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● In-depth Analysis of the Electoral Environment of the ● 2024 Parliamentary Elections





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Tbilisi, Georgia, 2024

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Tbilisi, 2024

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Introduction

The parliamentary elections of October 26, 2024, carried special significance, with their conduct in a free and fair environment representing both a matter of national security and the fulfillment of the people's will as expressed in Article 78 of the Constitution of Georgia.

These elections were unprecedented in several ways: for the first time in history, members of the Parliament of Georgia were elected entirely through a **proportional system, with approximately 90% of voters participating through electronic means**. However, the primary significance of these elections was connected to the historical opportunity that Georgia received as a result of the current geopolitical situation - the fulfillment of recommendations related to EU candidate status and the prospect of EU membership.

*"Elections can either strengthen democracy, country development, human rights, and security, or undermine them."*¹

According to the Constitution of Georgia, the state must recognize and protect universally recognized human rights and freedoms as inviolable and supreme human values, as the state is bound by these rights and freedoms - the principle of rule of law. The state must work to strengthen the principles of social justice and equality in society. The source of power is the people, and one of the main instruments for expressing their will is periodic, fair, and free elections.²

The fairness of elections includes a free, inclusive, equal, and competitive electoral environment where constitutional human rights are protected, transparency and accountability standards are ensured, and voters trust the election results.

Fair and free elections depend on **freedom of expression and assembly, freedom of association, freedom of movement, and, of course, the absence of fear/control**. It depends on **transparent electoral processes, unbiased electoral legislation and systems, creation of equal opportunities for all participants, independent and impartial election commissions, absence of pressure and threats** at any stage of the electoral cycle, **starting from the pre-election period and ending with the summarization of election results**.³

Within the framework of the decision on granting candidate status, the European Union emphasized this principle in Step 4 and noted that the country must "ensure a free, fair and competitive electoral process - especially in 2024 (...)"⁴

This research "**In-depth Analysis of the Electoral Environment of the 2024 Parliamentary Elections**" presents a comprehensive and thorough analysis of the extent to which election integrity is protected, discussing the regulatory-political framework of elections, main challenges of free and fair elections, legislative, political and funding aspects, as well as disinformation and hybrid warfare aspects. **The systemic violations that occurred** during the pre-election, election

¹ IDEA, The Integrity of Elections. International Institute for Democracy and Electoral [Assistance](#) 2012

² Constitution of [Georgia](#)

³ Elections and Security, Analytical Article. [Caucasus Open Space](#) (COS).

⁴ Document available at this [link](#)

day, and post-election periods that contradict the principles of free and fair elections. **The identified large-scale, systemic violations raise reasonable doubt regarding the legitimacy of the elections.**

Research Framework and Guiding Standards

The research framework is based on the fundamental principles of European electoral heritage, which are reflected both in the Constitution of Georgia and electoral legislation⁵, as well as in Georgia's international obligations. In turn, this heritage serves to conduct periodic elections in a free, fair, and competitive environment, with the following prerequisites:

- **Universal;**
- **Equal;**
- **Free;**
- **Secret and**
- **Direct voting.**

These principles also include **equality of opportunities for electoral subjects**, which should encompass **equal opportunities in terms of both funding and media access, and of course - equal and fair access to fair courts and a fair environment in various electoral institutions.**

According to the UN Universal Declaration of Human Rights of 1948, the basis of government authority is the will of the people, which should be expressed in periodic elections. One of the essential conditions for exercising popular sovereignty is the periodicity of elections. It is determined by the term of office of the representative body and public officials, which is established by the constitution or law. The periodicity of elections gives voters a means of influence over elected officials: they have the opportunity to renew the composition of the representative body at precisely established intervals, re-elect a previously elected person if satisfied with their performance, or elect someone else if they have lost confidence. The same applies to the election of public officials. This rule forces political parties and elected officials to maintain constant contact with voters, consider their demands, convince them of the correctness of their policies, etc.

At the same time, the principles for conducting elections through electronic means are defined by the Council of Europe's guidelines.⁶ According to these, it is essential to protect the principles of vote verification and checking, the so-called paper trail, secrecy, security, and reliability.

Specifically, **the voter should be able to verify the correctness of their vote immediately after casting it.** Clearly, during such voting methods, it is important that the ballot format prevents any possible misunderstandings. To facilitate **the verification and vote recount process** in case of appeals, the existence of a **paper trail** is essential - it may be required that it should be possible to

⁵ Electoral Code, Article 3

⁶ Council of Europe [recommendations](#)

print the cast vote from the machine onto a ballot. Such ballots should be placed in a sealed opaque box, ensuring **voting secrecy**. **Electronic voting methods must be secure and reliable**. They are **secure if the system is adequately protected against deliberate interference and reliable if their functioning is proper and protected against any technical and software deficiencies**. Furthermore, **voters should be able to verify the accuracy of their cast vote and, if necessary, correct it without any violation of voting secrecy**.

Research Methodology

The present research methodologically includes desk, quantitative, and qualitative analysis. Within the research framework, an in-depth, systematic, and comprehensive analysis of the 2024 electoral environment was conducted - examining the extent to which election integrity was protected during pre-election, election day, and post-election periods. The research reviews and analyzes the regulatory-political framework of elections, main challenges of free and fair elections, legislative, political and funding aspects, as well as disinformation and hybrid warfare aspects. Attention is focused on the systemic violations that occurred **during the pre-election, election day, and post-election periods and which contradict the principles of free and fair elections**.

Accordingly, the research scope and period do not only cover the events and facts of the election year. It reflects and analyzes all significant events related to the decisions made by the ruling party, including the return to consideration and approval of the law "On Transparency of Foreign Influence"⁷. Events and actions that had a negative impact on human rights and the quality of democracy.

Brief Description of Activities

The pre-election period research was conducted through triangulation and is based on information obtained from focus groups and interviews, and desk research.

COS met face-to-face with up to 150 citizens, and online with up to 150 citizens in more than 10 cities (total of up to 300 citizens, Tbilisi, Signagi, Ninotsminda, Akhalkalaki, Akhaltsikhe, Ambrolauri, Kharagauli, Kutaisi, Zugdidi, Ozurgeti, Batumi, including up to 100 citizens living abroad, among them in the European Union and United States). Meetings were held in the format of focus groups, in-depth interviews, and free discussions.

Within the desk research, Georgia's electoral legislation and international standards and principles were analyzed, as well as the changes implemented in Georgian legislation that had direct and indirect impacts on the electoral/political environment, and the activities and decisions made by institutions involved in the electoral process as a result of these changes.

⁷ Document available at this [link](#)

COS observed the 2024 parliamentary elections within the Coalition We Vote, accordingly, on election day, the organization collected information from 1131 polling stations in Georgia and 48 abroad, based on information and evidence submitted by precinct, district election observers and mobile groups. After a lengthy screening process, COS directly registered more than 600 observers with the CEC. In the post-election period, the organization was involved in electoral disputes.

The organization developed a strategy for litigation of electoral violations. Together with coalition member partners, COS filed complaints in 29 electoral districts, requesting the invalidation of 246 polling stations, where the number of registered voters was 417,305 citizens. Accordingly, the research results, along with desk research and qualitative and quantitative analysis, were based on the findings and challenges identified within the framework of COS electoral program's observation mission of the 2024 parliamentary elections.⁸

Research Limitations

The adoption of the so-called "Russian Law"⁹ had a significant impact on the pre-election environment, observation organizations' activities, and citizens.

The law had a chilling effect on civil society from its first days of adoption - citizens began to refrain from communicating with non-governmental organizations and media - especially in regions and small settlements. In many cases, planned meetings were cancelled, and individuals who had confirmed participation in events refrained from attending meetings. This circumstance significantly limited the possibility of obtaining information in the pre-election environment.

At the same time, pressure and intimidation significantly increased against public officials and those who were financially dependent on the state budget in any form and were used by the ruling party as administrative resources - including socially vulnerable people, representatives of municipal non-profit legal entities and legal entities of public law. This trend also complicated the possibility of obtaining information.

