

Report on the regional elections and the elections for Head of Republic held in the autonomous region of Adjara (Georgia), 4 November 2001

Rapporteur of the CLRAE Delegation : Mr WHITMORE (UK)

Document adopted by the Bureau of the Congress on 12 December 2001

1. Introduction

Following the invitation by the Adjaran Centre for Democracy and Regionalism, the CLRAE decided to send a delegation to observe the elections in the Autonomous Republic of Adjara, in the State of Georgia, scheduled for 4 November 2001.

The CLRAE observer group consisted of Mr. Keith Whitmore (United Kingdom) and Mr. Joseph Borg (Malta). The delegation was accompanied by Mr. György Bergou and Mr. Mats Lindberg from the CLRAE Secretariat.

The CLRAE delegation wishes to thank Mr. Tsotne Bakuria, Director of the Centre for Democracy and Regionalism and all his staff, for acting as hosts during the observation mission.

In the days preceding the 4 November elections, the delegation met representatives of four out of seven political parties active in Adjara.

On Election Day the delegation was divided into two teams (Mr. Whitmore/Mr. Lindberg and Mr. Borg/Mr. Bergou). The two teams visited some 15 polling stations each, both in the regional capital Batumi and in the areas outside, including the city of Kobuleti. This equalled more than 10 % of the polling stations as their total number was 229.

According to the Adjaran Central Election Commission 17 other representatives had been accredited to observe the elections. Among these were, in addition to the CLRAE, two observers from the Assembly of European Regions, a delegation from the Russian Duma and one team each from the American National Democratic Institute and the International Republican Institute respectively. The OSCE had not been invited to observe the elections.

2. Overall Georgian Political Context, the Autonomous Republic of Adjara and background to the November 4 elections

Georgia comprises three autonomous entities, Adjara, Abkhazia and South Ossetia. Out of those three only Adjara is fully integrated into the Georgian state and it is the only entity in which the authorities have full territorial control. In April 2000 the Georgian Constitution was amended, granting autonomous status to Adjara.

On 8 July 2001 the Supreme Council of the Autonomous Republic of Adjara decided to rename itself Parliament of the Autonomous Republic of Adjara. The Chairman of the Supreme Council has since 1991 been Mr. Aslan ABASHIDZE. The decision to rename the Supreme Council was taken without informing the central authorities in Georgia. The same Supreme Council session also introduced the post of Head of the Autonomous Republic. Mr. Abashidze was appointed to this post and his appointment was confirmed by the elections described in the present report. As from these elections the Head of the Republic is to be directly elected by the people of Adjara. The main change in Adjara's government system is that contrary to the previous situation, the powers of the Head of the Republic have now been separated from those of the legislative authorities. Regarding the structure and term of the Parliament, the Electoral Code states that the Parliament of the Autonomous Republic of Adjara shall be elected on the basis of universal, equal and direct suffrage by secret ballot for the term of 5 years. Thirty-five deputies of the Parliament shall be elected on the basis of a proportional system from lists of candidates for election to Republic Chamber (lower house) of Parliament nominated by electoral parties. Seven deputies shall be elected to Senate on the basis of majority system in single-mandate electoral districts. Three members of Senate shall be appointed by Head of the Autonomous Republic of Adjara".

Local elections were scheduled to be held 4 November 2001 in the entire territory of Georgia, but due to political conflicts among the political parties in the Georgian Parliament, the elections were postponed until further notice. However, the Autonomous Republic of Adjara decided to nevertheless arrange elections on that day for its Parliament as well as for the post of Head of the Autonomous Republic. It should be mentioned that only a few days before the elections there still appeared to be some confusion even in Adjara itself as to whether municipal elections were also to be held on November 4 or not.

The situation in the Georgian capital Tbilisi was very tense at the beginning of the week of the elections in Adjara. Massive student demonstrations took place, demanding the resignation of both the Georgian Government and President Eduard SHEVARDNADZE. On Thursday 1 November the Government did resign, but Mr. Shevardnadze still held on to his post. After the resignation of the government the demonstrations slowly died out. The atmosphere in Adjara was remarkably calm the entire time given what was going on in the national capital. People in Adjara did not seem concerned by events on central Government level.

