

# A RISK ASSESSMENT FOR GEORGIA'S 2024 PARLIAMENTARY ELECTIONS

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Georgia is scheduled to hold its much-anticipated parliamentary elections on October 26, 2024. The elections are the first in Georgia since it attained European Union candidate status in December 2023 under the conditions—nine steps to full membership—set by the European Commission. One of the steps outlined by the Commission requires Georgia to ensure a credible, transparent, inclusive and peaceful elections.

The elections will be conducted under a fully proportional electoral system: Georgian citizens will elect all 150 members of parliament in a nation-wide multi-mandate constituency. Parties need to clear a 5% threshold to secure seats in the parliament. However, unlike in previous elections, party blocs are prohibited from running, and according to most public opinion polls, only two parties are unequivocally able to clear the threshold. For the opposition parties, finding a winning formula to compete in these elections became an urgent priority as the time to register for the elections was running out.

For the first time, the elections in the majority of the polling stations will be conducted using electronic tools such as ballot-scanning and -counting machines and voter identification equipment. Despite the use of technologies, the official results will be established through a manual count. While these technologies may minimize human error in the process of ballot -counting, concerns remain around the public awareness of the process and ensuring the secrecy of the vote.

Most importantly, the elections are taking place amid a high level of political polarization and a forceful power grab by the ruling Georgian Dream Party. At the end of its third term, Georgian Dream effectively controls all levels of government and the majority of state institutions, including the State Security Services, the judiciary, and the electoral administration. In May 2024, the parliament passed the Law on Transparency of Foreign Influence despite the mass protests by Georgian citizens and strong condemnations by Georgia's key allies in the EU and the United States. The passage of the law raised well-founded fears that the government aimed to further silence critical voices within civil society organizations and independent media before, during, and after the elections.

This pre-election risk assessment builds upon the findings of the <u>previous assessment</u> released by the German Marshall Fund of the United States (GMF) in May 2024 and analyzes key risks and challenges to democratic elections.

## The Legal Framework

In line with the constitutional amendments adopted in 2018, the October 26 elections will be held under a fully proportional system in a single multi-mandate constituency. For more than a decade, opposition parties and domestic observer groups have advocated for the switch to the fully proportional system to ensure better representation of diverse voices in the legislature as well as fairer allocation of mandates.

However, the gains of switching to the fully proportional system may not be fully realized due to the relatively high threshold of 5% and the prohibition against blocs/party coalitions. <u>Credible</u>







public opinion polls conducted by independent institutions show that only Georgian Dream and the United National Movement (UNM) unequivocally clear the threshold, with another two or three parties polling close to 5%. Opposition parties have little opportunity to maximize their votes without conceding some of their identity: they could run under the umbrella of another party, but amendments to the electoral code introduced for these elections prohibit registered party members to run on the ticket of another party without first renouncing their original party membership. Parliamentary mandates are allocated using the Hare quota (the number of voters represented by each legislator under an idealized system of proportional representation) with a threshold: votes for a party are multiplied by 150 and divided by the sum of valid votes received by parties that cleared the 5% threshold. Any leftover mandates are distributed in sequence starting with the party with the best results. Such a system of mandate allocation further advantages the party with the best results at the expense of the votes received by the parties that did not clear the threshold.

The relatively high threshold, the prohibition against blocs, and the new formula for allocating mandates may prevent smaller parties from entering the parliament and make the national legislature less representative of Georgian society. This outcome may run contrary to the nine steps outlined by the European Commission: among others, Step 4 calls on Georgia to ensure adequate representation of the electorate. In another controversial move, the Georgian Dream ruling party supported the legislative initiative tabled by the libertarian Girchi Party and abolished mandatory gender quotas as well as financial incentives for nominating female candidates. In a July 1 opinion, the OSCE's Offices for Democratic Institutions and Human Rights (ODIHR) criticized the adopted amendments, noting that they run contrary to Georgia's constitutional obligation to ensure gender equality and thus represent a setback for Georgia, where the gender balance in parliament is below international or regional targets. In addition, the opinion criticized the expedited manner of adoption of the provisions—without consultations with relevant stakeholders and too close to the elections. In response, UNM amended its charter to introduce internal party gender quotas. Several other parties also stated they would adhere to internal gender quotas voluntarily. If such commitments are not kept, there is a significant risk that women's political representation may further deteriorate.

