to simple majority in the CEC decision-making might undermine trust in its independence and impartiality. Several stated that non-partisan members of election administration at all levels are traditionally supporting the ruling party, resulting in an unbalanced representation of parties in the election administration. The CEC stated its readiness to conduct the elections in line with international democratic standard, and informed ODIHR NAM that it is often faced with disinformation campaigns aimed at damaging its reputation.

For the first time, following the 2022 amendments to the Election Code, the identity of some 90 percent of voters will be verified by electronic equipment, and ballots counted by optical scanners. The law also increased the maximum number of voters to 3,000 in these polling stations. The CEC has conducted eight pilots in the last six years followed by a large-scale voter information campaign on the use of new technology. Most ODIHR NAM interlocutors supported this as a measure to enhance confidence in election day proceedings and to exclude the possibility for manipulation and human error, but several stated that lack of experience in the use of the technology and the increased number of voters per polling station might create overcrowding issues and questioned the choice of where the new technology will not be used. Some ODIHR NAM interlocutors voiced concerns over the lack of an independent external audit of the new technology.

The right to vote is granted to all citizens over 18 years old. The CEC has the responsibility to compile the final voters lists based on the civil registry database maintained by the Public Service Development Agency (PSDA). Due to the introduction of equipment for voter verification in most polling stations, only voters with electronic IDs or passport holders are eligible to vote. From 1 July 2024, laminated ID cards issued before July 2011 will no longer be valid, and the PSDA is replacing old documents free of charge. As of May 2024, the number of registered voters is 3,384,762. Most ODIHR NAM interlocutors did not raise concerns about the accuracy of the voter lists.

Candidates can be nominated either by political parties represented in parliament or parties that have collected the required number of support signatures. Under the new fully proportional system, independent candidacy is not allowed, contrary to OSCE commitments. To participate in the elections, parties must first register with the CEC. All political parties met by the ODIHR NAM stated their intention to nominate candidates. Women remain underrepresented in public and political life with only 27 of the current 139 MPs and 3 out of 64 elected mayors being women. Following the 2024 amendments, which removed special legislative measures to promote women's participation, party lists are no longer required to comply with gender quotas. Several parties stated that regardless of this they will try to keep to internal gender quotas voluntarily.

The law stipulates equitable campaigning conditions, including access to public premises and places for posting campaign materials. Political parties met by the ODIHR NAM intend to use a mix of traditional and new, online methods of campaigning. A number of ODIHR NAM interlocutors voiced concerns over the use of negative campaigning tactics, aggressive and offensive rhetoric and stated that they are currently the subject of violence or intimidation. Most representatives of opposition parties informed the ODIHR NAM that they or their members are threatened and fear for their physical safety, including their family members, and stated that this might hinder their ability to campaign freely and safely. Further concerns were expressed by many ODIHR NAM interlocutors about possible voter intimidation and vote buying, including undue influence on civil servants, and the misuse of state resources, and potential inaction of law-enforcement to address these violations.

The law provides for private and public funding for election contestants. The 2023 amendments banned donations from legal entities and reduced the expenditure cap. In 2023, functions of campaign

finance oversight were transferred from the State Audit Office to the newly-established Anti-Corruption Bureau (ACB). The ACB informed the ODIHR NAM that it plans to verify the financial reports by monitoring the campaign in the media, conducting field visits and working with political parties and civil society organizations (CSOs). Several ODIHR NAM interlocutors raised concerns over the appointment mechanism of ACB management, its impartiality and the overall comprehensives and effectiveness of the campaign finance oversight.

The media landscape reflects political polarization and a high number of media outlets operate in a limited advertising market. According to many ODIHR NAM interlocutors, content diversity is hindered by strong dependence on business and political interests. Several ODIHR NAM interlocutors underlined growing concerns over threats, intimidation and violence against journalists, and impunity for crimes against them. The law stipulates that both public and private broadcasters should ensure pluralistic and non-discriminatory coverage of all relevant views in their news programs. The Georgian Public Broadcaster plans to cover the elections extensively, including through various programmes and debates between contestants, and voter education spots, also in minority languages. The oversight of broadcast media, including during the election campaign, is exercised by the Communications Commission (ComCom). The ComCom plans to issue media guidelines, conduct both qualitative and quantitative monitoring of over 50 TV and radio channels, and publish three reports for these elections.

By law, citizen observer organizations and international organizations, as well as representatives of contestants can observe elections. Several CSOs informed the ODIHR NAM of an alarming rise in pressure, physical, as well as verbal attacks towards them, including by representatives of the ruling party. Several CSOs which traditionally conduct long-term and election day observation and other interlocutors informed the ODIHR NAM that adoption of the Law on Transparency of Foreign Influence will result in labelling CSOs as ‘representing the interests of foreign powers’, create an atmosphere of mistrust and hostility and will negatively impact their ability to operate and conduct election observation.

Election related disputes are resolved by election commissions and the courts and the law establishes expeditious deadlines. Following the June 2021 amendments, complaints can be filed electronically, and hearings can be held on-line. The CEC maintains a publicly available database of the complaints filed to election commissions and the courts, and courts consider electoral disputes in open hearings. Several ODIHR NAM interlocutors expressed a lack of confidence in the effectiveness of electoral dispute resolution bodies to impartially and effectively handle election-related complaints.

