

GEORGIA

I. System of Government

1. Georgia is a republican state with a presidential form of government.
2. The President is the head of state. Executive power is exercised by the President and by the Government composed of a Prime Minister and other Ministers.
3. The President is directly elected for a term of five years using a two-round voting system, with the second round being conducted if no candidate obtains more than 50 percent of the vote in the first round and being contested by the two highest vote winners in the first round. If no President is elected in the second round of voting, new elections are held within two months. A person may be elected as President for two consecutive terms only.
4. Legislative power is vested in a unicameral legislature (*Umaghlesi Sabcho*) consisting of 150 members elected for a four-year term (although the Constitution envisions a bicameral legislature in the future). 100 members are elected under a party list proportional representation system with a 7 percent of votes threshold for participation in seat distribution. The remaining 50 members are elected from single member districts by a plurality system. However, if the candidate with highest number of votes receives less than one third of the votes, a second round election is held between the two highest vote winners in the first round.
5. Local elections are held every four years.
6. For the March 2004 parliamentary elections, there were 2,343,087 registered voters in Georgia.

II. Electoral Legal Framework

7. Elections in Georgia are governed by its Constitution, electoral laws passed by parliament, decrees issued by the President, and ordinances and decrees issued by the Central Electoral Commission, the District Electoral Commissions and the Precinct Electoral Commissions.
8. The Constitution contains the basic provisions on citizenship, right to vote, elective positions and terms of office.
9. The primary electoral laws are the: Unified Electoral Code (governs both national and local elections); Organic Law on Local Self-Governance and Governance; Law on Political Associations of Citizens; and the Organic Law on the Constitutional Court.

III. Electoral Management Body

10. Georgia has a centralized electoral management system with three levels. The highest electoral management body is the Central Election Commission (CEC) of Georgia which is defined in law as independent. Separate Central Election Commissions for the autonomous republics of Abkhazia and Adjara are also established by law. The CEC ensures the preparation and conduct of elections, referendum, plebiscites, and ensures the right of citizens of Georgia to vote. It also monitors uniform application of election legislation throughout Georgia. The CEC has appellate jurisdiction over decisions of other electoral commissions. The CEC reports to parliament. Below the CEC are District Election Commissions (DECs) which organize and conduct elections and referendums in election districts. The third level of electoral administration is the Precinct Election Commissions (PECs) which organize and conduct elections at the precinct level.

IV. The Right to Vote

11. A Georgian citizen who has attained 18 years of age on election day has the right to vote in national and local elections and referenda.
12. A citizen, who is recognized as legally incapable by a court (e.g., mental disability), or who is detained in a penal institution following a conviction by a court, has no voting rights. Qualified voters who are under preliminary detention are allowed to vote.
13. Voting is voluntary in Georgia. Voting is done in person on election day only at the designated voting station. Overseas voting is provided for the diplomatic staff of Georgia and for qualified Georgian citizens who are included in the consular registry. Voting stations are established in Georgian diplomatic posts abroad by ordinance of the CEC based on information provided by the Ministry of Foreign Affairs.
14. A maximum of 2,000 voters are assigned per voting station.

V. System and Procedure of Voter Registration

15. Georgia's system of voter registration is primarily state initiated. The CEC, in cooperation with various state agencies, prepares the voters list based on a civil registry system. In effect, voter registration is compulsory in Georgia.
16. Three types of voters list are prepared: the general list of voters, the special list of voters and the voter list supplement.
17. The general list of voters is compiled based on data provided by the:
 - a. Ministry of Justice (on the persons registered in the territory of the city and district, including data on those persons who will be 18 years old by voting day, on deceased persons and those under provisional arrest or in custody);
 - b. bodies of local governance and self-governance;
 - c. Ministry of Refugees and Settlement (for internally displaced persons);
 - d. Ministries of Defense, Internal Affairs, Department of State Intelligence and the Special State Protection Service (on military personnel);
 - e. consular authorities (on overseas voters); and
 - f. election administration bodies (on the new registers and changes in the Voter Register).
18. The special list of voters includes the following voters:
 - a. election administration officers performing electoral duties on election day outside of the election precinct of their place of registration;
 - b. voters being treated in hospitals or in-patient centers on election day;
 - c. voters who are under preliminary detention on election day;
 - d. serving military personnel of the armed forces of Georgia;
 - e. voters at sea on election day;
 - f. overseas voters who are included in the consular registries of Georgia; and
 - g. voters who missed the official deadline for registration, but can produce documents to show they have returned to Georgia, have been discharged from hospital or released from prison or preliminary detention.
19. The special list of voters is compiled from information from the District Election Commission,

medical institutions, penitentiaries, ships' captains and consulates abroad.