3. Legislative framework for the elections, including election administration and the composition of electoral commissions on different levels

The CLRAE delegation had a meeting with the Central Election Commission (CEC) in Adjara on 2 November, at which it was briefed about the legislation and administrative procedures for the elections. The briefing was the only opportunity for the delegation to learn about the most central provisions in the Electoral Code, as a translation of the Code was not made available to the CLRAE until more than two weeks after the elections, on the 20 of November. The CEC members present at the meeting were

- Mr. Amiran SURMANIDZE – Chairman
- Mr. Murman GORYOSHADZE – Deputy Chairman
- Mr. Roman CHKHAIDZE – responsible for media relations

The CEC is composed of 14 members. Each political party appoints one member (7), 2 are appointed by the Head of the Republic, 2 by the Supreme Council, 2 by NGOs and one by the Supreme Court. These 14 members then elect a Chairman among themselves.

The district level election commissions comprise seven members who are appointed by political parties and the CEC. The local election commissions, i.e. on precinct level also consist of seven members and are in turn appointed by the District level commissions and the political parties. There are 229 local election commissions on the territory of Adjara and hence 229 polling stations.

For the Parliamentary elections the age limit for voting is 18 years and 25 years for running as a candidate. Candidates have to be Georgian citizens. Any candidate for the Post of Head of the Republic has had to live in Adjara for at least ten years.

The voter lists are published for verification 15 days before Election Day and voter cards, indicating polling station number etc., are sent out to the voters around the same time. Having a voter card on Election Day is not an absolute prerequisite for voting, but being on the voter list is.

Persons who fall ill at the time of the elections need to inform the election officials about it one day before election day in order for the latter to organise home visits by election officials to those persons. There are no provisions in the Electoral Code concerning people who fall sick on election day, but the CEC members assured the CLRAE team that arrangements had been made allowing those persons to vote.

As referred to in chapter two, the voters were to elect one candidate for the post of the Head of the Republic and as well as representatives for the Parliaments. For Parliament, voters were to select one candidate for the majority vote for the Senate as well as one party for the proportional vote for the lower house. Thus each voter received three ballot papers on Election Day, one for the election of Head of the Republic, one for the Senate candidates and one for the political parties. The opening hours for the polling stations are 7-20.

Campaigning may continue until the end of the day preceding the elections.

It is surprising that the Electoral Code does not contain any clear provisions regarding procedures for contesting the electoral administration or results afterwards, be that to the CEC or courts. There is only a point in the article listing CEC obligations that reads: "the CEC shall consider complaints (statements) concerning decisions and actions (inaction) of election commissions and adopt motivated decisions thereon".

The relevant articles of the Electoral Code, describing the above structures and arrangements, can be found in Annex 4 of this document.

The CLRAE team was told that, and could confirm in practice, that arrangements were made at the polling stations to facilitate voting for elderly people and others who found it difficult to move up the stairs at the polling stations. In these cases a small additional ballot box, ballot papers and all other relevant accessories were brought down to the entrance of the polling station, allowing those people to vote.

4. The political parties

The following political parties are registered and active in Adjara:

1. Revival Union Party
2. Traditionalist Party
3. Socialist Party
4. United Communist Party
5. National Democratic Party
6. Industrial Party (Industry will save Georgia)

7. Communist Party of Adjara

All of the above parties took part in the Parliamentary elections on 4 November 2001. In addition there was an eighth party called the Citizen's Union (Georgian President Eduard Shevardnadze's party), but it was split into several factions shortly before the elections and therefore, was not able to participate.

Among these, the CLRAE delegation met representatives of 1) the Revival Union Party 2) the Traditionalist Party 3) the National Democratic Party and 4) the Industrial Party (Industry will Save Georgia). None of the parties except for the Revival Union Party had passed the threshold of 7 % to get into the Supreme Council of Adjara in earlier elections.

Somewhat curiously none of the parties, though formally in opposition, seemed to have any complaints or alternative views in relation to the dominant Revival Union Party. When asked about party funding, the representative of the National Democratic Party said that although there are provisions in the law for party funding, there is not enough funds for anything but covering the costs of the technical preparations for the elections.