In general, the legal framework has been revised considerably ahead of the October 2024 elections. One of the earlier reforms, undertaken in 2022 partially in response to the 12 priorities set by the European Commission, addressed some of the previous recommendations issued by the OSCE/ODIHR—including the introduction of certification requirements for professional members of precinct election commissions (PEC), specifying grounds for an automatic recount of ballots, adjusting deadlines in the election dispute resolution process, and introducing of the use of electronic means on election day. However, the majority of the follow-up amendments to the electoral framework were passed in an expedited manner, through a non-inclusive process and often ignoring recommendations issued by ODIHR and the Venice Commission (including amendments related to abolishment of gender quotas and changes to the appointment of members of the Central Election Commission -CEC).

Campaign Finance







A newly created Anti-Corruption Bureau will be responsible for monitoring campaign spending and donations for the October 2024 elections. However, like its predecessor, the State Audit Office, the bureau lacks authority to conduct independent investigations and relies on court decisions to impose sanctions and request information. In addition, there are questions related to the impartiality and political neutrality of the Head of the bureau, who is directly appointed by the prime minister for a six-year term. The Venice Commission also highlighted this issue in its December 2023 opinion, recommending reforms to the ACB's legal framework, particularly the appointment procedure for its Head, to strengthen independence and transparency. According to Transparency International, the bureau so far has failed to publicize the results of the review of public officials' asset declarations conducted in 2023, including the declarations of high-ranking officials such as former and current prime ministers, other ministers, and members of parliament.

The amendments to the Law on Citizens' Political Unions introduced in late 2023 banned donations from legal entities and reduced the cap on political parties' total spending (including that of its candidates) to 0.04% of the GDP from the previous year. However, many observers note that these measures may not be enough to address the long-standing problem of uneven allocation of resources to political parties in Georgia, whereas a considerable chunk of the private donations goes to the coffers of the ruling party.

Parties can raise funds through donations from citizens (capped at 60,000 GEL per year per citizen), collect membership fees, and apply for loans. Parties that receive at least 1% of the vote during parliamentary elections qualify for state funding roughly in proportion to the votes they receive. The low threshold for qualifying for state funding coupled with the high threshold for securing mandates in parliament may create incentives for parties to compete for the money rather than for representation, further contributing to political fragmentation.

In addition, new amendments to the Law on Citizens Political Unions allow the National Agency of Public Registry to terminate the registration of a party based on the request of the Head of the Anti-Corruption Bureau if the party fails to present to the Bureau its financial declaration for two consecutive calendar years or if its spending and income are equal to zero. This provision <u>may be contrary</u> to the Constitution of Georgia – as according to the basic law of the county, only the Constitutional Court can ban a party based on the grounds stipulated by the law.

#### New Technologies

Another significant novelty for these elections is the widespread use of the latest technology on Election Day. Following the 2022 amendments, around 90% of voters in Georgia will cast their votes using electronic ballot-scanning and -counting machines: the ballot scanners will be deployed in 2,262 out of 3,030 regular polling stations. While the preliminary results printed by the machines should be available shortly after the end of Election Day (i.e. after 8 PM), only the manual count of the ballots will be reflected in the final results summary protocols. The CEC has contracted Netherlands-based company Smartmatic to deliver the equipment for the elections. A public awareness and information campaign is underway: through July the CEC held mock elections/demonstrations in all municipalities across Georgia. A voting simulation game is also







available on the CEC website and the administration has already conducted around 3,000 informative meetings with stakeholders to demonstrate the use of the machines.

The use of ballot-scanning and -counting machines will decrease the possibility of human error and make the preliminary results available almost immediately. However, increasing the maximum number of voters registered at polling stations from 1,500 to 3,000, coupled with the low level of awareness among the general population, may result in delays on Election Day. Observers have also noted that voter identification equipment may not serve as a sufficient safeguard against repeat voting as the equipment does not check biometric data. In addition, during the pilot phase, observers identified problems related to the secrecy of the vote, confusion among voters, and malfunctioning of the machines. Some interlocutors have also expressed concerns related to independent external audit of the software used to operate the machines.

