



Office for Democratic Institutions and Human Rights

GEORGIA

EXTRAORDINARY PRESIDENTIAL ELECTION

4 January 2004

OSCE/ODIHR Election Observation Mission Report



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Final Report¹

I. EXECUTIVE SUMMARY

The 4 January 2004 extraordinary presidential election in Georgia demonstrated notable progress over previous elections, and in several respects brought the country closer to meeting OSCE commitments and other international standards for democratic elections.

In contrast to the 2 November 2003 parliamentary elections that were characterized by systematic and widespread fraud², the authorities generally displayed the collective political will to conduct a more genuine democratic election process. The establishment of a new voter register was particularly significant for contributing to enhanced public confidence in the election process.

Nevertheless, in view of the exceptional circumstances that lead up to the 4 January extraordinary presidential election, the lack of a truly competitive political environment, and the short election timeframe, the 28 March repeat parliamentary elections will be a more genuine indicator of Georgia's commitment to a democratic election.

While the Central Election Commission (CEC) made commendable efforts to administer this election in a credible and professional manner, and the election administration should be recognized for their diligent efforts in challenging circumstances, the time constraints limited the scope of administrative improvements. Some CEC decisions deemed necessary in order to deliver an election within these constraints might not be desirable as precedents for the administration of future elections in Georgia.

The political imbalance in the composition of the election administration at all levels, as well as the failure of some District Election Commissions (DECs) and Precinct Election Commissions (PECs) to maintain appropriate distance from participants in the election process, caused serious concern. Similarly, misuse of administrative resources to the benefit of only one candidate in a number of instances, indicated an ongoing lack of distinction between State administration and political party structures.

On election day, the voting was conducted in a generally spirited and calm atmosphere. The turnout was high, except in the Autonomous Republic of Adjara ("Adjara"). PECs processed voters in a relatively efficient manner. Election day

¹ This report is also available in Georgian. However, the English version remains the only official document.

² See OSCE/ODIHR Final Report on 2 November Parliamentary Elections Part 1, 28 January 2004

registration occurred in most polling stations, and the identity and residency requirements were diligently checked in most cases.

However, some problematic trends did emerge on election day. In 38% of the polling stations visited, observers reported that some voters were refused the right to vote because of not meeting the residency requirement or because of a lack of required identification documents. The inking of voters to prevent multiple voting was somewhat devalued due to inconsistent application. The count and tabulation process was improved over the November elections, but many PECs and DECAs struggled with complicated count procedures and results protocols. In Kvemo Kartli, irregularities including ballot stuffing and tampering with protocols were again reported.

Overall, the following elements marked positive development for the election process:

- Improvements to both the legislative framework and the administration of the process;
- Enhanced transparency, professionalism, and openness of the CEC;
- Commendable efforts to improve the voter lists;
- A high degree of freedom of expression enjoyed by the media, except in Adjara;
- A largely peaceful and free pre-election period, despite little active campaigning;
- Resolution of the few cases heard by the CEC and courts within the legal deadlines and without obvious bias;
- Efforts to increase the participation of national minorities in the elections, including the printing of bilingual ballot papers;
- A generally positive and peaceful atmosphere on election day; and
- An improved count and tabulation process.

However, some aspects of the process need to be addressed in order to remedy issues of concern and continue forward progress, including:

- The persistent lack of a clear separation between State administration and political party structures, and the ongoing tendency to misuse State administration resources;
- The political imbalance in the composition of the election administration at all levels, and the failure of some DECAs and PECAs to maintain impartiality and independence;
- An inaccurate and incomplete voter register, despite efforts for improvement ;
- Complicated results protocols and count procedures, which may have prevented efficient administration at this stage of the process.
- Lack of commitment by the authorities of Adjara to guarantee conditions for a meaningful democratic election in that area; and
- Reduced scrutiny by domestic observers in both the pre-election period and on election day.

The OSCE/ODIHR stands ready to assist the Georgian authorities to address remaining shortcomings in their electoral process, and support their efforts to correct these outstanding issues in order to hold genuinely democratic elections.

II. INTRODUCTION AND ACKNOWLEDGEMENT

On 8 December 2003, upon the invitation of the Minister of Foreign Affairs, the OSCE/ODIHR established an Election Observation Mission (EOM) in Georgia to observe the 4 January 2004 extraordinary presidential election. It was headed by Mr. Craig Jenness (Canada).