Despite piloting in previous years' elections, the 2024 parliamentary elections using electronic means were conducted at this scale for the first time (with approximately 90% voter participation). Along with the small scale of piloting, competition between subjects was also low (due to lack of political protest or desire to participate); accordingly, one of the research limitations was the lack of comparative analysis possibility.

⁸ In parallel with research, election observation, and appeals, COS was involved in an awareness-raising campaign to provide information to the population about new electronic voting procedures, their electoral rights, and mechanisms for protection from violence. Part of the information campaign is COS Digital Academy: <https://cosacademy.ge> and the online digital publication ka.maisi.news and maisi.news developed jointly with partners

⁹ Law available at this [link](#)

On election day, according to the observation missions of Coalition We Vote, Georgian Young Lawyers' Association, and International Society for Fair Elections and Democracy, due to systematic restrictions on observers' rights,¹⁰ observation possibilities were somewhat limited.

In the post-election period, hundreds of cases regarding polling stations were consolidated, resulting in hearings at appellate courts (Tbilisi, Kutaisi) lasting several hours. In first instance courts, court sessions for almost all cases were scheduled at the same time. Meanwhile, courtrooms did not have adequate capacity for media and external persons to attend. This further limited the possibility of observing court sessions.

These significant limitations require analysis of research findings in conjunction with other studies and evidence. However, despite the limitations, substantial systematic evidence and information were collected within the research framework, enabling the presentation of a complete picture of the 2024 parliamentary elections.

Summary of Findings and Recommendations

Key Findings: "Georgian Dream" began preparations long before the elections, including changing the legislative framework in a way that aimed to adapt legislation to the ruling party's interests. Besides the electronic method, the 2024 parliamentary elections were conducted against the background of many legislative changes that affected the pre-election environment. These include the so-called "Russian Law," law on offshore companies, abolition of gender quotas, homophobic legislation, changes to electoral legislation, and others. The adoption process of these laws violated international standards and proceeded without the involvement of opposition parties and civil society.¹¹

With the adoption of the "Law on Transparency of Foreign Influence" ("Russian Law") in April 2024, the Georgian government openly opposed all fundamental principles and values on which the European Union is based. Through these actions, the government achieved a de facto suspension of Georgia's EU integration process.¹²

However, the pre-election period became complicated as early as March, 8 months before the elections, when massive protests against the "Russian Law" began. The protests took place against the background of pressure, intimidation, verbal and in some cases physical violence against

¹⁰ Hostile environment for observers at polling stations - unidentified violent groups controlled both the external perimeter of stations and, in many cases, processes conducted inside stations, while law enforcement had no response to violence reports. In the second half of election day, it became necessary to withdraw observers from several stations to protect observers' physical safety) and violation of precinct election commission setup rules (at 19% of stations, registrars' tables were arranged so that observers could not observe the registration process.

¹¹ Any change in electoral legislation, among other requirements, must meet the requirement that it should be adopted on the basis of broad consensus. The internationally recognized standard - which the Venice Commission reinforces - electoral legislation should be stable and not subject to frequent changes, especially in an election year. The ruling party's legislative policy this year directly contradicts this principle.

¹² Information available at this [link](#)

activists, non-governmental organizations, journalists, political parties, and citizens participating in the protests.

The existing violent environment created qualitatively and quantitatively new challenges for election observers and media, which complicated their activities both during the pre-election period and on election day.

Election day proceeded with severe and substantial violations. The violations identified during monitoring of the electoral process were part of a unified scheme. A complex election fraud scheme was developed, which had a substantial impact on the election results and does not reflect the will of Georgian citizens.

Against the background of massive election fraud¹³ and the developing crisis, opposition parties declared the result illegitimate, declared the government unconstitutional, withdrew their proportional lists, and also appealed to the Parliament of Georgia to cancel mandates. The President of Georgia appealed the results to the Constitutional Court.

The Constitutional Court left the President of Georgia's lawsuit without consideration, thereby disregarding the fundamental principles of a democratic state. The existing decision deepened the legal and political crisis. After the first plenary session of the 11th convocation of the Parliament of Georgia on November 25, "Georgian Dream" quickly decided to suspend EU accession negotiations until 2028, which was followed by large-scale peaceful protests by the population. The government responded with systematic violence.¹⁴ **The government was recognized as illegitimate by international partners and society.**¹⁵

Key Recommendations: Based on the analysis of severe facts of human rights violations and deterioration of democracy quality presented in the research, systematic election fraud scheme and evidence obtained by observers, it should be recommended that it is important to:

- Stop human rights violations, restrictions on freedom of expression and the right to assembly and demonstration, facts of torture and inhuman treatment;¹⁶
- Hold new parliamentary elections, which will be conducted by fairly staffed election administration, ensuring political neutrality of law enforcement agencies (State Security Service, Special Investigation Service, Ministry of Internal Affairs).

¹³ Assessment of observation organizations available at this [link](#)

¹⁴ Systematic violence, online media platform [Maisi.news](#)

¹⁵ International assessment available at this [link](#)

¹⁶ Online media platform [Maisi.News](#)

Legislative Framework

"Georgian Dream" began preparations long before the elections, including changing the legislative framework (as misuse of legal administrative resources) in a way that aimed to adapt legislation to the ruling party's interests.

The adoption of the "Russian Law," offshore law, initiation of homophobic "Family Purity Protection" law, changes to electoral legislation were directed against Georgia-EU common agreements, fundamental principles of human rights and freedoms, and rights guaranteed by the Constitution of Georgia, contradicting the will of Georgian citizens regarding Georgia's full integration into the European Union and North Atlantic Treaty Organization.

Electoral Administration Staffing, Decision-Making Rules, and Other Important Changes

In February-March 2024, "Georgian Dream" approved another set of electoral changes that contradicts the 9 recommendations issued for Georgia by the Venice Commission of the Council of Europe, OSCE Office for Democratic Institutions and Human Rights, and European Commission. The most important changes concerned electoral administration staffing, presidential participation in staffing process, electoral administration decision-making rules, electoral financing and anti-corruption measures, etc. Specifically:

- **Electoral Administration and its Staffing:** According to changes, the ruling party can unilaterally staff CEC members and elect CEC chairperson for a full 5-year term with 76 votes without consensus. Also, presidential powers in CEC staffing are limited and the opposition-designated CEC deputy chairperson position (held by "Lelo" party representative since 2021) is abolished. This contradicts the December 2023 Venice Commission and OSCE/ODIHR conclusion. According to the conclusion, consensus and consideration of 2/3 quota is necessary when electing CEC members and chairperson (which was also provided for by the Charles Michel-facilitated agreement of April 19, 2021).¹⁷
- **CEC Decision-Making Rule:** In June 2024, an amendment to the Electoral Code came into force, according to which CEC decisions no longer require at least two-thirds of full composition - 12 votes; if a decision cannot be made, it is voted on in the same session and only requires a majority of CEC composition (9 votes). The change deteriorated the quality of participation by opposition party-nominated members in decision-making process and increased possibility of single-party decision-making (8 professional members plus ruling party representative).
- **Abolition of CEC Advisory Group:** Changes abolished the CEC advisory group, which included experts selected by observation organizations (local and international) and representative of Public Defender's Office. However, the group didn't function; credible observation organization representatives left in 2021 after CEC changed group staffing and

¹⁷ Venice Commission and OSCE/ODIHR, 2023 December [conclusion](#)

decision-making rules, replacing consensus with 2/3 of full composition. The group ceased functioning and dissolved in September 2021.