20. The voters list supplement for mobile voting is compiled from data in the general and special lists for voters who:
 - a. due to limited physical ability or health condition, are unable to go to the voting station;
 - b. are under preliminary detention;
 - c. are being treated in a hospital or in-patient center where no voting station is created;
 - d. are in military service assigned at a location far from a regular polling precinct; and
 - e. are in a remote place.
21. A voter may also initiate voluntary registration where:
 - a. he/she is not included in the published list of voters; or
 - b. he/she is a qualified overseas voter and registers with a Georgian consulates not later than the 21st day before election day.
22. Georgia is in the process of creating a national unified voters' list based on a computerized database. The provisional version of the unified voters' list for the 2006 local elections has been completed by the CEC. This unified voters list was prepared on the basis of the register of all Georgian citizens who were issued a national ID card. However, work is still being undertaken by the CEC and by the Ministry of Justice to cleanse the voters list of deceased voters. The provisional unified voters' list also does not contain the data of those persons still holding propiska, representing 5-7 percent of the population.

VI. Data Management and Storage

23. Voter registration data for the voters' list is primarily sourced from the register of Georgian citizens who were issued national ID cards as well as updated information from various state registries. Updated voter information is forwarded by the state registries concerned to the CEC twice a year. Once received, the CEC inputs the data in its computerized database. At previous elections, the CEC has used to door-to-door enumeration in order to update and verify the list of voters.

VII. Data Management Technology

24. Georgia started the creation of a computerized voter database in preparation for the November 2003 parliamentary elections. This computerized voters' list however proved to be grossly inaccurate due to the CEC's failure to ensure the verification of the voters' database in time for the conduct of the elections. As a result, Georgia conducted a new registration of voters in preparation for the January 2004 presidential elections. The voters lists were basically handwritten. Voter information was sourced primarily from door-to-door enumeration campaigns and voluntary registration of voters.
25. After the 2004 Presidential elections, the CEC began consolidating the handwritten voters' list into a single computerized database. Election observers reported a marked improvement in the accuracy of the computerized voter database although significant quality problems were still identified.
26. For the 2006 local elections, the CEC has awarded to Geoanalytics Ltd. The contract for the development of the computer program/software for the unified voters list. The computer database that was developed is based on a unified address database and elaborated in the form of a visual map. Two-level computer software is being developed for the CEC and DEC. Changes entered into the computerized system by the lower level election districts are centrally controlled and updated by the CEC's computer program administrator.

VIII. Types of Voters List Generated

27. As earlier mentioned, there are three kinds of voters list generated—the general list of voters; the special list of voters; and the voters’ list supplement. For the 2006 local elections, a provisional unified voters’ list has been prepared by the CEC which will be placed on public display before the elections. The final voters’ list is prepared after the period for public scrutiny and correction.

IX. Proof of Registration

28. A Voting Invitation Card is issued by the Precinct Election Commission to all registered voters not later than two days prior to election day. The Voting Invitation Card contains information on: date and time of voting; address of the voting station, including the number of the floor and the room; number of the voter in the voters’ list; rules for applying for a mobile ballot box service; the telephone (fax) number of the Precinct Election Commission and other information. Presentation of the Voting Invitation Card is not required in order to vote. Non-receipt of the voting card is also not a ground to deny a registered voter his/her voting rights.

X. Maintenance of Voters List

29. The general list of voters is updated periodically (February 1 and August 1 of each year) by the CEC. Updated data from the corresponding government agencies are encoded by the CEC into the electronic database of the general list of voters. Approved requests for inclusion and corrections made by the voters are also encoded into the database. The Precinct Elections Commissions are also tasked to verify the voters list prior to election day.

XI. Quality Assurance Mechanisms

30. The quality of the voters list had always been a problem in Georgian elections. However, the establishment of an address-based computerized unified voters list for the 2006 local elections may contribute significantly to improving the quality of the voters list. Information encoded into the computerized database can be cross-checked with a mapping database of residences, which provides a visual map showing the number of voters attached to each residence. The two-level “operator” and “administrator” computer system of the DEC and the CEC also provides safeguards in the entry of data into the computer database. The CEC also reached an agreement with the Technical University of Georgia whereby the latter’s computer center will be temporarily used for the improvement of the database of the unified voters list.
31. The problem of inclusion of some deceased voters in the voters list is being addressed by the CEC and the Ministry of Justice.
32. The general public are also afforded the opportunity to correct errors or omissions in the voters list during the period that the voters list is published for public scrutiny.
33. For the 2006 local elections, the Precinct Election Commissions are being appointed early enough to allow them more time to verify and improve the accuracy of the voters list.

XII. Transparency and Accessibility to the Public

34. 23 days prior to election day, a qualified voter, a party contesting the election or an election monitoring organization are entitled to examine the general list of voters available at the CEC, DEC and PEC. The qualified voter may only request data concerning his/her person and his/her family members. Requests for amendments of voters’ data and the voters list may be made anytime but not

later than 23 days prior to election day. The Unified Voters List will be made accessible to the public before the 2006 local elections. The Precinct Election Commission is also tasked on the day of its first meeting to immediately post the voters list in a conspicuous place for public inspection. The final list of voters is posted in the voting precinct 38 days prior to election day, on creation of the PECs.