All ODIHR NAM interlocutors underlined the need of an extensive presence of an ODIHR election observation activity due to the strong political polarization as well as the concerns elaborated above, and viewed observation by ODIHR as a means to promote confidence in the electoral process. All ODIHR NAM interlocutors welcomed external scrutiny of the revised legal framework and its implementation, the overall conduct of the elections and the wide use of the voting technologies. Many ODIHR NAM interlocutors expressed concerns over the ability to freely and safely campaign, and with regard to voter intimidation, the potential misuse of administrative resources and vote buying.

Based on this, the ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the upcoming parliamentary elections. In addition to a core team of experts, the ODIHR NAM recommends the secondment of 28 long-term observers from OSCE participating States to follow the electoral process countrywide, and 350 short-term observers to follow election day proceedings. In line with ODIHR’s standard methodology, the EOM would include a media monitoring element.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

In line with the Constitution the parliamentary elections will be held on 26 October 2024 under a fully proportional election system for the first time. Legislative power is vested in the parliament. Following the 2017 constitutional amendments, which concluded the shift from a presidential to a parliamentary system initiated in 2010, the current President Salome Zourabichvili is the last directly elected president.¹

The Georgian Dream (GD) party has governed the country since 2012 with a strong majority control of the political landscape. In the last parliamentary elections held in 2020, the GD won a constitutional majority, with 90 out of 150 members of parliament (MPs), and opposition election bloc-United National Movement (UNM) – United Opposition “Strength is in Unity” won 35 seats.² The 2021 local elections further consolidated the position of the ruling party, with GD winning 63 out of 64 mayoral elections.

Pre-election preparations occur amidst continued political tensions, entrenched polarization and with efforts of the fragmented opposition to unite. In 2023, large-scale public demonstrations took place protesting the adoption of the Law on Transparency of Foreign Influence.³ On 6 March 2023 the draft law was withdrawn. In December 2023 Georgia received EU candidate status.⁴ In April 2024, the law was reintroduced and adopted on 28 May 2024, after overriding the presidential veto. A number of domestic civil society and international organizations, including ODIHR, condemned the adoption of the law due to its possible negative impact on freedom of association and expression.⁵ Several ODIHR NAM interlocutors stated that the adoption of the law is being used as a campaign tool, and is an effort to discredit critical civil society and media ahead of the elections.

¹ The president serves as commander-in-chief and appoints the commander of the armed forces, represents the country abroad, makes certain appointments in the judiciary and holds a legislative veto. From 2024, the president will be elected by the 300-member Electoral College, consisting of all members of Parliament and of the supreme representative bodies of the autonomous republics of Abkhazia and Adjara, and members from the representative bodies of local self-governments.

² Other mandates were distributed as follows: European Georgia (EG), 5; Lelo, 4; Strategy Aghmashenebeli (SA), 4; Alliance of Patriots (AoP), 4; Girchi, 4; Citizens, 2; and Labour Party (LP), 1. Currently, there are only 139 MPs in Parliament due to various reasons. Following the first round of the 2020 parliamentary elections, the opposition rejected the results, alleging fraud, and boycotted the second round. Opposition parties refused to take their seats in the parliament, demanding new elections, but following a negotiation mediated by the European Union, an agreement on electoral and judicial reform was reached and most opposition members took their mandates in parliament. GD later withdrew from the agreement, stating that they had fulfilled each clause and that a number of opposition MPs did not sign the agreement.

³ The Law introduces new registration, reporting and public disclosure requirements for CSOs, media, including Internet media that receive more than 20 per cent of their non-commercial revenue from foreign or unidentified sources. In addition, special oversight and sanctions are introduced. Pursuant to the Law, these entities should be registered as “organizations pursuing the interests of a foreign power”.

⁴ Georgia applied for EU membership in March 2022. The candidate status is based on the understanding that the country takes the relevant steps as set out in the EU Commission [recommendations](#).

⁵ See [Statement](#) of Director of ODIHR which calls on Georgian authorities to reconsider this legislation. See ODIHR’s Urgent [Opinion](#) on the Law of Georgia “On Transparency of Foreign Influence. See the Council of Europe Venice Commission Urgent [Opinion](#). The Council of Europe’s Commissioner of Human Rights stated that the law would have a chilling effect on media outlets and civil society. On May 15, the Secretary General of the Council of Europe voiced concerns that the law was adopted in the final reading taking into account the concerns expressed by the international partners of Georgia about the law’s incompatibility with EU standards.

In October 2023, the GD launched unsuccessful impeachment procedures against the president arguing that she held meetings outside of the country without prior authorization from the government. The Constitutional Court ruled that the president had violated the Constitution.⁶ On 26 May the president stated that the upcoming elections are a referendum about the future of the country, announced the creation of a roadmap “Georgian Charter” for resolving the political crisis on the path to EU integration, and called for unity of opposition parties around it in the upcoming elections.⁷

Women remain underrepresented in public and political life. Only 27 of the current 139 MPs and 3 out of 64 elected mayors are women. Gender quotas were introduced in 2020 and in 2023 the Parliament extended the application of the gender quotas to 2032 parliamentary elections.⁸ However, in April 2024, the Parliament abolished the quotas and the mechanism for additional financial incentives to parties for including women candidates.⁹ Members of the ruling party informed the ODIHR NAM that gender quotas are a form of positive discrimination and the quota already achieved its main task. Several other ODIHR NAM interlocutors questioned the timing of the amendments, and stated that it will negatively impact gender representation in the parliament. Some noted that removal of the quotas shortly before elections might affect women who relied on this mechanism to participate in the upcoming elections.¹⁰