- **Introduction of "Delegates" Institution:** In May 2024, Parliament made another amendment to Electoral Code, allowing parties to designate persons included in parliamentary list as delegates of voters registered in electoral district territory. This change aimed to replace former majoritarian deputy idea with so-called delegates, allowing ruling party to associate itself with certain locally influential persons in regions. They're often called local "feudals" and enjoy relative public support due to financial or other resources at their disposal. Since opposition parties practically don't have such persons at their disposal - they, by their nature, always side with forces in power - clearly this change will work exclusively in ruling party's favor.
- **Electoral Financing and Anti-corruption Measures:** According to changes, Anti-corruption Bureau was granted authority to question individuals, court-ordered questioning was defined. Also, issues of requesting personal and special importance information. Additionally, National Agency of Public Registry was granted authority to cancel party registration based on Anti-corruption Bureau's request if the latter fails to submit financial declaration for two consecutive calendar years, or if all submitted declarations show zero income and expenses. In such cases, remaining party property is transferred to state treasury. However, legislator didn't create clear provision about party re-registration.¹⁸

Much earlier, based on changes implemented to Georgia's Law on Fight Against Corruption on November 30, 2022, Legal Entity of Public Law - Anti-corruption Bureau was created. Within changes, preventive mechanisms of corruption were united under one agency. It should be noted that along with implementing legislative changes in electoral legislation, political financing monitoring was transferred from State Audit Office to Anti-corruption Bureau. However, considering that Anti-corruption Agency head is directly appointed and dismissed by Prime Minister, agency independence - especially in political corruption research part, is not ensured (which clearly showed in pre-election investigation started against Transparency International Georgia, and later terminated after direct indication from ruling party representatives). Later, political party financing model was changed - on December 15, 2023, ruling party approved changes to Electoral Code and Law on Political Unions of Citizens, according to which legal entities were prohibited from making donations to parties, and upper limit for parties' annual expenses was set at 0.04% of GDP instead of 0.05%. Notably, fundamental imbalance between ruling party and other parties remains problematic and these changes will harm opposition more than ruling party - since the latter has significant administrative resources and flexibility in fund mobilization.

Along with implementing legislative changes in electoral legislation (political financing monitoring transferred from State Audit Office to Anti-corruption Bureau), legislator didn't focus on Article 112 of Electoral Code, according to which Parliament membership candidate status is incompatible with various specific official positions and officials must resign and be released from held positions no later than 2nd day after submitting registration application for Parliament membership candidacy. However, Anti-corruption Bureau head isn't included among these

¹⁸ Law on Citizens' political union available [here](#)

persons, who might have official incompatibility in case of nomination as candidate according to this article's purposes.

If registered as Parliament membership candidate, person's registration as electoral subject representative, observer organization observer, press and other mass media representative is cancelled (if such registration exists).

Accordingly, numerous changes were implemented in electoral legislation that contradict basic principles and standards - ensuring free, fair and competitive electoral process. Notably, within 9 steps, European Commission demanded protection of these principles and full implementation of OSCE/ODIHR recommendations through comprehensive and consistent electoral reform. However, Georgian government did nothing to meet these standards. Conversely, what government implemented after December 15, 2023, was contrary to EU's 9 steps.

Additionally, according to local observation organizations' assessment, electoral campaign financing control, electoral district boundary delimitation, administrative resource and official authority abuse, electoral dispute resolution system, absence/weakness of measures against voter intimidation and others remain problematic in electoral legislation.¹⁹

One of the steps backward among legislative framework changes is abolition of mandatory gender quota in electoral legislation regarding gender equality and women's political participation, and abolition of 30% budget financing supplement directed at increasing women's political participation and strengthening women in political parties.²⁰

Abolition of Gender Quota

85 deputies supported the abolition of the gender quota in the Electoral Code. **They did not present legitimate, research-based arguments for the necessity of abolishing gender quotas. The discussions clearly revealed the hostile, sexist, and discriminatory environment in which women must participate in public spaces and political life. Violence and discrimination against women politicians in the 10th convocation of Parliament became systematic. The Parliament of Georgia became a place where hatred and discrimination against women were accepted forms of communication, while the work of the permanent parliamentary Gender Equality and Ethics Councils remained ineffective.**²¹

Through implemented legislative changes, the ruling party violated the will of Georgia's voters. According to research, 61% of voters in Georgia support equal representation of women and men in Parliament (NDI, 2023). Society believes that equal representation of women will positively impact the country's development (UNDP, UNFPA, 2020). Additionally, 65% of the population believes that the more women in Georgia's Parliament,

¹⁹ Information available [here](#)

²⁰ Information available [here](#)

²¹ Information available [here](#)

the more influence they will have on political priorities and public policy. 63% of Georgia's population believes that increasing women's involvement in politics will benefit the country (CRRC, UN WOMEN, 2024).

The change contradicts the 2017 constitutional reform and definition of substantive equality principle, which establishes state's positive obligation to take special measures to ensure substantive equality between men and women and eliminate inequality. Also, with recommendations presented within European perspective. Specifically: gender equality was one of the 12 conditions defined by European Commission for Georgia.²² Instead of progress (one of the three fulfilled recommendations concerned gender equality and women's political participation issues).

The operation of mandatory gender quota was positive in the 2020 parliamentary elections.²³ After the February 2023 amendment to Electoral Code regarding mandatory gender quota, its implementation did not occur in practice and the effectiveness of gender quota as a temporary special mechanism was not evaluated - whether its duration was sufficient for women's political participation. However, on April 4, 2024, without consultation with civil society and relevant stakeholders, the Parliament of Georgia hastily abolished mechanisms supporting women in politics and party internal democracy.

Meanwhile, according to assessment by international institutions OSCE/ODIHR²⁴ and Venice Commission²⁵, abolition of mandatory gender quota without alternative measures to increase women's political representation is a step backward in gender equality in the country and inconsistent with international standards.

In the 2024 Georgian parliamentary elections, according to Central Election Commission data,²⁶ only 29% of 1,185 registered candidates in political union lists were women, nominated in non-passing positions, which represents significant regression compared to 44.3% female candidates in previous parliamentary election lists. **In 2020, women's representation in Parliament was 20%; in 2024, considering lists submitted by political unions, the number of female deputies decreased²⁷. The reduction in women's representation undermines progress achieved in this direction in recent years and further distances us from critical mass necessary for women's political participation, which is defined as 30%, while CEDAW's latest recommendation supports parity.²⁸**

Regarding **mandate distribution and women's participation** according to 2024 election results, it should be noted that against the background of massive election fraud²⁹ and developed crisis,

²² Information available [here](#)

²³ Research: mandatory gender quota in [Georgia](#), 2022

²⁴ OSCE/ODIHR [evaluation](#)

²⁵ Venice Commission [evaluation](#)

²⁶ Information available [here](#)

²⁷ Currently Georgian Dream has 89 mandates, of which [women's](#) – 12.

²⁸ CEDAW – recent [recommendations](#)

²⁹ Election observers' [report](#)

opposition parties withdrew proportional lists and addressed Parliament regarding mandate cancellation.

Russian Law

The draft law "On Foreign Transparency" initiated by Georgian Dream, which spread in Georgia under the name "Russian Law" - in essence, context of creation, objectives, and even name is identical to Putin's authoritarian regime's law and contradicts the European Convention on Human Rights and Constitution of Georgia.

The law's purpose is (through negative connotation stigma - by registering as an organization promoting foreign power interests, conducting monitoring every 6 months, and sanctions that include fines of 25,000, 10,000, and 20,000 GEL, including extending and sanctioning the draft law to individuals)³⁰ to weaken government-controlling, impartial civil society organizations, independent and unbiased media outlets, and negatively impact their activities.

The history of the "Russian Law" begins in 2012 when, with desire to return to power for third time, Putin first introduced the law "On Agents," confronting independent media and observation organizations that pointed to large-scale election fraud. The law's justification matches Georgian Dream's justification and emphasizes necessity of NGO sector "transparency," despite NGO sector in Georgia being the most transparent sector (both by existing legislative requirements and practical mechanisms). Over time, through this law and its many amendments, Putin completely destroyed free media and observation organizations in Russia. Finally, on December 1, 2022, Russia adopted updated law - which literally translates as law "On Foreign Transparency." In its explanatory note, Russian Duma (Parliament) Chairman directly indicates that this law is directed against Europe, Britain, and America.