#### **Election Administration**

Parliamentary elections will be administered by three levels of electoral administration: the Central Election Commission (CEC), 73 District Election Commissions (DECs), and 3,030 regular Precinct Election Commissions (PECs). Additional special PECs may be established in hospitals, prisons, and other locations designated by the law. The CEC will also establish PECs for out-of-country voting based on the data submitted by the Ministry of Foreign Affairs (MFA).

The composition and nomination process for membership in the CEC have undergone significant changes in recent years, with the latest amendments adopted in May 2024. The CEC is composed of nine members nominated by qualified political parties (each party can nominate only one member) and eight nonpartisan, professional members appointed by the parliament for a five-year term. A political agreement brokered by European Council President Charles Michel envisaged the appointment of the CEC chair and nonpartisan members based on a political consensus and twothirds of the votes in the parliament. As an anti-deadlock mechanism, the law allowed the appointment of the CEC members with a simple majority for a six-month term. After the parliament twice failed to appoint the CEC chair and two members with the needed votes, the President refused to renominate the same candidates once their six-month terms expired. In response, the Georgian Dream party amended the relevant provisions of the Electoral Code and Rules of Procedure of the parliament, first in 2023 and later in 2024, effectively diminishing the role of the president in the nomination process. According to the new provisions, the chair of parliament nominates candidates who may be appointed by a simple majority for the five-year term. In addition, with the latest amendments, the ruling party amended the provisions related to the decision-making process at the CEC: instead of the two-thirds majority (12 votes) required for certain decisions, the CEC can now adopt the same decisions with a simple majority (9 votes). In addition, the CEC Advisory Council - a body composed of representatives of CSOs and Ombudsman's Office - was abolished as well. These amendments effectively allow the ruling party to control the appointment of all eight nonpartisan members of the CEC. With an additional party member represented at the highest level of the electoral administration, many are concerned that Georgian Dream fully controls the decision-making process as well. This further undermines the trust of the electoral stakeholders in the institutional independence and impartiality of the election







administration and runs contrary to the spirit of the <u>nine steps</u> set forward by the European Commission.

Through another controversial decision, the CEC amended the rules allocating functions to the members of the precinct election commissions: instead of Election Day, the duties among the commission members will be distributed one week prior (through drawing lots). This decision raised fears among the opposition and CSOs of possible intimidation and pressure on commission members. Despite an appeal by an opposition party, Tbilisi City Court upheld the decision of the CEC and no other appeal is possible.

## Out-of-Country Voting

There is no exact data on the number of Georgian citizens living abroad. According to <u>PMCG research</u>, in 2010–2020 the total number of Georgian citizens living abroad reached 861,000 (a whopping 23% of the total population of Georgia). In 2023 alone, <u>around 163,000 Georgian citizens</u> left the country.

The electoral code allows for the establishment of polling stations for out-of-country voting. Relevant PECs abroad are established by the CEC based on the data submitted by the MFA for no fewer than 50 and no more than 3000 voters. Any Georgian citizen residing abroad—regardless of migration status—can vote by registering at the diplomatic representation or consulate or at the polling station no later than October 7, 2024.

Traditionally, out-of-country voting has been negligible: for example, during the 2020 parliamentary elections, only 66,217 voters were registered abroad and only 12,247 voted. With the increasing number of Georgian citizens residing abroad and the switch to a fully proportional system, the out-of-country voting may now profoundly impact the results of the elections. Several parties and politicians, including the president, are campaigning to encourage out-of-country voting. However, migrants cite fears of deportation from the host country due to illegal status and distance from polling stations as the main reasons for not voting. While this is not clearly required by law, in practice, polling stations abroad are set up exclusively at the embassies and consulates of Georgia. In most cases, this means that voters need to travel to the capital and/or major cities of the respective country to vote in person. As an example, those wishing to vote in the United States would need to travel to the embassy in Washington, DC or to consulates in San Francisco or New York—a trip that many migrants are not able to afford.

#### **The Pre-Election Environment**

Shrinking Civic Space

The political environment ahead of the elections remains extremely charged and polarized, with societal divisions running deep and further exacerbated by the strong government and government-affiliated <u>propaganda</u>.