ODIHR has previously observed 17 elections in Georgia.¹¹ Most recently ODIHR deployed an Election Observation Mission for the 2 October 2021 local elections. The final report, issued in April 2022, contains 20 recommendations, including 7 priority ones, for the authorities to improve electoral process and bring it closer in line with OSCE commitments.¹²

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The elections are primarily regulated by the 1995 Constitution, the 2011 Election Code, the 1997 LPU, supplemented by regulations of the Central Election Commission (CEC).¹³ Elections will be held under significantly revised legal framework, which was frequently amended, with most recent amendments tabled in May 2024. Several ODIHR NAM interlocutors stated that the legislation is frequently amended with most changes introduced through expedited processes in a close proximity to the elections, often in a rushed and non-inclusive manner and to the benefit of the ruling party. While authorities stated that the changes were done with the aim to improve electoral process, many

⁶ See Decision of the Constitutional Court No 3/3/1526 of 25 September 2020, para. 58. The Constitutional Court considered as unconstitutional the application of a gender quota with respect to men, which led to amendments Article 203 (2) in February 2023 to specify that every fourth person on the party lists for the parliamentary elections should be “a woman” and not “a person of another sex”.

⁷ The signatories would commit to fulfil its objectives during the spring session of the next parliament and upon their completion set early parliamentary elections with the technical, non-partisan government proposed by the president.

⁸ The quota was also to be increased to one woman in every three nominees for the 2028 parliamentary elections.

⁹ According to most of the ODIHR NAM interlocutors the deal included support for the GD proposed candidate for the position of the CEC Chairperson. On 18 April, the president unsuccessfully vetoed the amendments. The president stated that abolition of gender quotas is a step backwards, as the issue of gender quotas was one point of the twelve-point plan established by the EU Commission and was considered as fulfilled.

¹⁰ The Ombudsperson [stated](#) that “with the planned legislative changes, we are ignoring the results of the long struggle of women and worsening the existing mechanisms for achieving equality.” Eighty CSOs signed a statement and pointed out that abolition of quotas violates the Constitution and hinders European integration.

¹¹ See previous ODIHR election-related reports on [Georgia](#).

¹² In paragraph 25 of the 1999 [OSCE Istanbul Document](#), OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

¹³ Other applicable provisions are included in the 2004 Law on Broadcasting, the 1999 Criminal Code, the 1984 Administrative Offences Code, the 1999 Administrative Proceedings Code and the 1999 Administrative Code.

ODIHR NAM interlocutors noted the electoral legal framework requires comprehensive review to address outstanding ODIHR recommendations.

The most recent 2024 amendments made changes in the decision-making of the CEC, abolished the CEC advisory council, removed gender quotas, allowed political parties to designate delegates of voters registered in an electoral district, and decreased the number of candidates on party list from 60 to 30.¹⁴ The earlier 2024 changes revised the procedure of nomination and selection of the CEC members, cancelled the position of the opposition-represented deputy CEC Chairperson, prohibited donations from legal entities to political parties, and reduced the annual expenditure cap. The changes were considered in an expedited manner without broad public consultations and the recommendations from the ODIHR and Venice Commission joint legal opinion were largely unaddressed prior to adoption.¹⁵ Most of the amendments were vetoed by the president, but the veto was subsequently overridden by the parliament.

The 2022 amendments were adopted following broad consultations and cross-party support and some of them addressed previous ODIHR recommendations. These included introduction of the widespread use of electronic technologies, measures to enhance the impartiality of members of lower-level election bodies and citizen observers, additional grounds for triggering an automatic recount, and adjusted deadlines in the election dispute resolution process.¹⁶

Parties compete in a single country-wide constituency and have to surpass a five per cent threshold to be eligible for the allocation of mandates.¹⁷ Following constitutional changes, it is prohibited to form electoral coalitions (blocks) which coupled with the five per cent threshold according to several ODIHR NAM interlocutors might result in underrepresentation of smaller parties and hinder cross-party cooperation.

C. ELECTION ADMINISTRATION

The elections will be managed by three levels of election administration comprising the CEC, 73 District Election Commissions (DECs) and some 3,030 Precinct Election Commissions (PECs).¹⁸ The election will not be organized in Abkhazia and South Ossetia, not under the control of the central Government of Georgia.¹⁹

Since 2021, the number of commissioners at all levels increased from 12 to up to 17 members: 8 non-partisan and up to 9 appointed by political parties. In electoral periods, the five permanent DEC members are joined by three non-partisan members selected by the CEC, and up to nine DEC members appointed by political parties. The PEC members are selected by the relevant DECs no later than 46 days prior to election day. The 2022 amendments introduced a number of additional requirements for the selection of the PEC members aimed at enhancing their impartiality.

The CEC is composed of not more than 17 members, including the Chairperson, elected for five-year terms. Four CEC members are women. Up to nine of the CEC members are appointed by each of the

¹⁴ Addressing previous ODIHR recommendations was one of the EU conditions for candidate status. On 9 January 2024, the Parliament created working groups to meet the conditions for opening EU accession talks.

¹⁵ See the 2023 ODIHR and Venice Commission Joint [Opinion](#).

¹⁶ See the 2022 Joint [Opinion](#) ODIHR and Venice Commission.