In response to the law adopted in Russia, European Court of Human Rights indicated that this law and any analog directly contradicts European values and is incompatible with governance of free, democratic state, as it restricts right to peaceful expression and manifestation, has stigmatizing effect on civil sector, imposes disproportionate administrative burden on them and "is not necessary in democratic society." In Georgian context, law directly contradicts will of Georgian citizens reflected in Constitution of Georgia for Georgia to become EU member.

Adoption of "Russian Law" was anti-democratic legislative measure that had chilling effect on civil society before implementation.

It should be noted that before adoption of "Russian Law," Georgia already had comprehensive legislation in grants sphere ensuring NGO transparency, namely:

- Law on Grants, which repeats OSCE principles and determines that during grant funding, there must be contract and transparency of funder, funded, amount and purpose;

³⁰ Bill available [here](#), Law available [here](#).

- Law on Prevention of Money Laundering and Terrorism Financing, which requires banks to study transfer origins and compliance with law;
- Georgian Law on Lobbying Activities - which is most similar to American FARA, as it defines possibility for those who want to work directly with parliamentarians to register and indicate their funding origin and purpose.

The law was perceived by informal violent groups as a green light, which was followed by verbal and in some cases physical violence against civil society, media, political party representatives and citizens participating in protests. The systematic and uniform form of violence created reasonable suspicion that this violence and pressure was organized by the government, as indicated by numerous investigations conducted by investigative journalists.³¹

Meanwhile, in the updated version of the "Russian Law," NGOs subject to this law are required to submit even special category personal information that is not related to their activities (special category personal data contains any personal matter, from health condition to personal life details). This information is subject to publication in public registry. Notably, in mid-October, this very risk materialized and citizen's special category personal data was made public, creating dangerous practice. NGOs might be required to disclose information about their employees' private lives, which, under conditions of LGBTQ+ propaganda, could create immediate and significant physical danger to them.³²

On October 17, a complaint against the so-called "Russian Law" was filed with European Court of Human Rights by 120 civil society organizations,³³ 16 media outlets and 4 individuals, after Georgian Constitutional Court refused to suspend³⁴ the so-called "Russian Law." NGOs assessed Constitutional Court's refusal to suspend law as "judges' betrayal of constitution." Two judges of Constitutional Court registered dissenting opinions.³⁵

In European Court of Human Rights, organizations point to violations of various articles of Human Rights Convention: freedom of assembly and association (Article 11), freedom of expression (Article 10), right to respect for private and family life (Article 8), prohibition of discrimination (Article 14), right to effective remedy (Article 13) and limitations on use of restrictions on rights (Article 18).

Offshore Law

On May 29, 2024, in parallel with adopting the "Russian Law," the ruling party overrode the Georgian President's reasoned veto and adopted the law on offshores. "Georgian Dream" justified

³¹ Joint [investigation](#) by iFact and OCCRP [გამომდგვარ](#)

³² Online media platform [Maisi.News](#)

³³ Online media platform [Maisi.News](#)

³⁴ Constitutional court, protocol [record](#)

³⁵ Constitutional court [website](#)

the hastily adopted law with "economic profit," however, at one session, ruling party deputy Paata Kvizhinadze mentioned:

"Business operations in so-called offshores are no longer interesting. Monitoring has strengthened, transparency has increased, taxes have increased - that's why many are leaving these offshores. If these leave and we attract maximum portion to transfer their business to Georgia. Under current legislation, they will have to pay tax - for example, if this goes in terms of supply, then they'll pay profit tax, if it goes in terms of gifting - income tax, profit tax, etc. Now we're talking about, at the moment of one-time transfer, **let's forgive these taxes if they come and launder their... it's already laundered, but if it's in Georgia, it will be more transparent and more tax will come in and it will be very good.** Besides this share, they have other assets, I don't know, for example aircraft, equipment, cars or something - and they want that in Georgia too and want to transfer that to Georgia too, but it doesn't affect this share, here too they'll be exempt from import payments one-time in terms of import."³⁶

Notably, according to Transparency International Georgia's 2021 research, "Georgian Dream" founder Bidzina Ivanishvili owned 20 companies in offshore zones. Meanwhile, "iFact's" investigative research shows how Georgia is being used by Russian sanctioned companies.³⁷

In parallel, world's democratic states are strengthening offshore zone regulations, while Georgian government had not envisaged introduction of such legislation in any strategy or international agreement. It can be considered that this law contradicts international norms against money laundering. That's why adoption of this law raised suspicion that through legislative changes, ruling party is preparing for change in foreign course and accompanying sanctions. Interestingly, law contains completely different issue: by same legislative change, citizens' tax debts were written off - which on one hand coincides with pre-election period, and on other hand, combining these two radically different issues in one legislative change indicates attempt to soften possible protest against legislative change on offshores. President, in motivated notes of veto, indicates that legislative changes contain serious political and economic risks and cannot be adopted in expedited manner. Meanwhile, President indicates that change creates unequal and discriminatory investment environment.³⁸

Homophobic "Family Values Protection Law"

Another law that Georgian Dream put on the agenda concerns the so-called protection of family values and minors.³⁹ It is directed against human rights, is discriminatory and contradicts Georgia's

³⁶ Information available [here](#)

³⁷ Information available [here](#)

³⁸ Georgian President's motivated [remarks](#)

³⁹ Law available [here](#)

Constitution, legislation, and fundamental principles and standards of human rights defined by international conventions.⁴⁰

In parallel with law adoption, amendments were made to Criminal Code (Article 1761) and Code of Administrative Offenses (Article 172¹⁰), according to which from December first, a person will be subject to fine or imprisonment.

Pre-election Environment

Legislative changes implemented in election year and reduction in independence quality of state institutions, erasure of boundary between state and ruling party activities, negatively impacted pre-election period. Challenges emerged regarding **freedom of expression and assembly, freedom of association**.

The initiation and adoption of "Russian Law" was followed by massive protests in Georgia. According to civil society assessment:

"Hostile laws aim to divide population, damage country's European future and abolish freedom of speech"⁴¹

Consequently, created legislative reality and state agencies' actions, illegitimate and disproportionate use of force during assemblies-manifestations,[4] attacks on civil societies and violence against activists,⁴² radically worsened human rights situation and quality of democracy in Georgia.

Within legislative framework review, it appears that during pre-election period, national regulatory-political framework of fair and free elections changed significantly. Implementation of legislative framework in practice by agencies involved in electoral process was challenging. In some cases, decisions exceeded bounds of legality and fairness (decisions of Anti-corruption Bureau and Communications Commission).

According to Coalition "My Vote" observation mission's general assessment, despite parties not being restricted in terms of direct election participation, pre-election environment of October 26, 2024 parliamentary elections was unequal, while state institutions' decisions regarding electoral violations were unfair and biased in favor of ruling party:

⁴⁰ At first, Georgian Dream initiated Constitutional amendments and held public discussions, however, the real reason behind it was to conduct homophobic propaganda and spread disinformation (Georgian Dream didn't have sufficient quorum for adoption of the amendments). Critical assessment of the elections was published by the Venice Commission and are available [here](#).

⁴¹ Social Justice [Center](#)

⁴² GYLA's [evaluation](#)

"Law enforcement agencies and other relevant institutions didn't even formally respond to specific violations, including criminal facts, and moreover, prevent violations."⁴³

Meanwhile, according to research's qualitative and quantitative data, during pre-election period, it emerged that **signs of economic violence against voters** are widely spread, **working environment for observation organizations and media** deteriorated. Situation was complicated **for political parties** too. Widely spread fear, disinformation complicated possibility for political groups to work in pre-election environment. **Impact of disinformation and propaganda on political environment was massive, in which legislative and executive government, judiciary and so-called independent institutions participated.** Citizens' attitudes, perceptions and lack of awareness about electronically conducted elections were harmful. Challenges emerged within **realization of universal suffrage** (realization of emigrants' and IDPs' voting rights).