For the election of the Head of the Republic, no other candidates had been nominated than Mr. Abashidze. Hence there was only one name that could be chosen on the ballot paper used for the election of the Head of the Republic. No instructions were given at the polling stations about what voters should do with the ballot paper should they not wish to vote for the one candidate.

It is important when assessing the elections to get an accurate understanding of the political climate in Adjara. Although there are six other political parties than the dominating Revival Union Party, none of them seem to have any desires to challenge the Revival Union Party or offer any alternative policies. Hence it is doubtful whether, despite the external appearance, the Autonomous Republic of Adjara may be considered as enjoying a pluralistic political system.

5. The election campaign

The election campaign in Adjara must be described as a very one-sided affair. Posters promoting Mr. Abashidze and his party filled Adjara, whereas the CLRAE delegation only saw a few modest posters for other candidates, and those few only on the day before the elections. Political parties were given five minutes each, free of charge, for election advertising in public television. Anything in excess of five minutes had to be paid for. Whatever the reason, financial or other, the campaign was totally dominated by Mr. Abashidze's Revival Union Party.

6. Election day and vote count

Voting and counting were carried out in a calm and orderly manner in the majority of municipalities and communes. The atmosphere at the polling stations was relaxed and the stations had been decorated with flowers in an effort to make voting a pleasant event. In particular in the countryside the voters did indeed seem to consider the elections as a bit of a social event, remaining outside the polling stations to meet friends and acquaintances. The administration of the Election Day had been carefully prepared and as a consequence the elections have to be considered as well organised. On the other hand, the CLRAE delegation was told that the election officials had not received any particular training for their task. In addition to the local election officials at the polling stations, there were at most polling stations a number of political party observers present. There was almost without exception somebody from the Revival Union Party, but also frequently representatives of other parties. The CLRAE team did not, however, encounter any domestic non-party election observers which may be considered as a bit surprising given the CEC information that 17 organisations had been accredited. When asked by the CLRAE team, all party observers always replied that the election process had been orderly and that they did not have any complaints. Nevertheless the CLRAE team observed some irregularities, notably:

When one of the two CLRAE teams arrived at polling station number 2 at 6.45 in the morning, they discovered that voting had already gone on for a while, and that 35 persons had cast their votes. As the polling station should have opened at 7 a.m. this was clearly in violation of the Electoral Code. It also prevented the CLRAE team from verifying that the ballot box was empty before it was sealed.

family voting was observed by the both of the two CLRAE teams, i.e. couples entering the booth together.

The CLRAE teams observed a number of voter lists with multiple signatures by one person, who had signed on behalf of several voters.

persons who were neither able to present the voter card that should have been mailed to them, nor any form of identity card, were allowed to vote at least in some instances

campaign materials being present at the polling stations. At some polling stations, huge posters of the only candidate for the post of Head of the Autonomous Republic were hanging on the outer walls of the polling stations. Moreover, both party observers from the Revival Party, and even in at least one case the chairman of the local election commission, handed out election materials promoting the above candidate. The relevant article in the Electoral Code reads: "Any kind of agitation, except agitation material placed outside of election district, shall be restricted on voting day" which must be considered as prohibiting the above campaigning at the polling stations.

Furthermore, a very unfortunate technical hitch, namely a countrywide power cut, forced the election officials to count the ballot papers with only candlelights as illumination for much of the evening following the closure of the polling stations.

7. The election results

According to the official elections results and statistics received by CLRAE from the Adjaran Centre for Democracy and Regionalism on 27 November, 96 % of all eligible voters in Adjara cast their vote. Out of these 99, 27% voted for Mr. Abashidze for the post of Head of the Republic. Three parties passed the 7% threshold to get deputies into Parliament. The uncontested winner of the elections was the Revival Union Party which got 30 deputies into Parliament. The Industrial Party

obtained three and the National Democratic Party two seats in Parliament, though their share of the total number of votes cast was virtually the same, namely 7,03% and 7,02 % respectively. This is due to the Hare/simple quota system which is explained in Annex 2.