Despite mass protests in which thousands marched over several weeks, Georgian Dream charged ahead with adopting the Russian-style law on Transparency of Foreign Influence. That law requires







any nongovernmental organization or media outlet, including online media that receives more than 20% of its funding or in-kind contributions from abroad to register in a special registry as an entity representing "the interests of a foreign power". It requires such entities to submit annual declarations or face hefty fines. Fines may also be imposed on individuals who refuse to provide information requested by the Ministry of Justice. In addition, the law allows the state agency to initiate monitoring of an organization every six months. The law went into full force on August 1, 2024 and relevant organizations have a month to register and submit declarations. A special Department for Financial Reporting was established at the National Agency of the Public Registry of the Ministry of Justice to oversee the registration process and conduct monitoring. It will also maintain a public database of registered CSOs and media.

However, more than 100 Georgian CSOs and media outlets, including prominent election watchdog organizations, vowed not to register in the "defamatory registry". These NGOs submitted an appeal to the Constitutional Court and are planning to appeal to the European Court of Human Rights as well. President Salome Zourabichvili lodged a separate appeal to the Constitutional Court on the grounds that the law violated Article 78 of the Constitution of Georgia, which requires all state institutions to take all measures to advance Georgia's integration into the EU and NATO. So did 32 opposition MPs. There is little trust that the Constitutional Court will revoke the law or issue an interim injunction to stop its application before the final decision. The CC will need to rule on two key issues: first, the admissibility of the appeals, determining if they meet the legal criteria for consideration; and second, the potential for interim measures, which could temporarily suspend the law's application. As an example, interlocutors cite the recent appeal lodged by the Georgian Dream MPs against President Zourabichvili: the Constitutional Court sided with the MPs and ruled that the president's visits to Europe violated the Constitution, thus paving the way for the Georgian Dream majority to launch a formal impeachment process against the head of state. The process was ultimately unsuccessful.

In a step largely seen as Georgian Dream's attempt to mobilize conservative voters ahead of the elections, the ruling party also introduced a set of bills restricting LGBTQI+ freedoms and rights, which, if passed, may outlaw Pride events and any display of the rainbow flag or similar LGBTQI+ symbols. The bill <u>passed the first hearing</u> in June. In addition, the ruling party initiated a constitutional amendment to enshrine "the protection of family values" in the constitution. However, the party currently does not have enough votes to adopt the constitutional amendments.

In addition to the legislative changes, the ruling party has either tacitly encouraged or turned a blind eye to verbal and physical attacks against activists and civil society leaders. According to the database of incidents compiled and constantly updated by Civil Georgia since April 17, 2024, as of July 26, 21 people, including four opposition politicians and three NGO representatives, have been physically attacked. Offices and apartment entrances of CSOs and their leaders have been vandalized. Activists and opposition politicians received threatening phone calls, often from numbers registered abroad. So far, none of the incidents has been investigated and no perpetrators have been brought to justice, further raising concerns about the government's support of violence against political opponents.







### Domestic and International Election Observation Groups

Both domestic and international election observation missions are preparing to monitor the October 26 elections. However, uncertainty around the Law on Transparency of Foreign Influence raises questions about whether the missions will proceed as planned. Leading Georgian watchdogs such as the International Society for Fair Elections and Democracy, the Georgian Young Lawyers' Association, and Transparency International Georgia are conducting pre-election monitoring and plan to deploy observers on Election Day. Additionally, the National Democratic Institute (NDI) and International Republican Institute (IRI) deployed international missions in July.

OSCE/ODIHR has deployed a fully-fledged international election observation mission composed of a Core Team of experts and 30 Long-Term Observers deployed throughout the country starting from September. On Election Day, OSCE/ODIHR will deploy 350 short-term observers together with delegations from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament and NATO Parliamentary Assembly. The elections are critical for Georgia. Reports by credible election observation missions can uncover irregularities in the election process that may shed doubt on the legitimacy of Georgian Dream should the party win the elections through fraud, harassment, intimidation, and/or use of administrative resources. The party has successfully employed each of these methods to a certain degree in past elections. Many observers see the adoption of the Law on Transparency of Foreign Influence as the government's pre-emptive attempt to silence the voices of observer organizations. Any CSO that has been registered at least one year prior to elections and whose charter mentions election observation as a key activity of the organization can register as an observer organization. The Law on Transparency of Foreign Influence in its current reading does not envisage deregistration of organizations due to non-compliance. So, unless the Election Code or the law is amended, domestic and international organizations should have no difficulty registering as observer organizations with the CEC. However, due to the uncertainty surrounding the implementation of the law and the scale and methods of the Ministry of Justice's monitoring, the CSOs face a risk that their property could be seized or their laptops and other equipment sealed and/or confiscated. This could happen during the pre-election period and even on Election Day, which would make the deployment of election observation missions nearly impossible. In addition, the Law on Transparency of Foreign Influence now extends the fines to individuals, which, coupled with the general stigmatization of the civil society sector and the widespread harassment of activists, may further deter volunteers from signing up as election observers and make it harder for the CSOs to recruit in the numbers necessary to conduct statistically sound observation.

