

The Congress of Local and Regional Authorities



19th SESSION

Strasbourg, 26-28 October 2010

Municipal Elections in Georgia (30 May 2010)

Recommendation 291 (2010)¹

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the Committee of Ministers' Statutory Resolution (2000)1 on the Congress of Local and Regional Authorities of the Council of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ECLSG) which was ratified by Georgia on 8 December 2004.

2. The Congress underlines its specific role in the observation of local and regional elections in Council of Europe member countries.

3. The Congress notes with satisfaction the efforts undertaken by Georgia in respect of the technical preparation and the administration of the municipal elections of 30 May 2010. This considers in particular the role of the Central Election Commission's (CEC) - and other related bodies - with regard to the verification of voter's lists which was carried out in a professional, transparent and inclusive manner.

4. The election campaign was characterised by a competitive atmosphere and lively, issue-based debates. Election day as such was generally well organised and calm.

5. With regard to legal provisions, the Unified Election Code (UEC) was substantially amended in December 2009, after a phase of thorough reform. In particular, the Congress is pleased with the fact that - for the first time - the direct election of the mayor of Tbilisi was introduced.

6. The Congress is aware of improvements and progress, over the past years, regarding the political and economic stability of the country.

7. Nevertheless, the Congress regrets to note that shortcomings remain in respect of the legal framework, both concerning electoral processes and local self-government in Georgia.

¹ Debated and adopted by the Congress on 27 October 2010, 2nd Sitting (see Document [CG\(19\)8](#), explanatory memorandum), rapporteur : G. KRUG, Germany (R, SOC).

8. Also, the Congress believes that legal and procedural deficiencies in general, undesirable developments in the run-up to the elections, as well as technical problems and atmospheric disturbances on election day could continue to undermine the confidence of the voters in the electoral process and thus put in danger the progress which has been made.

9. Taking into account the previous comments, the Congress invites the Georgian authorities to take all necessary steps:

a. to make all legislation that affects electoral processes more specific (notably the Election Code of Georgia but also the Organic Law on Local Self-Government);

b. in line with recommendations by the Venice Commission and the OSCE Copenhagen Document, to allow for independent candidates to run in local and regional elections;

c. in line with recommendations by the Venice Commission, to review overly stringent restrictions on the active and passive suffrage rights of citizens (concerning the voting rights of persons in a penitentiary institution but also residency requirements to run for office in local-self government elections);

d. to review legal provisions and to enhance awareness raising campaigns to avoid that administrative resources – financial, technical and human resources – are misused for campaign purposes;

e. to strengthen the effectiveness of the Inter-Agency Task Force for Free and Fair Elections (IATF) in the run-up to the elections (with regard to tangible results of the investigation of violations and concrete consequences for offenders and in respect of a more pro-active information policy);

f. to implement training programmes for the improvement of knowledge and skills of election officials (in particular, to avoid in future overlong counting of the votes);

g. to amend legal and procedural shortcomings in the complaints and appeals process (in particular, to be more specific about deadlines and procedures and to avoid inadequate response to complaints);

h. to introduce proportionate measures for ensuring transparency in campaign and party financing and to support capacity building measures for political parties;

i. to develop long-term programmes for voters' education, in particular with regard to national minorities with the aim to create inclusiveness in national minority regions;

j. to create initiatives to encourage young people, women and representatives of national minorities to engage more actively in politics and be candidates of the future;

k. to proceed with collaboration programmes in the interest of enhancing the political dialogue between the government and the opposition