¹⁷ The May 2024 amendments provide an opportunity for political parties to designate their deputies as ‘delegates’ of voters registered in an electoral district. While the ruling party representatives stated that this change will make elected officials more responsive to local constituencies, several ODIHR NAM interlocutors criticized the amendment as potentially confusing to voters as to what electoral system is in place, and a mechanism to keep majoritarian system and exert influence on voters.

¹⁸ The Ministry of Foreign Affairs (MFA) is responsible for out of country voting.

¹⁹ See the European Court of Human Rights (ECtHR) 2024 [judgement](#) in case of Georgia v. Russia (IV).

political parties with parliamentary factions (one member appointed by each faction). The process of nominating and electing the non-partisan members was changed in 2021 with the aim to overcome the political crisis.²⁰ The term of the Chairperson, who had been elected by simple majority for six months, expired in August 2022 and was followed by a period of time when the Parliament was unable to elect a new CEC Chairperson. Amendments to the Election Code in 2023 changed the nomination mechanism by transferring the authority to nominate candidates for the CEC Chairperson and the non-partisan members from the President to the Speaker of Parliament and abolished the position of a Deputy Chairperson nominated by the opposition. On 30 April 2024, the Chairperson of the CEC and three other members were appointed by the parliament, following additional amendments which abolished the previously required anti-deadlock mechanism and allowed for appointment by simple majority if broader agreement on the candidate cannot be reached.²¹

In May 2024 amendments were tabled, changing the requirements for CEC decision-making, to allow for voting on issues with a simple majority, if support of at least two-thirds of the full membership cannot be reached.²² Many ODIHR NAM interlocutors stated that these changes further erode trust in the independence and impartiality of the CEC. Moreover, they stated that non-partisan members of election administration at all levels are traditionally supporting the ruling party, resulting in unbalanced representation of political parties in election administration. The CEC stated its readiness to conduct the elections in line with international democratic standards. It also informed ODIHR NAM that it is often faced with disinformation campaigns aimed at damaging its reputation.

The CEC has commenced election preparations, and issued a number of decisions. It is conducting a large-scale training for election administration officials and requires all its staff to complete a certification process, and commenced an educational project in all 64 municipalities. The training is mainly focusing on the use of technologies in the polling station, election day procedures, secrecy of the vote, and importance of an inclusive environment. The CEC created a working group to promote an equal environment for voters with disabilities.²³

D. ELECTION TECHNOLOGIES

Following the 2022 amendments, some 90 percent of the votes will be counted using electronic ballot counters.²⁴ The results produced by the ballot counters will be considered preliminary, and only the results of the manual count of the votes will be reflected in the final results protocols. The law provides that in polling stations where there are no electronic ballot counters, ballot papers will be counted manually and uploaded by the CEC on the Google platform within two days. The law also increased the maximum number of voters allowed to 3,000 voters in the polling stations where the elections will be held by electronic means, instead of 1,500 in other polling stations. Several ODIHR

²⁰ The amendments provided for the President to nominate one candidate to fill each of these vacancies for election by Parliament. Under the 2021 amendments, each CEC member and the Chairperson were elected by the Parliament with two-third majority and with a final anti-deadlock mechanism of a simple majority vote of all MPs. The term of office of a member or Chairperson elected by less than two-third majority was limited to six months.

²¹ The terms of other five non-partisan CEC commissioners are due to expire in 2025.

²² The amendments also abolished the CEC advisory council composed of a representative of the Public Defender's office and international and local experts selected by election observation organizations, which was mandated to submit recommendations on the dispute resolution process to the CEC and to carry out additional functions such as engagement in the process of recounting election results. These amendments are pending adopting in the view of the veto of the president.

²³ The law provides rules for the participation of wheelchair users.

²⁴ Devices will be used in 2,262 out of 3,030 polling stations, and traditional voting will occur in 768 polling stations. These polling stations will be also equipped voter verification and identification devices.

NAM interlocutors stated that due to the lack of experience in the use of the technology, the large number of voters might create overcrowding.

The CEC has conducted eight pilots of the technology in different types of elections across multiple electoral districts in the last six years.²⁵ The CEC carried out a tender procedure and purchased 4,865 optical scanners, and 7,526 voter identification devices, and identified a private vendor, Smartmatic, to be responsible for delivery, and servicing of the machines. It has started a large-scale voter information campaign on the use of new technology and voter awareness.²⁶ Most of ODIHR NAM interlocutors supported the introduction of the technology as a measure to enhance confidence on election day and exclude possibility for manipulation and human error. However, a number of ODIHR NAM interlocutors voiced concerns over the lack of an independent external audit of the software operating the counting scanners, with the participation of all political parties. According to the CEC, an audit was conducted by a company selected by the CEC which concluded that all electronic hardware and software are in compliance with international standards, national legislation and technical specifications.²⁷

E. VOTER REGISTRATION

The right to vote is granted to all citizens over 18 years old. Those serving a sentence for a particularly grave crime and those who have been declared legally incapacitated by a court decision and placed in an inpatient care are disenfranchised.²⁸ Voter registration is passive, centralized and continuous. The CEC has the responsibility to compile the final voters lists based on data from the civil registry database maintained by the Public Service Development Agency (PSDA), updated on a quarterly basis, as well as prior to elections. Since 2013, the PSDA conducts a project to clean the civil registry, including by removing duplicates, and identifying the deceased voters.²⁹

Following the 2022 amendments, which introduced equipment for voter verification and identification, only voters with electronic IDs or passport holders are eligible to vote. From 1 July 2024, laminated ID cards issued before July 2011 which have no expiration date will no longer be valid.³⁰ The PSDA is conducting an information campaign to replace old documents, and these are issued free of charge from 15 March. By now, some 61,030 citizens have exchanged their documents. The PSDA is co-operating with the State Ministry for Reconciliation and Civic Equality to inform and assist citizens residing in Abkhazia and South Ossetia to replace their documents.