## Deterioration of Foreign Relations

In addition to advancing this Russian-style legislation, Georgian Dream has significantly stepped up its anti-Western rhetoric, <u>accusing</u> the EU and the United States of holding a double-standard, <u>conspiring</u> against the current government, and acting under the orders of a "Global War Party". These attacks are not new. However, while they were previously aimed at certain institutions or came from marginal members of Georgian Dream or its affiliates such as People's Power, now the







negative rhetoric is often heard at the highest level of the government. Many view this as a <u>public rejection</u> of Georgia's decades-long westward-oriented foreign policy.

Top EU and US government officials and institutions have urged the Georgian Dream government to reconsider the adoption of the Law on Transparency of Foreign Influence, duly investigate the attacks against civil activists and opposition political figures, and clarify the government's accusations against its key Western partners. US officials traveled to Tbilisi to hold face-to-face talks with the country's leadership. However, the Georgian Dream government refuses to back down on the pretext that they are protecting the country's sovereignty, peace, and stability. In response, the EU de facto halted Georgia's accession process and froze millions of euros in assistance to its defense sector (funded by the off EU budget "European Peace Facility"). The European Council called on the Georgian government to clarify its intentions with regard to the EU integration process by "reversing the current course of actions". Individual EU member states have also reconsidered their assistance to Georgia, including Germany, France and Denmark. The United States postponed joint military exercise in Georgia indefinitely, introduced visa sanctions against two to three dozen Georgian Dream officials and their family members, and announced a full review of bilateral relations. As a result of the review, on July 31, US Secretary of State Anthony Blinken announced a freeze of \$95 million in aid to Georgia's state institutions. In addition, legislation that further spells out the downturn in relations is currently advancing through Congress. For the first time since 2008, the NATO Washington declaration did not mention Georgia's membership path.

# The Political Landscape

After months of deliberations, major Georgian opposition political parties are finally consolidating ahead of elections. This consolidation is largely driven by the relatively high threshold for securing parliamentary mandates and the prohibition against blocs.

According to the Georgian legislation, parties that have a representative in the current parliament can register to run in elections no later than August 30 and are exempt from the requirement to collect voter support signatures. Per the CEC data, currently such an exemption applies to 13 political parties. Parties that do not have a representative in the Parliament had to apply to the CEC by the July 15 deadline and were required to submit 25,000 support signatures by August 1. By the deadline, the CEC had registered 17 such parties.

Over the last decade, the voters have grown increasingly frustrated with the political choices they have. A majority of the electorate repeatedly fails to identify a party that is close to them. Most Georgians say they support "no party". A <u>public opinion poll</u> commissioned by the NDI and released in December 2023 reveals that 62% of the population believes that none of the Georgian political parties represent their interests. This voter apathy and disengagement is fueled by the deeply entrenched polarization perpetuated by Georgian Dream as well as the inability of the opposition parties to overcome ego-driven politics and internal disagreements to unite behind common issues and a common agenda.







Given the high stakes of the October 26 elections and the high price the parties may pay for wasted votes (votes for parties that do not clear the threshold), pro-Western opposition parties have been testing different configurations to come up with a winning formula. The "Strategy Aghmashenebli" grouping merged with the larger United National Movement in 2023. In July, attracting additional representatives from other parties, civil society, and academia, UNM launched the platform "Unity to Save Georgia". The new platform will run under the UNM ballot number.

"Droa" and "Girchi–More Freedom" also publicly stated their intent to compete as one political party months ago and have since joined forces with the newly formed "Akhali" movement, led by former UNM Chair Nika Melia and former director of the major opposition TV Channel Mtavari Nika Gyaramia.