More details about the election results, including the names of both the elected senate and lower house members, as well as the percentages of votes obtained by the participating parties, can be also found in Annex 2 of the present document.

The threshold of 7% for getting into Parliament is clearly significantly higher than in the electoral systems of most Council of Europe Member States and does not further the principles of pluralistic democracy.

8. Press conference

The CLRAE monitoring delegation had together with the two-person mission of the European Assembly of Regions, been invited to hold a press conference on its findings on the day after the elections. The CLRAE delegation delivered a statement emphasising that the elections had been calm and well organised, whilst irregularities had been observed (please find the written press statement in annex 1). The Adjara press representatives attending the press conference did put a number of questions to the CLRAE team, but the answers to them could be found in the statement. Halfway into the press conference some reporters from Tbilisi arrived and some of them put more critical questions, such as whether the CLRAE delegation was aware that some local Georgian NGOs had been refused accreditation, allegedly because of critical reporting in earlier elections.

The fact that the Director of the Centre for Democracy and Regionalism, who turned out to be one of the candidates in the elections, directed the press conference the day after the elections and intervened to answer the few critical questions that were directed to the CLRAE delegation may not be considered as satisfactory. As the CLRAE delegation did not have any independent interpreters of its own it could neither follow precisely what was being said during the at times quite lively exchange of views between the journalists themselves, nor what the Director told them.

It is disquieting to learn that, according to American sources based in Georgia, the statement made by the CLRAE was severely distorted by the press in Adjara. Delegation members were misquoted to an extent that amounts to deliberate falsification of the statement. For example, the official Georgian News agency Sakinform quoted the CLRAE delegation members as saying that "elections of such high level were unprecedented". None of the CLRAE delegation members ever said anything even slightly resembling of that. Moreover, one American NGO, the National Democratic Institute (NDI), accredited to follow the elections, had been asked by the Director of the Centre for Democracy and Regionalism not to attend the press conference. This may hardly be considered as normal.

Finally, some journalists asked the CLRAE team whether it considered the Adjara Electoral Code compatible with the Georgian Electoral Code. Clearly the delegation could not pronounce itself on such a technical matter, but the CLRAE might consider delivering such an expert statement should the relevant authorities ask for it.

9. General remarks about the organisation of the election mission

Although the delegation is very grateful for all the assistance rendered by the Centre for Democracy and Regionalism it has to be said that it might have felt more independent had it been able to profit from the assistance of some more neutral association than the above Centre, which was clearly very close to the ruling party in Adjara. Only well into the observation mission did the CLRAE delegation learn the Director of the Centre for Democracy and Regionalism, was himself a candidate in the parliamentary elections for the Revival Union Party. The director did furthermore obtain a seat in Parliament in the elections. Moreover, being driven around from one polling station to another at high speed in big limousines with no respect for traffic regulations was perhaps not quite the profile the delegation would have wished to have. The fact that the CLRAE only received a copy of the new electoral code several weeks after our return from the observation mission made the mission significantly more difficult.

Finally, while realising that the local customs in Adjara/Georgia obliged the Adjara hosts to be very hospitable, and while much appreciating the hospitality shown as such, one may still consider their insistence on inviting the CLRAE delegation to a performance at the Opera on election day, while the polling stations were still open, inappropriate. In a similar way one may consider some local election commission chairmen as excessively insisting in their lunch and drink offers to the CLRAE election observers.

10. Conclusions

From what the CLRAE delegation could observe, the Elections in Adjara were calm and, by and large, well organised. The tranquillity in Adjara is noteworthy given the unrest in the Georgian capital Tbilisi during the particular week in question. However, the fact that the CLRAE delegation had not been provided with a translation of the Adjara Electoral Code before the elections made it impossible for the observers to assess to what extent the elections were carried out following the letter of the electoral legislation.

Should the relevant authorities submit such a request, the CLRAE could provide an expert statement on the Adjara Electoral Code.

The fact that the hosting organisation, which closely accompanied the CLRAE delegation at all times, can hardly be considered as politically independent as its director ran as a candidate in the elections himself, significantly limited the capacity of independent observation of the CLRAE delegation.