The EOM consisted of 38 election experts and long-term observers (LTOs), as well as national experts and support staff, deployed in Tbilisi and in 10 regions of Georgia. During approximately 8 weeks it observed all aspects of the election preparations, the campaign, election day, and the post election processes. It also observed re-runs and second-round elections related to the November parliamentary elections in 15 single seat constituencies. Observers were not deployed in Abkhazia and parts of South Ossetia where elections were not conducted.

On election day, the OSCE/ODIHR EOM was joined by representatives of the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament (EP) to form the International Election Observation Mission (IEOM). Mr. Bruce George (UK), President of the OSCE PA, was again appointed by the OSCE Chairperson-in-Office as Special Co-ordinator to lead the OSCE short-term observers. Mr. Matyas Eorsi (Hungary) led the PACE delegation, and Mr. Demetrio Volcic (Italy) led the EP delegation.

On election day, the IEOM deployed some 450 short-term observers from 38 OSCE participating States, including 22 Parliamentarians from the OSCE PA, 13 from PACE, and three from the EP. The Council of Europe Secretariat deployed an additional 23 observers. Embassies and diplomatic missions of OSCE participating States in Tbilisi contributed generously to the number of short-term observers. On election day, the IEOM observed voting and counting in 1,314 of the 2,850 polling stations across Georgia, and the tabulation of election results in 42 of the 75 District Election Commissions (DECs).

The OSCE/ODIHR wishes to thank the Ministry of Foreign Affairs, the Central Election Commission, the office of the President, and other authorities at all levels for their assistance and cooperation during the course of the Mission. The OSCE/ODIHR also wishes to express appreciation to the OSCE Mission to Georgia, and its Head Ambassador Roy Reeve, the "Ambassadorial Working Group", and embassies and diplomatic missions of OSCE participating States accredited in Georgia. It also wishes to thank numerous international and national NGOs for their assistance and cooperation.

III. POLITICAL BACKGROUND

The 4 January 2004 extraordinary presidential election was the fourth since independence in 1991. It was widely viewed as a test for the newly installed authorities to demonstrate their level of commitment to the democratic election process. In the minds of many, the election also served as a popular referendum on

the events of 22-23 November, also known as “Rose Revolution”, and candidate Mikheil Saakashvili.

This election took place against the backdrop of the 2 November 2003 parliamentary elections, marred by a lack of political will by the authorities to conduct a genuine democratic election, which resulted in widespread and systematic fraud. In addition to unreliable voter lists, serious irregularities took place in polling stations, including ballot stuffing, use of pre-marked ballots, multiple voting, and destruction of ballot boxes. After the close of polls and during the tabulation process, some election officials were directly involved in producing dishonest election results.

These failures provoked a political crisis, street protests, and an atmosphere of instability, leading to the resignation of President Eduard Shevardnadze on 23 November. Ms. Nino Burjanadze, the former Speaker of Parliament, became Interim President and called for an extraordinary presidential election within the constitutional deadline. A government restructuring took place with Mr. Zurab Zhvania appointed as State Minister. Eight out of nine regional governors resigned and were replaced by National Movement and Burjanadze-Democrat supporters.

On 25 November 2003, the Supreme Court annulled the results of the proportional component of the parliamentary elections. In marked contradiction to this decision, the majoritarian component of these elections was permitted to stand.

The partial cancellation of the November results meant that 58 elected Members of Parliament (MP) did not immediately take their seats, and consequently the Parliament elected in November 1999 was reconvened. As a further consequence, four reruns and 11 second round majoritarian elections were held on 4 January 2004. On 9 January, the Interim President set 28 March as the date for the re-run of the proportional contest for 150 parliamentary seats.

The political environment shifted dramatically in the run up to the presidential election, as parties that had led the November events -- the National Movement and the Burjanadze-Democrats -- consolidated their executive power. In stark contrast, the pro-Shevardnadze coalition “For New Georgia” broke apart. The organizational structure of the once dominant Citizens Union of Georgia dissolved. Several previously influential parties, including the Labor Party and New Rights, lost support after distancing themselves from the November events. The Union of Democratic Revival (“Revival”) continued to wield some influence, largely in Adjara, where its leader, Mr. Aslan Abashidze, is the Head. But like many other parties, it appeared to struggle to adjust to the new political realities and national leadership. The Labor Party and Revival declared an intention to “boycott” the presidential election; however Revival frequently attended election commissions meetings at various levels.

The conduct of elections in Adjara remained uncertain until 29 December. Even after a decision to hold elections was taken, conditions for a meaningful democratic election process were not in place there.