The alliances mentioned above are led by politicians who had previously served in the UNM party or the UNM government. Considering the toxicity of the former ruling party to some voters due to past grievances, some opposition parties have been considering forming a union of their own, without affiliation with the UNM. In the latest series of mergers, three opposition groups that have no ties with the UNM—the Lelo for Georgia Party, Anna Dolidze's For the People Party, and the newly launched Freedom Square movement joined forces. Later, the Citizens' Party also joined the alliance. It remains unlikely that other pro-Western opposition parties, including European Georgia, Gakharia's For Georgia, and others—some of which are polling in low single digits—will join any of the three centers of gravity mentioned above. As such, they may risk wasting of pro-opposition and pro-Western votes.

Mergers are happening on the pro-Russian front as well: the Georgian Idea Party, whose registration was revoked in April, will <u>run under the banner</u> of the Alliance of Patriots of Georgia. In addition, Georgian Dream confirmed that its satellite party, People's Power, will not contest in the elections separately, but rather on the ticket of the ruling party. Such a decision may signal GD's unwillingness to spare any conservative votes.

# The Campaign Environment

The official campaign starts two months prior to elections. However, many political parties are already on the campaign trail. Deep polarization, personality-driven attacks, offensive rhetoric and vitriol have long plagued Georgian elections, and it is anticipated that these elections will be no different.

Georgian Dream is projecting confidence that it will secure a constitutional majority and boasts of 60% support. However, this number is not confirmed by independent public opinion polls. The latest data from the Caucasus Barometer Survey conducted by Caucasus Research Resource Center (CRRC) and released in mid-July, show that only 21% of the population identify Georgian Dream as the party closest to them, while the majority—60%—claim no party is close to them or refuse to answer. A leaked poll commissioned by the Civil Society Foundation (formerly the Open Society Georgia Foundation) showed that combined support for pro-Western opposition parties is significantly higher than that of Georgian Dream.







While Georgian citizens continue to care most about bread-and-butter issues, so far geopolitical considerations are dominating the campaign discourse. Both main opposition parties and Georgian Dream are portraying these elections as a referendum on the future of the country: pro-Western political groups see the elections as a watershed moment deciding between a European future for Georgia or the country's backsliding to a full-scale authoritarianism firmly under Russian influence. For its part, the ruling party is campaigning on the message that it is the only guarantor of peace and stability and the defender of national values in a country that is increasingly <u>under attack</u> by the "Global War Party".

The contours of the repressions are already visible: activists detained and/or beaten during the protests against the Law on Transparency of Foreign Influence have been either kept in custody under various charges, or fined up to 2,000 GEL. In an almost traditional fashion, the State Security Services of Georgia (SSSG) <u>stated</u> it is conducting an investigation into the alleged preparation of a terrorist act, including the murder of Bidzina Ivanishvili, plotted by Georgian officials in-exile and Georgian fighters in Ukraine. This investigation may be seen as a continuation of the fear-mongering campaign mounted by Georgian Dream as well as an instrument in the hands of the government to prosecute and attack opposition leaders and civil society activists.

In addition to using the SSSG for political purposes, abuse of state resources by the ruling party, including through engagement of public servants in campaign activities, has become a staple of Georgia's electoral campaigns. With the recent electoral amendments, the fines for violations related to the use of administrative resources increased to a maximum of 4000 GEL. However, the real problem has always been the inconsistent enforcement of the law. Observer organizations are already reporting about the massive mobilization of public servants for Georgian Dream rallies and adjustments in state programs/initiatives, including decreasing loan rates for pensioners, introducing paid internships in civil service, increasing salaries for certain professionals, waiving fines for violations related to COVID-19 and other illnesses, starting a housing project for those living in dire conditions, and so on. In addition, the parliament has already adopted in its first hearing a law on amnesty that is intended to reduce sentences for up to 5,000 prisoners, with about 1,000 to be released immediately.

# **The Information Space**

The media landscape in Georgia is highly polarized. Television remains the main source of news for the majority of the Georgian voters, but the editorial policy of major broadcasting channels is heavily controlled either by government or other political forces. Opposition-leaning TV channels often face financial and legal constraints. In addition, Georgian Dream representatives are effectively boycotting the major opposition channels, while representatives of the pro-Western opposition are rarely invited to participate in talk shows broadcast by government-supporting media outlets.