During the pre-election period, the widespread trend was the use of administrative resources for the ruling party's electoral purposes. Legal, institutional, and financial administrative resources were being utilized.

Critically-minded media organizations were constant targets of attacks from the government. The Communications Commission illegally and unjustifiably fined broadcasting companies critical of the government. During the election period, media access for electoral subjects was also sharply unequal, violating the principle of equality of opportunity. Media outlets with pro-government editorial policies were closed to opposition parties. Members of the ruling party did not participate in various formats organized by critical media outlets. This had a negative impact and damaged the voter information process.

Signs of System-Expressed Violence

Widespread signs of economic violence: Citizens spoke about various forms of influence (intimidation, pressure, threats), risks of losing social benefits/status - student status, social assistance, housing, and others. More than half a million socially vulnerable people are registered in Georgia, and hundreds of thousands of citizens are employed in budget-funded organizations (public schools, kindergartens, ambulatory clinics, various state/municipal LEPLs and N(N)LEs, and others).

An illegal scheme of personal data collection operates,⁴⁴ for illegally collecting personal data of public servants and persons employed in budgetary institutions and their family members to ensure voting in favor of "Georgian Dream."

⁴³ Coalition Wevote – joint assessment of the election observation [mission](#)

⁴⁴ Batumelebi [article](#)

Those who have not directly become targets of various forms of influence, intimidation, or threats are affected by a chilling effect, which causes citizens' self-censorship and restraint from fully realizing their electoral-political rights and freedom of expression.

Voter Attitudes and Realization of Universal Suffrage

Exercise of voting rights: During the pre-election period, citizens' attitudes, perceptions, and lack of information about conducting elections through electronic means were particularly harmful. Citizens discussed dangers of participating in elections through electronic means, concerns that during voting, electronic devices - voter verification and voting devices would process voter personal data for control purposes and violate the secrecy principle regarding which electoral subject they choose. The creation of such citizen attitudes and perceptions, especially at regional/municipal level, was facilitated by spread of false narratives.

Challenges existed within **realization of universal suffrage**. Voters living abroad began preparing at the beginning of election year regarding **participation in elections and opening polling stations according to geographical distribution of voters abroad**. Persons involved in research process spoke about high number of applications for consular registration. They sent numerous letters to electoral administration and Ministry of Foreign Affairs about opening stations in cities where number of Georgian citizen voters was high (number of voters exceeded 50 and there was obligation under electoral legislation to open polling stations).

Despite appeals, electoral administration refused to open necessary number of polling stations abroad and, referring to Ministry of Foreign Affairs, opened polling stations only in cities where Ministry of Foreign Affairs has diplomatic missions and consulates. **Emigrants faced barriers both in voter registration process and on election day.**

Finally, disproportionately few polling stations opened abroad during pre-election period compared to emigrant numbers, challenges in registration process (with CEC's positive step allowing IDPs living abroad to participate in elections through online registration until October 7⁴⁵), and subsequently, inadequate arrangement of polling stations on election day violated constitutional principle of universal suffrage.

Working Environment for Observation Organizations

Working environment for observation organizations has deteriorated: After initiation of "Russian Law," civil society working environment significantly worsened - online discreditation, verbal and physical attacks in real life, telephone threats and vandalism of private property became reasons for staff outflow and difficulties in staffing observation missions.

⁴⁵ CEC decree on additional rules of voters' list formation in polling stations [abroad](#)

Law's chilling effect spread to Georgian citizens, civil society, and media organizations before its implementation. Meanwhile, citizens also noticeably distanced themselves from organizations. Citizens, including women, refrain from participating in various meetings, trainings and activities that were popular before Russian law initiation, against background of scarce socio-cultural and educational opportunities in regions. They refrain from receiving vital services essential for protecting their rights and health.

Media Environment

In Press Freedom Index⁴⁶ 2024, Georgia ranked 103rd among 180 countries, reflecting 26-point deterioration compared to previous year. According to Media Ombudsman organization's assessment, during pre-election period, journalistic activities were associated with physical, financial and organizational risks, artificial barriers and inadequate conditions, which hindered their controlling function.⁴⁷

According to research "**Journalist Safety Before 2024 Elections**," free media works against background of growing threats during pre-election period. According to research, regarding so-called "foreign agents" law, 65% of surveyed journalists consider themselves very vulnerable, while 23% consider themselves vulnerable. 42% of journalists participating in research and/or their colleagues have experienced physical attacks. Research participants believe they are constantly under covert surveillance, and disinformation campaigns are regularly conducted against them. According to research, obtaining public information remains one of the main problems for journalists.⁴⁸

Political Party Activities

Situation became complicated for political parties: Widely spread fear, disinformation complicates possibility for political groups to work in pre-election environment. Changes implemented in Law on Political Unions of Citizens, including change in coalition formation rule, negatively impacted activities and formation process of political unions. Abolition of gender quotas created additional financial difficulty for political parties, as additional financial resources received from gender quotas represented significant supporting mechanism for promoting political pluralism for small parties.

⁴⁶ Reporters Without Borders

⁴⁷ Assessment of media [environment](#)

⁴⁸ Research on media [environment](#)

Disinformation and Propaganda

Disinformation and propaganda: Disinformation is "systematic dissemination of false or partially false information, or distortion of accurate information, to instill doubt, distrust, fear, panic, division and polarization in population, thereby paralyzing decision-making ability of citizen and entire society, consequently the state, to gain advantage."

Impact on Political Environment - Pre-election environment was saturated with powerful disinformation and propaganda background. Leading narratives include instilling fear of war, use of hate speech against LGBT groups, and others - including in rhetoric of Public Broadcaster, Imedi, ruling party, and associated persons. Not only anonymous Facebook pages and accounts, but also pro-government experts and media outlets with editorial policies favorable to ruling party were involved in spreading disinformation.

After Georgia officially applied for EU membership on March 3, 2022, anti-Western campaign intensified further. This is confirmed by European Commission report,[1] specific direction of disinformation in Georgia tried to suggest that West is trying to open "second front" against Russia from Georgia.[2] Besides anti-Western messages, spread of other types of disinformation and information manipulative narratives through inauthentic coordinated networks presents problem. In May 2023, Facebook's owner company META deleted Prime Minister Irakli Garibashvili's supporting groups and other pro-government accounts for coordinated inauthentic behavior,⁴⁹ which according to Facebook's report were connected to Strategic Communications Department of Government Administration.

Main targets of disinformation spread during pre-election period were mostly opposition political parties, journalists, and non-governmental organizations. People and media critical of "Georgian Dream" were discredited with terms "stateless," "traitor" and spread of manipulative information reinforcing this narrative.

"Not a single political official or head of so-called independent agency remained uninvolved in disinformation and discreditation campaign against civil sector. Some civil sector representatives also figured negatively in ruling party's official election advertisements."

Various methods were used for discreditation - visual manipulation, photo/video montage, audio material editing or spreading video comments without context were most frequently used.⁵⁰

Administrative Resource- Legal/Institutional and Financial Administrative Resources

Trend of erasing boundary between state and political party activities continued in terms of ruling party's abuse of legal/institutional and financial administrative resources.