Notwithstanding the above, as well as other shortcomings referred to in chapter 6 above, and also taking into account the limited scope of its observation mission, the CLRAE did not observe anything suggesting that the elections would not have been free and fair. However, given the total dominance of the Revival Union Party and the fact that there was only one candidate for the post of Head of the Republic it is doubtful whether the Autonomous Republic of Adjara enjoys a pluralistic democracy. To

achieve a higher degree of pluralism one would wish for the emergence of more diversified political views. Moreover, a lower threshold than 7% for entry into Parliament would also further political pluralism.

APPENDIX 1 - PRESS RELEASE

Elections in Adjara calm and well-organised, says CLRAE

Batumi, 05.11.2001 - A delegation of the Council of Europe's Congress of Local and Regional Authorities (CLRAE) observed the parliamentary and presidential elections of the Autonomous Republic of Adjara, Georgia, held on 4 November. The observers visited some thirty polling stations during the day and monitored the counting procedure in two others.

The delegation stated that, despite the serious political crisis which occurred in Georgia during the delegation's stay, the elections in Adjara took place in a calm and peaceful atmosphere. The election campaign was low-key, focusing primarily on the achievements of the current leadership. On polling day voters turned out in great numbers and election committees handled the process in a professional manner.

Nevertheless, the CLRAE observers noted some irregularities, including family voting, signing the voters' lists on behalf of other people and the presence of election campaign materials in polling stations.

The delegation will present a more detailed report to the Congress within the next few weeks.

Members of the CLRAE observer team

- Keith Whitmore, (United Kingdom)
- Joseph Borg (Malta)
- György Bergou (CLRAE Secretariat)
- Mats Lindberg (CLRAE Secretariat)

APPENDIX 2 - Central Election Committee for the Parliamentary Elections of the Autonomous Republic of Adjara

November 13, 2001

Head Elections of the Autonomous Republic of Adjara

PROTOCOL

The Central Election Committee of the Parliamentary elections of the Autonomous Republic of Adjara consisted of the following members: A. Komakhidze (Chairman), M. Gorgishadze (Deputy Chairman), M. Pirtskhalaishvili (Secretary), T. Katamadze, R. Chkhaidze, N. Shamilishvili, D. Kikava, J. Tsutsunava, Sh. Dzeladze, A. Solomonidze, G. Pataridze, I. Basilia, L. Verdazdze have summarised the results of the Head Elections held on November 4, 2001, and pursuant with Articles 20, 21, 22 of the Organic Law on Head election of the Autonomous Republic of Adjara, summarised:

1. Total number of voters on the main lists and supplementary lists - 236702
2. Number of voters participated in the election - 227262
3. Number of votes for Aslan Abashidze, a candidate for Head of the Autonomous Republic of Adjara- 225613 (99,27%)
4. Aslan Abashidze is elected as Head of the Autonomous Republic of Adjara

Chairman of the Committee: A. Komakhidze

Deputy Chairman: M. Gorgoshadze

Secretary: M. Pirtskhalaishvili

The Committee members: T. Katamadze

R. Chkhaidze

N. Shamilishvili

D. Kikava

J. Tsutsunava

Sh. Dzeladze

A. Solomonidze

G. Pataridze

I. Basilia

L. Verdazdze

Pursuant with the Articles 51, 52 and 53 of the Law on Election of Parliament of the Autonomous Republic of Adjara

Deputies (Senate) elected in Single Mandate Districts of the Autonomous Republic of Adjara

No1 Batumi Electoral District – Pagava I. Nodar - 55956 votes (83,7%)

No2 Kobuleti Electoral District – Shakarishvili Sh. Lia – 10134 votes (97,3%)

No3 Kobuleti Region Electoral District – Shamilishvili J. Rezo – 43611 votes (97.3%)

No4 Khelvachauri Region electoral District – Kikava A. Antaz – 54346 votes (94,4%)

No5 Keda Region Electoral District – Davitadze Sh. David – 12628 votes (98,1%)