The Georgian Law on Broadcasting <u>obliges</u> both public and private broadcasters to ensure pluralistic and non-discriminatory coverage of the campaign in their news programming as well as to allocate free air time for campaign advertisement for certain "qualified" parties and ensure







equal pricing for paid airtime. Independent media outlets are mostly limited to the online space, with only a few programs broadcast via opposition-leaning TV channels. However, such outlets rely heavily on donor funding for production and most will also fall under the requirements of the Law on Transparency of Foreign Influence. For these reasons, it is difficult to say whether and how they will be able to sustain their programming. Their programming is especially critical during the pre-election period and on election day, not only to ensure that voters have adequate information to make informed choices, but also to uncover and document any irregularities and violations that may bring into question the legitimacy of the elections.

In addition to the uncertainty created by the Law on Transparency of Foreign Influence, there have been reports of growing threats, intimidation, and violence against journalists. Many violations have gone unpunished. According to the Reporters Without Borders, in 2024 Georgia ranked 103rd of 179 countries in the <a href="Press Freedom Index">Press Freedom Index</a>—a significant drop from 77th place in 2023. Parliament amended the rules of Accreditation of Mass Media Representatives in a way that many see as an attempt to limit the coverage of parliamentary activities by critical media.

Ahead of the elections, the role of social media is increasing as well. Already, party-sponsored ads and campaign messages are popping up through Georgian citizens' newsfeeds. The ads sponsored by Georgian Dream and pages affiliated with it are particularly abundant. According to META Ads library, Georgian Dream spends more on political ads on Facebook than all other parties combined.

#### Conclusion

The environment ahead of October 26 elections remains charged and highly polarized. Political campaigns are slowly gaining momentum, though the official pre-election campaign period started on 27 August with the call to the polls. Political alliances are solidifying. It is clear that the main campaign messages will center around the geopolitical implications of the elections: Euro-Atlantic integration versus orientation to Russia; democracy versus authoritarianism; "Global War Party" versus peace and stability. The risk assessment outlined above points to the below list of key issues to watch during the elections:

# The Legal framework

- any last-minute amendments to the electoral framework that serve the interests of the ruling party
- in the absence of mandatory gender quotas, the presence of women in the winning positions in party lists
- the impartiality, independence, and performance of the Anti-corruption Bureau, including its ability to promptly react to violations of campaign finance—especially as they relate to the violations committed in favor of the ruling party

#### **Election Administration**

• impartial application and interpretation of the law by the Central Election Commission







- impartial and merit-based competitions for staffing lower-level electoral administrations (DECs and PECs)
- professional conduct of DEC and PEC members
- public awareness campaigns on the use of electronic technologies conducted by the CEC
- software and hardware audits and any additional measures that increase stakeholders' trust in electronic technologies
- out-of-country voting: number of registered voters and location of polling stations

### The Pre-Election Environment

- provisions of the Law on Transparency of Foreign Influence and their application in practice, including fines and monitoring mechanism
- the ability of the civil society to carry on its activities, including election observation, without fear of harassment
- further developments in relations with Georgia's key allies, including the EU, NATO, and the United States

## The Campaign Environment

- the ability of the pro-Western opposition parties to consolidate around one or several centers of gravity to minimize wasted votes
- the ability of the opposition parties to campaign freely, without harassment and intimidation
- the ability of parties to translate campaign messages around geopolitics into the bread-andbutter issues that citizens care about most
- the use of SSSG investigations, prosecution, and the judiciary against political opponents
- the extent and scale of abuse of administrative resources

## The Information Space

- the ability of independent media outlets to carry out their work during the pre-election period and on election day, without legal or financial impediments and in an environment free of harassment and violence against journalists
- the ability of voters to receive balanced and fact-based information during the pre-election period and on election day to make informed choices
- the availability of political debates to allow voters to compare and contrast party messages, visions, and policies
- the extent of disinformation and propaganda on social media and the ability of independent CSOs to fact-check and respond to the false narratives and messages

Against the backdrop of high polarization and high stakes, it is important for all electoral stakeholders, especially the ruling party, to adhere to the principles of democratic elections. Otherwise, there is a risk of rejection of the election results and civil unrest.







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