⁴⁹ Meta [report](#)

⁵⁰ Coalition Wevote – pre-election [evaluation](#)

Multiple cases emerged where ruling party candidates participated in budgetary events, public servants and persons employed in budgetary institutions were mobilized to engage in pre-election gatherings favorable to ruling party, and budgetary funds were spent for electoral purposes.⁵¹

Legal/Institutional Resources

During pre-election period, ruling party intensively used legal and institutional resources. In this regard, activities of electoral administration, anti-corruption bureau, national communications commission and decisions made in favor of ruling party should be noted. Let's consider several:

Electoral Administration

Electoral Administration: According to Georgia's Electoral Code and Ethics Code for Electoral Administration Employees: "Independent and impartial electoral administration represents one of the main cornerstones and guarantors of conducting democratic and free elections. Conscientious, independent, impartial, objective, professional and politically neutral electoral administration officials ensure existence of independent electoral administration." Electoral administration members are independent in carrying out their activities and obey only Constitution of Georgia, law and relevant subordinate acts. Influencing electoral commission member or interfering in their activities to influence decision-making is prohibited and punishable by law.⁵² However, independence and neutrality of commission members remained a challenge in 2024 elections, especially regarding professional quota staffing. While electoral code norms were seemingly formally fulfilled, numerous observation organizations⁵³ and investigative media pointed to violations of these principles. For example: According to "iFact's" journalistic investigation, among electoral administration composition, including even members elected by professional quota, there is large number of confirmed ruling party supporters. Systemic precondition - specifically, ruling party's ability to unilaterally staff electoral administration (explained in legislative change section of this research), directly allows ruling party to staff entire electoral administration with party supporters, biased persons. For example, among over 750 checked commission members in Imereti region,⁵⁴ it was found that:

- 62 precinct commission members are employees of city hall, council, state institutions or municipal N(N)LEs;
- 185 precinct commission members are employed in schools or kindergartens (teacher, caregiver, librarian, director/manager);
- 21 precinct commission members are "Georgian Dream" government supporters, their family members and/or government propaganda spreaders;

⁵¹ Ibid

⁵² Election code, Article 8

⁵³ GYLA, evaluation of electoral [environment](#)

⁵⁴ iFact [investigation](#)

- 18 district commission members are employees of city hall, N(N)LE, school, or kindergarten;
- 7 district commission members are "Georgian Dream" supporters.

Distribution of Functions Among Precinct Election Commission Members Drawing Procedure: On August 16, 2024, CEC adopted resolution,⁵⁵ according to which, at precincts where electronic elections are held, drawing for distribution of functions among commission members should be conducted no later than 7 days before elections instead of election day. This damages transparency of electoral process and contradicts Electoral Code. Drawing for distribution of functions at polling station determines which commission member should perform what function on election day. According to previously active rule, aforementioned procedure was conducted from 7:00 AM to 8:00 AM on election day. Accordingly, procedure was conducted under observation of all involved parties who have right to be at polling station on election day: observers, media and political party representatives. This ensured complete observation of drawing process at all polling stations. Change in this rule resulted in function distribution process among commission members being conducted without observers in most cases.

Conducting Elections Using Electronic Means - Preparatory Procedures: CEC began preparation for conducting elections through electronic means well before elections, both organizationally and in terms of raising voter awareness and increasing trust in electronic elections. For internal organizational readiness, CEC developed logistics business process/system.⁵⁶

Commission signed state procurement contracts with Smartmatic International in August and December 2023. Within contracts, company was paid total of 62 million GEL for electronic means purchase. Smartmatic International was tasked with providing verification devices, tablets, vote counters and their software.⁵⁷

CEC purchased VIU desktop 800 series verification device from Smartmatic International, specifically new model of this series – VIU desktop 818-100. Documents uploaded on state procurement website show that initially, CEC planned to purchase devices capable of scanning both ID cards and passports, however, later, CEC unilaterally changed specifications and removed passport reading capability from specifications without notifying opposition or other interested parties.⁵⁸

Meanwhile, international principles of electronic elections trustworthiness include possibility of independent, multiparty verification of electronic elections. Day after elections, CEC chairperson spoke at briefing about audit conducted by American company PRO V&V, which, after three-stage⁵⁹ audit confirmed proper conduct of election day. However, according to investigative

⁵⁵ Decree #32/2024

⁵⁶ Document available [here](#)

⁵⁷ iFact [investigation](#)

⁵⁸ iFACT [investigation](#)

⁵⁹ Tablets, verification and vote counting equipment and their code were checked at the first stage. Configuration, servers, and list – at the second stage. Lastly, election day was assessed.

research by iFact investigative team,⁶⁰ audit conducted by this company is questionable for following reasons:

- PRO V&V has been collaborating with device supplier company "Smartmatic" for years – evaluating elections conducted with their technologies and devices;
- Company was selected by CEC unilaterally and non-transparently;
- Auditor answered only questions posed by "Georgian Dream" leaders in CEC;
- PRO V&V checked only 12 tablets, verification and vote counting devices each;
- Company representatives observed election day only at precincts pre-selected by CEC in Tbilisi, Gori and Telavi;
- Opposition, non-governmental or civil sector representatives did not attend audit process.

Creation of Precinct Election Commissions and Voter List Determination in Other Countries: Challenges for voters living in other countries and risks to exercise voting rights emerged in process of creating precinct election commissions and determining voter lists. As mentioned above, emigrants self-organized for election participation since beginning of election year. They used all legal and informational means to ensure state would ensure realization of voting rights.

Abroad, in large cities where number of Georgian citizen voters was high, voters registered for consular registration and wrote to electoral administration and Ministry of Foreign Affairs about opening precincts. CEC chairperson responded to emigrant Georgian citizens' appeals with personal letters. Court did not consider personal letters as administrative-legal acts and terminated proceedings.⁶¹

Despite emigrants' appeals, electoral administration refused to open necessary number of polling stations abroad and, referring to Ministry of Foreign Affairs, opened polling stations only in cities where Georgian Ministry of Foreign Affairs has diplomatic missions/consulates. Finally, CEC created 67 polling stations in 53 cities across 42 countries abroad.⁶²

Regarding voter list formation, another barrier emigrants had to overcome related to list formation issue (IDPs living abroad whose registration place is occupied territory of Georgia and voters with unclear registration addresses remained beyond consular registrations). As of September 26, CEC, referring to Ministry of Foreign Affairs, reported number of voters abroad was 65,508 (while number of consular-registered voters exceeded this number already in August). However, later, CEC found leverage and included voters registered in occupied territories who were on consular registration in voter list.

⁶⁰ iFact [investigation](#)

⁶¹ ISFED [lawsuit](#)

⁶² CEC decree on creation of polling stations abroad

After voter list change deadline expired on October 8, number of voters abroad increased to 95,834. For 65,508 voters, CEC opened 60 stations abroad, and later added only 7 stations for 30,326 voters.⁶³

Anti-corruption Bureau Decisions: Decisions of Anti-corruption Bureau also raised questions about independent activity, which extended restrictions established by Law on Political Unions of Citizens to observation organizations.⁶⁴

According to Bureau's decision, anyone who talks about public problems and citizens' needs is declared political actor. With this decision, Bureau exceeded framework defined by law and violated Article 261 of Law on Political Unions of Citizens, according to which:

"These restrictions cannot be used against freedom of expression, civil activity implementation and pre-election campaigning."

Later, based on Prime Minister Irakli Kobakhidze's address, Anti-corruption Bureau head immediately canceled his decision. Although Prime Minister approved Anti-corruption Bureau head's decision from "legal" perspective, he called for decision's cancellation based on "expediency" considerations.⁶⁵

National Communications Commission: In pre-election environment, attempts to create financial problems for main critical television stations through fines are particularly noteworthy, among which especially notable is fine imposed on three critical broadcasters (affecting Main Channel, TV Company First and TV Formula) for not publishing "Georgian Dream's" unethical advertisement using Ukrainian people's tragedy. After National Communications Commission drew up violation protocol, neither CEC nor court made different interpretation on this case, thereby supporting establishment of this vicious practice.