As of May 2024, the number of registered voters is 3,384,762. Voters have multiple options to check their data, including at government service centres throughout the country, PSDA offices and online. PECs should post voter lists for public scrutiny once they are established. Most ODIHR NAM interlocutors did not raise concerns about the accuracy of voter lists.

²⁵ On 1 October 2023, parliamentary and mayoral by-elections were held. A total of 103 polling stations used new electronic equipment for voter verification and vote counting.

²⁶ Starting in 2023, more than 3,000 informative meetings have been organized throughout the country. Demonstrations of electronic devices are also regularly being held in public spaces. Voters can also take part in a simulation of using the technology on the CEC website.

²⁷ See audit [report](#) (in Georgian) produced by a company "Pro V&V" and published on the CEC website. The CEC further informed the ODIHR NAM that they held an open briefing on the audit and invited all electoral stakeholders.

²⁸ Particularly serious crime refers to those convicted to 10 years or more, and life sentence.

²⁹ According to PSDA, to identify entries of deceased citizens, they analyse data of citizens who have not used social services for a certain time, cooperate with relevant ministries for exchange of the data.

³⁰ The relevant legislation was amended in 2024 and according to PSDA, 260,729 hold these ID cards.

F. CANDIDATE REGISTRATION

The right to stand is granted to voters over 25 years of age who resided in Georgia for at least 10 years. Candidates can be nominated either by parliamentary political parties or parties that have collected the requisite number of support signatures.³¹ Under the new fully proportional system, independent candidates cannot stand for the parliamentary elections, contrary to OSCE commitments. To participate in the elections, parties must first register with the CEC. Parties that have an MP at the time of calling elections have to submit their application no later than 57 days before election day. According to the CEC, 13 parties are exempt from signature collection for these elections. Other parties have to apply between 1 January to 15 July, and submit over 25,000 support signatures no later than 1 August. All political parties met by the ODIHR NAM stated their intention to nominate candidates. Several parties stated that regardless of recent removal of gender quotas they will try to keep to internal gender quotas voluntarily.

G. ELECTION CAMPAIGN

The official campaign period begins 60 days prior to election day, and the law stipulates equitable campaigning conditions, including access to public premises and places for posting campaign materials. The misuse of administrative resources, including campaigning by public employees during work hours, and vote-buying are prohibited. The 2022 legislative changes aimed at strengthening the framework to effectively combat the misuse of administrative resources.³² According to several ODIHR NAM interlocutors, several shortcomings in the legal framework for prevention of misuse of administrative resources, including official positions, remain.³³

Political parties met by the ODIHR NAM intend to use a mix of traditional and online campaign methods. According to the ODIHR NAM interlocutors, the campaign is expected to centre around topics related to the geopolitical future of the country, foreign policy, economy, employment, corruption, judicial and law-enforcement reform. A number of ODIHR NAM interlocutors voiced concerns over the use of negative campaigning tactics, aggressive and offensive rhetoric, and stated that they are currently the subject of violence or intimidation. Most opposition parties informed the ODIHR NAM that they are threatened and fear for their physical safety, including that of their family members, and stated that this might hinder their ability to campaign freely and safely.³⁴ Further concerns were expressed about possible voter intimidation and vote buying, including the undue influence on civil servants, and the possible misuse of state resources, and potential inaction of law-enforcement.³⁵

³¹ Most high-level public officials are required to resign within two days from nomination as a candidate.

³² Amendments to the Election Code revised the fine for the offence of misuse of administrative resources or the exercise of official duties or capacity during election campaigning, from GEL 2,000 to 4,000, and introduced a three-year limitation period for the imposition of liability for the offences of misuse of administrative resources or official position in an election campaign.

³³ The April 2021 ODIHR and Venice Commission Joint [Opinion](#) highlighted the need to address online social media campaigning by public servants during working hours, and the use of official government webpages for campaign purposes.

³⁴ State authorities later informed ODIHR that representatives of GD and their families have similar concerns.

³⁵ In July 2022, the Office of the Prosecutor General launched an investigation following the publication of documents pointing to possible cases of large-scale electoral malpractice, including vote-buying by civil servants and pressure on voters involving the security services. This has not so far led to criminal prosecutions against any individual.