35. The CEC is responsible for the publication of the unified voters list on the internet for public inspection. The CEC has promised that the unified voters list will be published on the CEC official web-page in time for the 2006 local elections. A free "Hotline" will also be established for the 2006 local elections to enable the voters to check their names in the voters list by phone.

XIII. Voter Education

36. Voter education programs, including voter education on voter registration, are handled on a continuous basis by the (1) National Electoral Commission, (2) non-government or civic organizations, (3) political parties; and (4) the media. Education activities are implemented through poster or billboard campaigns, media advertisements, public meetings, and through the internet.
37. A survey of voter attitudes conducted by the International Society for Fair Elections and Democracy (ISFED) for the 2006 elections revealed that Georgians are not aware who is responsible for maintaining the voters' lists.

XIV. Voter Registration Cost

38. There is no published information on the cost of voter registration in Georgia. It was reported however that the contract awarded to Geoanalytics LTD for the creation of software for a computerized unified voters' list cost 67,000 GEL (US\$33,500).

XV. Performance Standards

39. In preparation for the 2006 local elections, the CEC created a strategic plan for voter registration with the objectives of: creation of a unified computer database; specification of the voter list in the unified database; specification of an address database; creation of a geographic information system; optimization of the boundaries of the Precinct Election Commissions; provision of computer equipment for the DEC's; and search for possible double entries, duplicated parameters and uncertain data.

XVI. Performance of the Voter Registration System

40. The poor quality of voter registration has been a major problem in previous elections in Georgia. A survey of voter attitudes conducted by the International Society for Fair Elections and Democracy (ISFED) for the 2006 elections revealed that almost one-third of the respondents believe that the quality of the voters list is very low. At successive elections, the different solutions attempted to improve voters list quality make Georgia an interesting example of voter register development.
41. In the October 1999 Parliamentary elections and in the April 2000 presidential elections, election observers noted, among others, that the practice of allowing voter registration on election day, issuance of voting licenses, and failure to display the voters list in public on time raised concerns about the transparency of the registration process. It was also noted that in some districts, the number of registered voters varied substantially in different elections.
42. For the November 2003 Parliamentary Elections, IFES was contracted to assist development of a

national computerized database based on information provided by state authorities. Some international advisors believed that there was insufficient 'buy-in' by Georgian authorities, as the project was internationally-driven. Late action on the part of government, the poor quality of voter information provided by state authorities, lack of coordination between government agencies and ineffective verification and updating of the voters list all contributed to the creation of a grossly inaccurate voter register, which in many areas, reached a variance of 20-50 percent. Errors include the following: omission of entire blocks or streets, voters listed in wrong districts, listing of deceased persons, and duplicate entries. These problems caused the CEC to disregard the centralized voters register and allow electoral commissions to use either the handwritten or computerized voters list. This decision led to more confusion and caused even more problems on election day. Many were turned away because their names were not included in the voters list; and deceased persons remained on the voters list.

43. Due to severe criticisms and the public's lack of confidence in the centralized voters list used in the 2003 parliamentary elections, the CEC decided to abandon this list and created a new voters list for the January 2004 Extraordinary Presidential elections. The precinct election commissions conducted door-to-door enumeration and qualified voters were encouraged by the government to register voluntarily. The voters list was subjected to public inspection although in some areas, this was not done until election day. Election day registration was also allowed. While the handwritten voters lists remained inaccurate and incomplete, election observers noted a significant improvement in the quality of the voters list compared to the just concluded parliamentary elections.
44. After the presidential elections, the CEC began computerizing the handwritten voters lists for the repeat parliamentary elections of March 2004. The new computerized voters lists were displayed in public for two weeks for public inspection. Election day registration was still allowed. The International Election Observation Mission of March 2004 participated in by the European Parliament noted the following improvements: the computerization and consolidation of voter lists into a central database; the introduction of new DEC protocols (polling results summarizing protocol for the PEC and election results summarizing protocol for the DEC) that may serve to deter fraud or enable identification of fraud; and the adoption of a decision on the method of calculating the total number of registered voters. Notwithstanding the fact that the new computerized voters lists still contained many errors (spelling mistakes, double entries, missing information, deceased voters, etc.) election observers expressed increasing confidence in the voters lists.
45. In preparation for the October 2005 parliamentary by- and re-run elections, in a few districts the CEC conducted a door-to-door verification of the voters list. Media campaigns were launched to encourage citizen participation in the process of updating the voters list. The voters list was also displayed in public for public scrutiny. Election observers noted that the verification process led to significant corrections of the voters list.
46. For the 2006 local elections, the CEC developed a computerized and unified voters list as described earlier in this case study.