"Despite endless fines imposed by government being heavy burden for critical channels, we still do not intend to even indirectly contribute to 'Georgian Dream's' Russian propaganda and mockery of Ukrainian people. We fully share EU Ambassador's assessment that this is 'outrageous, shameful and horrifying' campaign and, accordingly, refuse to broadcast these videos," televisions stated.⁶⁶

Notable are human rights violations and obstruction of activities against foreign journalists, among which Afgan Sadigov's case is particularly severe. Journalist – Azel.tv's editor-in-chief was detained in Tbilisi on August 3 and has since been in Gldani N8 Penitentiary Facility. According to prosecution, case against Sadigov in Azerbaijan was initiated on May 9, 2024, and on May 13 Azerbaijani side requested extradition from Georgia. Tbilisi City Court imposed three-month extradition detention on Afgan Sadigov. Azerbaijani journalist has been on hunger strike in prison

⁶³ Coalition Wevote observation [abroad](#)

⁶⁴ Anti-corruption bureau [decision](#)

⁶⁵ Information available [here](#)

⁶⁶ Online media platform [Maisi.News](#)

since September 21. Journalist resorted to extreme form of protest after Ministry of Internal Affairs' Migration Department refused international protection in Georgia.⁶⁷

Also notable is pressure, blackmail and intimidation against local media in various regions of Georgia. Among them, noteworthy is information provided by local media in Guria, according to which local journalist decided to leave country after family members were threatened with death. According to same media outlet, government uses tax and criminal legislation to harass and persecute media due to its critical positions.

Election Day and Post-Election Period

On October 26, election day proceeded against background of severe and substantial violations. Violations identified during monitoring of electoral process were part of unified scheme aimed at changing final election result. A complex election fraud scheme was developed that had substantial impact on election results.

Systemic Violations on Election Day and Electoral Disputes

Election day represents one of important stages of electoral period. Violations revealed on election day, submitted complaints and responses to them by authorized bodies play essential role in evaluating entire election process. Accordingly, purpose of any observation mission is to observe electoral procedures at all stages of election day - opening of polling stations, voting, closing of polling stations, vote counting and summarization - to identify violations and submit complaints to relevant bodies if necessary.

This chapter discusses systemic violations revealed on election day, their scale, submitted complaints and responses to them by electoral administration and court.

Systemic Violations: On 2024 parliamentary election day, series of systemic violations were revealed that had not occurred during elections held for at least last decade or more. Violations were severe and often tendentious. Scale and frequency of violations make it possible to say that violations affected indefinite number of voters. Consequently, violations revealed on election day impacted voters' free expression of will and generally, conducting elections in fair and free environment. Specifically:

⁶⁷ Online media platform [Maisi.News](#)

Violation of Voting Secrecy

According to Constitution of Georgia, "...Parliament consists of members elected through universal, free, equal and direct suffrage by secret ballot."⁶⁸ According to Electoral Code, one of basic principles of conducting elections is "secrecy of ballot and free expression of voter's will."⁶⁹ According to Venice Commission's "Code of Good Practice in Electoral Matters," secrecy of vote is one of five principles of European electoral heritage.⁷⁰ Secrecy of vote is one of fundamental principles of elections recognized internationally, protection of which is necessary for conducting democratic and fair elections. This principle is also reflected in Georgia's Constitution and Electoral Code. Accordingly, one important criterion in evaluating elections is whether voting secrecy was protected.

Obstruction of Observer Activities

Unhindered observation of electoral process is important for conducting elections in democratic, fair and free environment. Unimpeded implementation of observers' activities is one criterion for evaluating elections. Observer has right to observe entire voting and vote counting process without hindrance, electoral commission is obligated to create all conditions for observer to carry out their activities.⁷¹ Responsibility for interfering with observer and media representative activities is determined by administrative and/or criminal legislation.

On election day, unprecedented scale of obstruction to observers' activities was recorded. This was carried out in various forms, specifically there was pressure on observers, physical attacks and verbal abuse, groundless expulsion from precincts, threats, restriction of observation possibilities. Accordingly, observers had to work in difficult conditions and could not properly carry out their activities, including submitting complaints and recording notes in logbook. Due to severe conditions, evacuation of observers even became necessary in some cases for their safety.

Physical Violence and Threats

Facts of physical violence and threats of physical retaliation against observers were recorded at numerous precincts. To obstruct their activities, observers were threatened with physical retaliation, and there were also attacks on observers and their expulsion from polling stations using physical force.

⁶⁸ Constitution of Georgia, article 37, clause 2, 1995

⁶⁹ Organic law of Georgia, Election code, article 3, 2011

⁷⁰ European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, 2002

⁷¹ Organic law of Georgia, Election code, article 41, 2011

Journalists were also targets of verbal and physical abuse. Purpose of attacks was to prevent journalists from revealing violations in electoral process.⁷²

Control of Voter Will Expression

Voter registration occurred at numerous precincts. Ruling party's so-called coordinators remained at polling stations throughout day with voter lists and checked who came to vote. Ruling party also mobilized voters using vehicles. These actions represent control of voters' will expression, which is illegal and indicates that free and fair electoral environment was not ensured.

Unauthorized Persons at Polling Stations

Unauthorized persons were present at and inside polling stations. They were particularly aggressive towards voters, observers and journalists, controlled and pressured voters. Physical confrontations and verbal abuse occurred. These persons, who in some cases were mobilized in groups, acted in favor of ruling party.

Inability to Observe Voter Verification Process

Voter registrar commission member is obligated to verify voter's identity and give ballot only after ensuring that voter's face matches photo in presented document.⁷³ This process is important because it should exclude voting by unauthorized person, specifically voting with someone else's document. Observers should have opportunity to observe registrars' voter identification process without hindrance. On election day, systemic problem was that observers could not observe verification process, which was caused by arrangement of tables in polling station or other reasons.

Violation of Marking Procedures

Checking and applying marking for voters are two important procedures that ensure prevention of repeated voting. Therefore, it is essential to implement both procedures in accordance with legislation. In numerous cases, there were violations of marking checking and application procedures, malfunctioning of marking liquid/device.

⁷² Obstruction of work of journalists is a crime under the Criminal code of Georgia, article 154.

⁷³ Organic law of Georgia, Election code, article 65 (clause 2, sub-clause b, article 76/6, first clause, sub-clause z, 2011.

Repeated Voting

Cases were revealed where certain individuals voted using others' documents/data. It was systematic when people arriving at polling stations had other voters' personal numbers written on paper placed in passport. They would present these to registrars, who would register them using others' personal numbers and allow them to participate in elections. There were also cases of voting with others' ID cards. This explains why ID cards were confiscated during pre-election campaign period, victims of which were mainly socially vulnerable citizens. Notably, obstruction of voter verification observation and violation of marking checking/application, which was massively recorded on election day, facilitated implementation of this repeated voting scheme.

This repeated voting scheme makes clear that election commission members themselves actively participated in it. This scheme was developed in advance and both persons who came to precinct with others' ID cards or personal numbers knew what they were doing, and precinct commission members knew they should give such voters right to participate in elections.

How did it become possible to involve precinct commission members in implementing such fraud scheme?

According to rules in effect for years, distribution of functions among precinct commission members occurred by drawing lots on election day. Accordingly, it was unknown until election day which commission member would perform which function, which reduced possibility of influencing them and implementing such scheme on large scale. For 2024 parliamentary elections, CEC changed this rule without any justification, despite numerous criticisms.[1] Under new rule, distribution of functions occurred one week before elections, which made possible agreement with and/or pressure on relevant precinct commission members to participate in fraud scheme. This gives grounds to assume that CEC itself was involved in developing this scheme or at least facilitated its implementation through its unjustified decision.

Campaigning by Commission Members

On election day, campaigning for or against any electoral subject is prohibited in voting building.⁷⁴ Multiple cases were revealed where precinct commission members indicated to voters whom to vote for. Notably, in all cases campaigning was in favor of ruling party.

Issuing More Than One Ballot to Voter

Throughout election day, issuing two ballots to voter and/or placing them in ballot box was revealed at many polling stations.

⁷⁴ Organic law of Georgia – Election code, article 45, clause 11

Problems Related to Mobile Ballot Box

Various problems related to mobile ballot box were revealed in almost all electoral districts. Cases were recorded when mobile ballot box returned to polling station unsealed, damaged, or with fewer ballots than should have been.