H. CAMPAIGN FINANCE

The campaign finance is regulated by the LPU and the Election Code, supplemented by regulations of the Anti-Corruption Bureau (ACB). The legislation was amended in 2023 to prohibit donations from legal entities and reduce the annual party expenditures cap.³⁶ On May 29 2024, amendments introduced in the Law On Political Associations of Citizens granted the ACB the authority to request the National Agency of Public Registry to de-register a party for non-compliance with legal requirements.³⁷

The law provides for private and public funding for election contestants. Political parties who received at least 1 per cent of the votes in the last parliamentary elections qualify for state funding.³⁸ The 2022 amendments to the LPU deny state funding to a political party that did not take up at least half of the parliamentary mandates they won, and suspend funding of a party for six month in case half of its members do not attend parliamentary sessions without a good reason. Out of 14 parties which initially qualified for state funding following 2020 parliamentary elections, two lost the right to receive it following these amendments.³⁹

Any citizen may donate up to GEL 60,000 annually to one or more parties or candidates. In-kind donations are permitted and parties may receive loans up to one million GEL.⁴⁰ Some ODIHR NAM interlocutors stated that upper limits imposed on donations often encourage parties to circumvent the law to receive required funding. Expenditures incurred by third parties for specific contestants should also be reported by the contestants and counted towards the overall limit.

In September 2023, functions of campaign finance oversight were transferred from the State Audit Office to the ACB, which was established in November 2022. The ACB is also mandated to monitor assets of public officials to prevent corruption, most opposition MPs the ODIHR NAM met with said they have been questioned by the ACB.⁴¹ By law, interim campaign finance reports must be submitted to the ACB every three weeks from the call of the elections. The ACB does not have powers to conduct criminal investigations and can only impose sanctions for campaign violations and request information through a court decision. The ACB plans to publish financial declarations and donations on its website, but there is are no legal provisions requiring the ACB to publish its conclusions before election day. The ACB informed the ODIHR NAM that it plans to verify the financial reports by monitoring the campaign in the media, conducting field visits and working with political parties and CSOs. Several ODIHR NAM interlocutors raised concerns over the independence and impartiality of the ACB due to appointment mechanism of its management, and stated that coupled with lack of its investigative functions, effectiveness of campaign finance oversight might be undermined.⁴²

³⁶ The limit was reduced from 0.1 per cent of GDP to 0.04 per cent of GDP for the previous year and includes expenditure of their candidates during the campaign.

³⁷ On 8 April, the National Agency of Public Registry of the Ministry of Justice cancelled the registration of the Conservative Movement/Alt-Info party based on a requested from Anti-Corruption Bureau which argued that documentation submitted by the leadership of the party in 2021 did not comply with the law. On 25 April, the CEC suspended registration of the Georgian Idea party (founded by Conservative Movement/Alt-Info party) for the upcoming elections.

³⁸ For each of the first 50,000 votes parties receive GEL 15 and additional GEL 5 for each vote above that. One Euro equals approximately 3.1 GEL.

³⁹ State funding to all eligible parties totals GEL 12,560,815. See [distribution](#) of state funding by political parties. Foreign, public-funded, religious, and anonymous donations are not allowed.

⁴¹ According to the ACB, individuals defined by law receive a letter regarding any discrepancies found in their declarations, as a part of the monitoring of asset declarations by public officials, in order to allow them to present their position on the identified discrepancies.

⁴² The chairperson of the Anti-Corruption Bureau is appointed by the Prime Minister for six years, based on a decision of a competition commission comprising of officials of different state agencies.

I. MEDIA

The media landscape reflects the political polarisation and a high number of media outlets operate in a limited advertising market. Television remains the primary source of information, followed by social networks.⁴³ The Georgian Public Broadcaster (GPB) and private TV stations, including *Imedi*, *Rustavi 2* and *Mtavari Arkhi*, dominate the commercial media market.⁴⁴ According to many ODIHR NAM interlocutors, content diversity is hindered by strong dependence on business and political interests.⁴⁵ Several ODIHR NAM interlocutors underlined growing concerns over threats, intimidation and violence against journalists, and impunity for crimes against them.⁴⁶ In 2023, Parliament amended the rules of Accreditation of Mass Media Representatives in the Parliament, and obliged media to stop an interview if an MP, staff member, or guest refuses to proceed.⁴⁷

The Constitution guarantees freedom of speech and press and prohibits censorship. The Law on Broadcasting stipulates that both public and private broadcasters should ensure pluralistic and non-discriminatory coverage of all relevant views in their news programs. During the campaign, public and private broadcasters are obliged to allocate free airtime for election advertisements of ‘qualified’ election subjects and to provide them with equal conditions for paid advertisements.⁴⁸ During the official campaign period, broadcasters can change advertisement prices only once. Media campaigning of one electoral subject for the benefit of other contestants is prohibited. Some ODIHR NAM interlocutors stated that the existing system for allocation of free air-time limits the campaign opportunities of smaller parties.

The GPB is legally required to offer equal airtime to all contestants and organise debates with ‘qualified’ subjects. The GPB mentioned plans to cover the elections extensively, including through various programmes and debates between all contestants and their representatives, as well as voter education spots, also in minority languages.

The oversight of broadcast media is exercised by the Communications Commission (ComCom), comprised of five members appointed for a six-year term.⁴⁹ The ComCom supervises the respect of the legal framework for election coverage by broadcasters, reacts to violations and can recommend sanctions for noted violations, which can be imposed based on a court decision. In general, complaints against broadcasters are considered by their own self-regulation bodies. The ComCom is finalizing guidelines on media conduct for the upcoming elections, which will cover issues of pre-election advertisement, debates, opinion polls, and detail ComCom’s decision-making. The ComCom

⁴³ According to a [survey](#) of the National Statistics Office in 2023, 89.0 percent of Georgian households have internet access, which is 0.6 percentage points higher compared to the previous year.

⁴⁴ The media includes 110 television channels, including some 21 national broadcasters, 54 radio broadcasters and 7 national print publications.