No6 Shuakhevi Region Electoral District – Putkaradze Sh. Merab – 13345 votes (99,9%)
No7 Khulo Region Electoral District – Mamuladze J. David – 21455 votes (99.2%)

Number of votes for the Participating Parties:

Democratic Revival Union – Regional Organisation of Adjara – 190159 votes (83,6%)
Communists Party of Georgia - Regional Organisation of Adjara – 590 votes (0,26%)
Socialists Party of Georgia - Regional Organisation of Adjara – 1226 votes (0,5%)
Common Communists Party of Georgia - Regional Organisation of Adjara – 2172 votes (0,9%)
Georgian Traditionalists Union - Regional Organisation of Adjara – 340 votes (0,2%)
Industry will save Georgia - Regional Organisation of Adjara – 15976 votes (7,03%)
National-Democratic Party - Regional Organisation of Adjara – 15956 votes (7,02%)

The Mandate for the member of the Parliament was given only to those parties which received 7 per cent (more) of votes:
Accordingly, pursuant with 6th and 7th paragraphs of Article 53 of the Organic Law on the Parliamentary Elections of the Autonomous Republic of Adjara:

Democratic Revival Union – Regional Organisation of Adjara achieved 30 mandates on Partial list;
“Industry will save Georgia” Regional Organisation of Adjara achieved 3 mandates on Partial list
National Democratic Party Regional Organization of Adjara achieved 2 Mandates on Partial list

Deputies (for Republican Council) Elected According to Proportional System

Union of Democratic Revival Regional Organization of Adjara

Tsintsiladze A. Georgi
Gobronidze A. Alexander
Gvarishvili M. Osiko
Verdzadze M. Nuri
Nakashidze J. Badri
Jakeli A. Jemali
Sikharulidze A. Rusudan
Kikava R. Teimuraz
Diogidze Sh. Otari
Lazishvili I. Zaur
Tsulukidze S. Nugzar
Gorgiladze Kh. Zurab
Varshanidze Sh. Nodar
Khabazi I. Amiran
Svanidze A. Albert
Verulidze S. Vazha
Bakuridze I. Leman
Jincharadze I. Memed
Khalvashi T. Georgi
Bakuria M. Tsotne
Chebinov P. Nuri
Anisimova Y. Alexandra
Glonti J. Vladimer
Kesisov I. Yanes
Bibileishvili A. Yuri
Antadze M. Otari
Tebidze O. Nazi
Devadze R. Aslan
Devadze R. Zurab
Dumbadze A. Vazha

Industry will Save Georgia - Regional Organization of Adjara

Jashi S. Temur
Abashidze A. Guram
3. Tsulukidze Sh. Mamuka

National Democratic Party of Georgia - Regional Organization of Adjara

Verdadze S. Ilia
Salukvadze A. Tamaz

Article 53,7 of the Electoral Code reads:

In case the sum of received mandates is less than 35, a mandate from undistributed mandates shall be distributed among those party lists, which receive more votes in the election. If two or more partial lists receive equal number of votes in the election, the mandate shall belong to the list, which was registered firstly.

This proportional system can be explained as follows. The number of votes of the parties obtaining more than 7 % of the votes is divided by the quota of the total number of votes divided by the total number of seats (Hare/simple quota) (Art. 53.6). In the present case, this quota is $226419/35 = 6469$. Party 1 obtains $190159/6469 = 29$ seats. Party 6 obtains $15976/6469 = 2$ seats. Party 7 obtains $15956/6469 = 2$ seats.

33 seats are allocated according to this first repartition. The system makes a second repartition necessary. Allocating all the seats through the Hare quota is mathematically nearly impossible. The 2 remaining seats are allocated (in the second repartition) according to Art. 53.7, to the major lists, that is lists 1 and 6.