GONGO Observer Organizations

These elections were distinguished by particularly numerous observers from GONGO organizations.⁷⁵ Representatives of these organizations didn't know which organization they were observing from. As became known, they hadn't received electoral training, hadn't revealed any violations, and hadn't submitted complaints. They hindered impartial NGO observers in carrying out activities, created chaos at polling stations to prevent observers from detecting violations and to facilitate unauthorized persons' entry into polling station, going through identification process, receiving ballot and voting. Accordingly, purpose of GONGO observer organizations was, on one hand, to obstruct impartial observers and on other hand, to assist precinct election commission and those persons who came to polling station with others' ID documents or personal numbers in implementing fraud.

Problems Related to Foreign Polling Stations

CEC effectively disenfranchised voters abroad by not opening polling stations in cities where Georgian citizens live in concentration, despite numerous requests.⁷⁶ CEC's decision was unjustified and represents violation of Georgian citizens' constitutional right to participate in elections.⁷⁷

Additionally, on election day itself, voters who arrived at polling stations faced obstacles. They had to stand in line for hours because polling stations weren't operating properly, there weren't enough registrars and space at polling stations. Some voters were forced to turn back and couldn't manage to vote. There were flaws in lists, specifically cases were recorded when voters on consular registration weren't in list, preventing them from voting. Problems related to lists further delayed

⁷⁵ For example, Grigol Gagnidze's organization "International Observatory of Advocates and Lawyers" had registered 2,491 observers, while his wife Eka Agladze's organization "Politics and Law Observer" had 2,654 observers [3] For comparison, Moldova's example can be cited, where for 2024 presidential elections, Moldova opened 228 polling stations in 37 countries abroad (total number of voters was 3,302,142), while Georgia opened 60 polling stations in 42 countries (total number of voters was 3,508,294) [4] 95,910 voters were registered and could vote abroad, however only 34,000 voters managed [to vote](#)

⁷⁶ For comparison, during Moldova's 2024 presidential elections – 228 polling stations were opened in 37 countries (totaling 3,302,142 voters), while government of Georgia opened 60 polling stations in 42 countries (total number of voters were 3,508,294

⁷⁷ 95,910 voters were registered and could have participated in the voting abroad, however, only 34,000 managed to.

process. Due to lack of space, chaos was created at polling stations and observers couldn't manage to observe process.

Series of problems that electoral administration created for Georgian citizens abroad creates impression that these problems and obstacles were artificially created to minimize number of people who could manage to vote at polling stations created abroad.

Electoral Disputes

Regarding the aforementioned violations, the complaints submitted by observational organizations predominantly pertained to fundamental electoral principles - secrecy of ballot and free expression of will. However, all electoral disputes concluded with rejection of the monitoring missions' demands.

The coalition "My Vote" presented complaints in 29 electoral districts demanding the invalidation of results for 246 electoral precincts, where the number of registered voters constitutes 417,305.⁷⁸ District electoral commissions, district and appellate courts did not satisfy the monitoring mission "My Vote" complaints without appropriate and objective examination of the submitted evidence, rendering them unsubstantiated.

At the appellate review stage, the Kutaisi and Tbilisi Appellate Courts, by consolidating hundreds of precinct result invalidation complaints from observational organizations into a single proceeding, violated international electoral dispute resolution standards, according to which electoral disputes must be effectively reviewed by a fair tribunal based on the principle of party equality.

The appellate complaints were predicated on violations such as:

- Breach of ballot secrecy
- Obstruction of observers during the monitoring process
- Refusal to register observers' complaints
- Issuing multiple ballots to a single voter
- Multiple voting
- Violation of marking regulations
- Voting on behalf of another using their identification document or personal identification number
- Presence of unauthorized persons at electoral precincts

⁷⁸ Information available [here](#)

Presidential Constitutional Petition

The fundamental principles of European electoral heritage are universal, equal, free, secret, and direct suffrage, which are reflected in Georgia's electoral legislation.

On the 26th of October 2024, within the framework of systemic violations, the President of Georgia declared the results of the 2024 parliamentary elections unconstitutional and filed a petition with the Constitutional Court on November 19th.⁷⁹ Arising from violations of the principles of universality and secrecy of voting, the President of Georgia demands recognition of the disputed regulatory norms governing elections and their final results as unconstitutional.⁸⁰ Simultaneously, 30 opposition members of the current parliament separately approached the Constitutional Court regarding the recognition of election results as unconstitutional.⁸¹

Observational organizations presented amicus curiae opinions regarding the constitutional petitions.⁸²

The Constitutional Court did not accept either petition for substantive review, stating that the petitions were not substantiated and supported by evidence: "According to established practice of the Constitutional Court of Georgia, a general reference to fundamental rights restriction is insufficient to consider a petition substantiated. For this, the petitioner must present argumentation that, to a certain degree, indicates the unconstitutionality of the disputed norm..."⁸³

Constitutional Court judges Giorgi Kverenchkhilaze and Teimuraz Tugushi filed dissenting opinions, presenting substantiated perspectives on fundamental electoral principles:

Protecting European Electoral Heritage Fundamental Principles:

„For establishing and functioning a democratic state based on the supremacy of people's will, merely conducting periodic elections formally is insufficient. It is necessary that they correspond to electoral principles established by Georgia's Constitution..."⁸⁴

- Giorgi Kverenchkhilaze

Ballot Secrecy:

„Ballot secrecy aims to protect the voter's self-determination freedom, who, as a citizen, participates in forming unified public will and realizing popular sovereignty. Simultaneously, only

⁷⁹ President administration [webpage](#)

⁸⁰ President administration [webpage](#)

⁸¹ Constitutional lawsuit by members of [parliament](#)

⁸² Constitutional court [webpage](#)

⁸³ Constitutional court [decision](#)

⁸⁴ Different opinion by Constitutional court [judges](#)

under conditions of secrecy is the voter provided an opportunity to make decisions independently, in an environment maximally free from external socio-economic influences or interventions..."

„...Precisely ballot secrecy creates fundamental guarantees and significantly protects decision-makers from illegal actions directed against them. Consequently, the ballot secrecy principle represents an institutional mechanism of representative democracy, without which the essence of a democratic state and, correspondingly, the legitimacy of elected authorities are endangered."⁸⁵

- Teimuraz Tugushi

Universality Principle:

„For realizing the elections' universality principle, it is insufficient to formally provide voters the opportunity to vote by opening polling stations. Simultaneously, it is necessary that this right's realization occurs without unjustified obstacles. The state must take effective measures ensuring all eligible persons can exercise this right. Adequately reflecting voter ballots in mandates is a characteristic principle of effective democracy and therefore of paramount importance. Authorities are obeyed because they obtain victory according to commonly recognized rules. Proper realization of this right creates long-term governance perspectives, establishing a stable, legitimate, and effective democratic system..."

- Teimuraz Tugushi

By deciding to leave the petitions unreviewed, the Constitutional Court lost a historic opportunity to protect fundamental principles of a democratic state and lead the country out of legal and political crisis, unlike the Constitutional Courts of Moldova and Romania, which facilitated protecting constitutional legal order.

Conclusion

In summary, the October 26, 2024 elections were not free and fair. Based on evidence obtained by credible monitoring missions and revealed systematic violations, the election results do not reflect the will of the voters. This raises well-founded doubts regarding the legitimacy of the elections.

According to evidence and assessments collected by the monitoring missions of "My Vote", GYLA (Georgian Young Lawyers' Association), and "ISFED", the Georgian parliamentary elections were characterized by systematic, organized violations. The scale and consistency of

⁸⁵ Different opinion by Constitutional court [judge](#)

violations recorded by all three monitoring missions substantiates the conclusion that the elections were falsified through voter intimidation, interference with observation, and manipulation of voting procedures. All three missions conclude that the results of the October 26, 2024 parliamentary elections cannot be considered a true expression of Georgian voters' will and cannot be deemed free and fair.⁸⁶

⁸⁶ Evaluation available [here](#)

● 2024
Tbilisi