⁴⁵ In Reporters Without Borders’s 2024 World Press Freedom Index, Georgia dropped by 26 points, and now out of 179 countries Georgia is [ranked](#) 103rd, as compared to 77th in 2023, and 60th in 2020. According to Freedom House’s Nations in Transit, the [rating](#) of independent media is 2.00 in 2024.

⁴⁶ See the 2023 EU Commission [Report](#) noting intimidation, physical and verbal attacks on media professionals, especially in the context of demonstrations and election rallies. The 2022 [Resolution](#) of the European Parliament expressed concerns over the substantial deterioration of the media situation and the safety of journalists.

⁴⁷ Since the adoption of these rules, parliament suspended accreditation of a number of journalists. On 6 June, the Georgian Charter of Journalistic Ethics issued a [statement](#) underlining that these provisions are misused as a punitive tool against critical media.

⁴⁸ ‘Qualified’ subjects are those that that received at least three per cent of votes in the last parliamentary or local elections. All national broadcasters are obliged to allocate at least 7.5 minutes every 3 hours from the 50th day before the election until the election day during the general election campaign for free advertising of those election subjects that receive state funding. Public broadcasters are obliged to provide five minutes of free pre-election advertisement for every hour from the 50th day until the election day during the election period.

⁴⁹ In 2023, the Chairperson of ComCom was re-elected for his third three-year term.

informed the ODIHR NAM that it plans conduct both qualitative and quantitative monitoring of over 50 TV and radio channels, and publish two reports out of which one will be published prior to election day.⁵⁰ The 2023 amendments to the Law on Broadcasting allow the ComCom to fine media outlets for broadcasting ‘obscenity’.

J. ELECTION DISPUTE RESOLUTION

Election related disputes are resolved by election commissions and the courts. Contestants and civil society organizations can file complaints on all aspects of the electoral process, but voters can only file complaints on their own voter registration and voting rights. The Election Code establishes an expeditious dispute resolution process for complaints and appeals against election commission decisions. The 2022 amendments decreased the deadlines for the submission and consideration of some election-related complaints and electoral offences, and increased the maximum liability for certain electoral offences.⁵¹ However, the law allows for a 10-day deadline for election commissions to respond to applications requesting the drawing up of certain administrative offence protocols, and for the court to make a decision on such protocols, which some ODIHR NAM interlocutors considered unduly long. Following the June 2021 amendments, complaints can be filed electronically, and hearings can be held on-line. The CEC maintains a publicly available database of the complaints filed to election commissions and the courts. Several ODIHR NAM interlocutors expressed a lack of trust in the election commissions, courts, and law enforcement bodies, to impartially and effectively handle election-related complaints, and many expressed concerns with the judicial reform and noted a low level of perceived judicial independence.⁵²

K. ELECTION OBSERVATION

By law, citizen observer organizations and international organizations, as well as representatives of contestants, can observe elections.⁵³ Recent Election Code amendments granted the possibility to civil society organizations to observe the work of the election administration outside of the electoral period, and aimed at excluding party-affiliated individuals from serving as citizen observers.⁵⁴

Several CSOs informed the ODIHR NAM of an alarming rise in pressure, physical as well as verbal attacks towards them, including by representatives of the ruling party. Several observer organizations informed the ODIHR NAM that the adoption of the Law on Transparency of Foreign Influence will result in labelling CSOs as ‘representing the interests of foreign powers’ and create an atmosphere of

⁵⁰ The ComCom reviews any complaints in public sessions, streamed online, within two days.

⁵¹ Amendments introduced a deadline for issuing a decision on whether or not to impose disciplinary liability on a PEC member based on a complaint, specified to be within 15 calendar days instead of a 30-day deadline for the imposition of disciplinary liability from the submission of the applicable complaint. Amendments to the Election Code extend the deadline for appealing a decision/action of a PEC or PEC chairperson, including in response to a complaint, from two to three days and extend the deadline for the DEC to consider such appeals from two to four days.

⁵² In the 2023 [Report](#) on Georgia, the European Commission underlined that notwithstanding the 2023 amendments to the Law on Common Courts further broader reforms to ensure the full independence, accountability, and impartiality of all judicial and prosecutorial institutions need to be undertaken.

⁵³ Citizen observer organizations have to registered at least on year prior to election day in order to observe the elections, have election monitoring or human rights protection in the charter of the organization, and be registered with the CEC of relevant DEC.

⁵⁴ A person cannot be a citizen observer if had been a party-appointed election commission member, election subject, or representative of an election subject in the last two previously held ordinary elections or extraordinary or if was a party donor since the beginning of the year of the last ordinary or extraordinary elections. To verify the information about the donors of the parties, or legal entities the ACB provides the CEC with the possibility of proper access and verification of the electronic data base about the donors of the parties.

mistrust and hostility, which will negatively impact their ability to operate and to deploy observation activities.⁵⁵

IV. CONCLUSIONS AND RECOMMENDATION

All ODIHR NAM interlocutors underlined the need of an extensive presence of an ODIHR election observation activity due to the strong political polarization as well as the concerns elaborated above, and viewed observation by ODIHR as a means to promote confidence in the electoral process. All ODIHR NAM interlocutors welcomed external scrutiny of the revised legal framework and its implementation, the overall conduct of the elections and the wide use of the voting technologies. Many ODIHR NAM interlocutors expressed concerns over the ability to campaign freely and safely, and with regard to voter intimidation, potential misuse of administrative resources and vote buying.