APPENDIX 3 - VISIT OF THE CLRAE DELEGATION TO OBSERVE THE ELECTIONS IN THE AUTONOMOUS REPUBLIC OF ADJARA, GEORGIA

31 October – 5 November 2001

Draft programme

Members of the delegation:

Keith Whitmore (United Kingdom)
Joseph Borg (Malta)
György Bergou (CLRAE Secretariat)
Mats Lindberg (CLRAE Secretariat)

Wednesday, 31 October:

Arrival in Trabzon (Turkey) in the evening
Accommodation in Hotel Aksular (Mah.Uzunkum Mevkii No:33)

Thursday, 1 November:

9:30 Obtaining visa for Georgia from the Georgian Consulate (20 Gazi Pacha Djadesse)

11:30 Transport to Batumi (Georgia) by car
Accommodation in Hotel Alik (2, M. Abashidze avenue)

21:30 Meeting with the representatives of the Centre for Democracy and Regionalism

Friday, 2 November:

9:30 Meeting with the representatives of the Union for Georgia's Democratic Revival

11:00 Meeting with the representatives of the Central Election Commission
- accreditation of the observers

14:30 Meeting with the representatives of the Union of Traditionalists

16:30 Meeting with the representatives of the National Democratic Party

Saturday, 3 November:

9:30 Meeting with the representatives of the Industry Will Save Georgia Party

11:30 Participation in the inauguration ceremony of the new building of Batumi University

14:30 Visit of electoral districts
- meetings with District Election Commissions
- meetings with Precinct Election Commissions

18:30 Return to Hotel Alik
- briefing of the delegation and preparation of a deployment plan for election day

Sunday, 4 November:

7:00 Observation of elections
- visit of polling stations throughout the day in accordance with the deployment plan

20:00 Monitoring the counting procedure in selected polling stations

Monday, 5 November:

9:30 Debriefing of observers and preparation of a preliminary press statement

11:00 Press conference at the Batumi Theatre Conference Hall

13:30 Lunch hosted by the Head of the Autonomous Republic of Adjara

16:00 Departure from Batumi by car

19:20 Departure from Trabzon airport

APPENDIX 4

The below are some excerpts of the most central provisions of the Adjaran Electoral Code (English translation provided by the Centre for Democracy and Regionalism). The full Electoral Code in English is available from the CLRAE Secretariat on request.

CHAPTER ONE, General Provisions

Article 1. Basic Principles of Conducting the Election

1. The Parliament of the Autonomous Republic of Adjara shall be elected on the basis of universal, equal and direct suffrage by secret ballot for the term of 5 years.
2. Thirty-five deputies of the Parliament shall be elected on the basis of proportional system from lists of candidates for election to Republican Chamber of Parliament nominated by electoral parties.
3. Seven deputies shall be elected to Senate on the basis of majority system in single-mandate electoral districts. Candidates for election to Senate shall be registered as candidates for election to the Parliament in single-mandate electoral districts in compliance with this law. Three members of Senate shall be appointed by Head of the Autonomous Republic of Adjara”.

Article 11. Pre-Election Agitation

9. Any kind of agitation, except agitation material placed outside of election district, shall be restricted on voting day.

CHAPTER FOUR, Election Commissions

Article 19. The System of Election Commissions

The election of deputies of Parliament of the Autonomous Republic of Adjara shall be prepared and conducted by election commissions, which are formed as below:

- a) The Central Election Commission of Parliament Election of the Autonomous Republic of Adjara.
- b) District election commissions of Parliament Election of the Autonomous Republic of Adjara.
- c) Precinct election commissions.”

Article 23. Formation of the Central Election Commission

1. The Central Election Commission of Parliamentary Election of the Autonomous Republic of Adjara shall be formed by Chairman of the Commission, Deputy Chairman, Secretary and 8 members of the Commission.
2. Two members of the Commission shall be appointed by the Head of the Autonomous Republic of Adjara not earlier than 51 days and not later than 46 days prior to the voting day, each member shall be appointed by Chambers of the Parliament, which, at the election time, have a representatives at the Supreme Legislative Body of the Autonomous Republic of Adjara. The Supreme Court of the Autonomous Republic of Adjara shall appoint one member, and two members shall be appointed by registered and acting public organizations of the Autonomous Republic of Adjara.
3. Adjara Republican (Regional) organization of parties, after registration at the Central Election Commission aiming to participate in the election, shall have a right to appoint one member of the Central Election Commission, if their representative has not been appointed at the Central Election Commission. Adjara Republican (Regional) organization of parties shall submit their decision about appointment of the member of the Commission not later than 43 days prior to voting day.