Based on this, the ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the upcoming parliamentary elections. In addition to a core team of experts, the ODIHR NAM recommends the secondment of 28 long-term observers from OSCE participating States to follow the electoral process countrywide, and 350 short-term observers to follow election day proceedings. In line with ODIHR's standard methodology, the EOM would include a media monitoring element.

⁵⁵ Several international organizations issued a joint [letter](#) on the Adoption of the Law on Transparency of Foreign Influence in Georgia.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Lasha Darsalia, First Deputy Minister of Foreign Affairs
Mariam Tarasashvili, International Organizations Department, Head of OSCE Division
Giorgi Archemashvili, Deputy head of Consular Department
Revaz Chkheidze, Deputy Head of Political Department

Parliament

Shalva Papuashvili, Chairman
Levan Makhashvili, Head of Chairman's Cabinet
Anri Okhanashvili, Chairperson of Legal Issues Committee
Levan Kasradze, Head of Judicial Committee Apparatus
Mari Davarashvili, Senior Specialist in the Legal Issues Committee

Presidential Administration

Natia Sulava, Head of the Administration
Vakhtang Gogosadze, Advisor to the President of Georgia on International Relations
Giorgi Mskhiladze, Parliamentary Secretary of the President of Georgia
Ketevan Tatoshvili, Advisor to the President of Georgia - International Organizations and Socio-Economic Matters

Central Election Commission

Giorgi Kalandarishvili, Chairperson
Giorgi Sharabidze, Deputy Chairman
Tamar Kapanadze, Head of International Relations and Protocol Division

Anti-Corruption Bureau

Razden Kuprashvili, Head
Tamta Kachkachishvili, First Deputy Head
Ana Kalandadze, Deputy Head
Ketevan Muradashvili, Head of Political Finance Monitoring Department
Shalva Gedekhauri, Manager of financial analysis of political parties
Giorgi Bagdavadze, Lawyer-analyst

Public Services Development Agency, Ministry of Justice

Ketevan Betlemidze, Chairperson
Khatuna Kasradze, Deputy Chairperson
Vladimer Sichinava, Deputy Chairperson, Director of IT and Systems Department
Davit Gvaramadze, Deputy Chairperson
Khatuna Svanidze, Manager, Project - "Improving Voters' List"
Ana Tsuladze, Chief Specialist, Analytical Unit

Office of the Ombudsperson

Levan Ioseliani, Ombudsperson

Tbilisi City Court

Badri Shonia, Chairperson of the Board of Administrative Affairs
Nino Buachidze, Judge

Political Parties/Groups

Nika Melia, Akhali
Nika Gvaramia, Akhali
Ketevan Turazashvili, Citizens
Alexander Rakviashvili, Girchi
Herman Szabo, Girchi
Zurab Japaridze, Girchi More Freedom
Shalva Papuashvili, Georgian Dream
Khatia Dekanoidze, Eurooptimists
Murad Mikeladze, Eurooptimists
Dima Kvaratskhelia, Eurooptimists
Viktor Maghlakelidze, European Socialists
Giorgi Tsaava, European Socialists
Ekaterine Javakhia, European Socialists
Ana Buchukuri, For Georgia
Ana Natsvlishvili, Lelo – Partnership for Georgia
Lana Galdava, Lelo – Partnership for Georgia
Giorgi Sioridze, Lelo – Partnership for Georgia
Paata Manjgaladze, Reform Group
Giorgi Vashadze, Reform Group
Teona Akubardia, Reform Group
Tariel Nakaidze, Reform Group
Sergo Chikhladze, Reform Group
Levan Bezhashvili, United National Movement
Tina Bokuchava, United National Movement

Georgian National Communications Commission

Ivane Makharadze, Member of the Commission
Kote Koridze, Head of Audiovisual Department
Nino Grdzlishvili, Head of International Relations Department

Media

Tinatin Berdzenishvili, Director General, Georgian Public Broadcaster
Giorgi Gvimradze, Director of News and Current Affairs Department, Georgian Public Broadcaster
Tamta Muradashvili, Director, Mtavari Arkhi TV
Mariam Shavgulidze, Executive Director, Rustavi 2
Irakli Rukhadze, Founder, Imedi TV
Giorgi Laperashvili, Executive Producer, Formula TV
Nodar Meladze, News Anchor, Pirveli TV
Natia Koridze - Managing Director, Civil.ge
Nino Gelashvili, Head Editor, Radio Liberty
Salome Khvedelidze, Project Manager, OC-Media

Civil Society

Nino Dolidze, Executive Director, International Society for Fair Elections and Democracy
Nanuka Kruashvili, Director of the Democratic Institutions Support Program Analyst, Georgian Young Lawyers Association
Eka Gigauri, Executive Director, Transparency International Georgia
Sandro Baramidze, Election Program Manager, Transparency International Georgia
Arnold Stepanian, Chairperson, Public Movement Multinational Georgia

International Community⁵⁶

Representatives of diplomatic missions of the Czech Republic, European Union Delegation, Finland, France, Germany, Greece, Italy, Lithuania, Netherlands, Portugal, Switzerland, Türkiye, United States of America, as well as Council of Europe and USAID.

⁵⁶ The ODIHR NAM extended an invitation to all representations of OSCE participating States resident in Georgia.