Article 25. Formation of a District Election Commission

1. A district election commission of Parliamentary Election of the Autonomous Republic of Adjara shall consist of a chairman, a secretary and not less than 4 members.

2. The Chairman and 3 members of a district election commission shall be appointed by the Central Election Commission of Parliamentary Election of the Autonomous Republic of Adjara not earlier than 6 days and not later than 9 days after publishing list of members of distinct election commission. One member of a district election commission shall be appointed on the bases of proposals from electoral parties, which have representatives at Legislative Body of the Autonomous Republic of Adjara by voting day, and one member shall be appointed by initiative group of 50 people. The Central Election Commission of Parliamentary Election of the Autonomous Republic of Adjara shall publish list of members of commissions, their address and telephone number not later than 3 days.

CHAPTER TWO. Calling of the Election Registration of Electoral Parties and Blocs

Article 15. Registration of Electoral Parties

1. Adjara Republican (Regional) Organizations of political parties of Georgia which are registered at the Central Election Commission of Parliamentary Election of Georgia shall have a right to nominate candidates for deputies and appoint their representatives in the election commissions, and shall submit an appropriate document to the Central Election Commission of Parliamentary Election of the Autonomous Republic of Adjara. The initiative of parties shall be proved by not less than 5000 signatures, or shall have a representative at the Supreme Legislative Body of the Autonomous Republic of Adjara by voting day.

2. Political Parties of Georgia, which are registered at the Central Election Commission of Georgia before submitting documents to the Central Election Commission for participating in Parliamentary Election of the Autonomous Republic of Adjara, shall have founded regional organization in Adjara in compliance with Legislation of Georgia.

Article 15 (of the Organic Law on Election of Head of the Autonomous Republic of Adjara) Nomination of a Candidate for Head of the Autonomous Republic of Adjara

1. A citizen of Georgia, registered and residing in the Autonomous Republic of Adjara, who has attained the age of 30, who has lived in Georgia for at least 15 years and who has permanently lived for last 10 years in Adjara, shall have the right to participate in the election of Head the Autonomous Republic of Adjara.

2. A party or initiative group shall have the right to nominate only one candidate for Head of the Autonomous Republic of Adjara.

CHAPTER EIGHT. The Rule of Voting and Counting Election Results. Election of Absentee Member of the Parliament and Rule of Determining the Substitute.

Article 48. Time and Place of Voting

1. On the election day of the Parliament of the Autonomous Republic of Adjara voting shall start at 7.00am. and finish at 8.00pm. Precinct election commissions shall inform voters on the voting date and place at least 3 days prior to voting day.

5. Each voter shall vote personally. Voting instead of others shall be inadmissible. Voting ballot papers shall be delivered to a voter by the precinct election commission on the basis of voter list and license certifying the right on voting by presenting identification card of Georgian citizenship or other document certifying personality. While delivering ballot papers identification card number and other proper documents shall be put in the voter list.

6. A voter shall confirm receiving of ballot paper by signing in the voter list. Licenses certifying the voting right shall be attached to the voter list.

7. If a person is not able to go to the electoral precinct due to health problems or other reasons the district election commission shall order the members of the commission to arrange voting at the place of such person upon his/her request, which is submitted to the district election commission until 6.00 pm on the previous day before voting. The submission shall be registered at the declaration book. Voting shall be arranged on the basis of attachment to the voter list. An appropriate record shall be done in the voter list. Voting shall be organized by at least of two members of the commission. The voting shall also be attended by people having the right to present at electoral precinct. One movable ballot box shall be used for arranging votes in such a way. The same way shall be used to organize voting for a voter, which is under detention without a court decision. If the registration place and the place of detention are in the same electoral district the administration of the place of detention shall inform the appropriate precinct election commission; in such cases the voter shall be gifted multi-mandate and single-mandate ballot papers of electoral precinct. Otherwise, the voter shall be gifted only a multi-mandate ballot paper of the electoral precinct and voting procedure shall be conducted by that precinct election commission, where the place of detention is situated.