Regrettably, as in all elections since 1991, polling did not take place in large parts of Abkhazia and South Ossetia. Some residents of South Ossetia voted in polling

stations in the Liakhvi and Kareli DECs. Voters from Gali (Abkhazia) were observed voting in two DECs (Tsalenjikha and Zugdidi). In Kodori Gorge, a part of Abkhazia controlled by central authorities, the election was postponed to 11 January because of bad weather conditions. The EOM did not observe because of security concerns.

The international community provided significant funding and technical assistance for the presidential election, mainly through the OSCE Election Assistance Program. Although donor assistance arrived relatively late in the election process, it provided a crucial contribution to realizing this election. The Georgian authorities expressed their appreciation for the support by OSCE participating States.

IV. LEGAL FRAMEWORK

A. APPLICABLE LEGISLATION AND GENERAL ELECTORAL PROVISIONS

The Constitution of Georgia provides that the President is elected through free, universal, equal, and direct suffrage by secret ballot for a five-year term. In the event of early termination, the Speaker of Parliament becomes Interim President and an extraordinary presidential election must be held within 45 days. The Constitution requires a 50% voter turnout for valid elections and the winning candidate must receive 50% of the votes of the participants to be elected in the first round.

The 4 January election was conducted according to a combination of general and transitional provisions of the Unified Election Code (UEC). Limited amendments to the UEC were passed on 29 November. These included the simplification of complaint procedures and expanding the use of voter marking (inking) throughout Georgia.

In late December, two citizens challenged the constitutionality of provisions of the UEC that deal with voter registration. On 26 December, the Constitutional Court suspended the application of these provisions, pending a full hearing and final ruling. Among other things, this removed – at least temporarily – the restriction against same-day registration of voters.

The Head of the Autonomous Republic of Adjara, Aslan Abashidze, imposed a state of emergency after the events of 22-23 November. It was lifted on 3 January, the day before the election, but re-imposed on 7 January.

B. EVALUATION

The UEC provided an improved and consolidated framework for democratic elections. The amendments adopted on 29 November, although limited, were assessed as improvements. However, a number of recommendations made previously by OSCE/ODIHR and the Council of Europe's Venice Commission have not been addressed.

There were uncertainties regarding the applicable legal framework, as the transitional provisions foresaw neither an extraordinary presidential election, nor new voter

registers, and related primarily to parliamentary, not presidential elections. Moreover, some key permanent provisions could not fully take effect until the newly elected Parliament was in place. Transitional provisions concerning the political balance on electoral administration seemed particularly unsuitable. A number of deadlines, such as those related to the voters' lists, were impossible to meet. Despite this, the CEC showed ingenuity and adaptability, and the UEC was generally adhered to – either in letter or in spirit.

There were, however, some exceptions. On 30 December, the CEC adopted an ordinance that permitted each DEC to create a special reserve of people who could assist PECs on election day. The stated intention was to ensure PEC quorums and proper administration in the event of PEC boycotts or the additional workload due to same-day registration. The legal basis for this measure remained dubious, and no procedures or safeguards were adopted to prevent abuses or ensure transparency in the application of these measures.

The UEC did not stipulate how the turnout and first round victory thresholds were to be calculated, and the CEC did not clarify the issue prior to the elections. These issues must be addressed prior to the forthcoming parliamentary elections to avoid confusion or unfairness, particularly in relation to seat allocation.

Under the Constitution, the power to declare a state of emergency in the whole or part of Georgia lies only with the State President. The state of emergency in Adjara, and the restrictions imposed on the rights of citizens and media, were therefore highly questionable. A challenge to the state of emergency has been brought to the Constitutional Court, but has not yet been heard.

V. ELECTION ADMINISTRATION

A. STRUCTURE AND COMPOSITION OF CEC AND SUBORDINATE BODIES

The election administration had three tiers: a Central Election Commission (CEC), 75 District Election Commissions (DECs), and 2,850 Precinct Election Commissions (PECs). According to the law, precincts can have a minimum of 20 voters and a maximum of 2,000.

The CEC and DECs were permanent bodies. The CEC Chairperson appointed DEC Chairpersons. Although the CEC established the regulatory framework, each DEC had extensive administrative authority within its district. PECs were under the direct authority of the DECs. At each level, a quorum of a majority of members was required to open meetings. Decisions were taken by a majority of those present and voting, provided that the decision was supported by no less than one third of total appointed members. CEC Decrees, which were its most crucial decisions, required the support of two thirds of members for adoption.

Election commissions were composed of members appointed by political parties with the ruling parties enjoying a dominant position, largely through the quota of members appointed by the President. The UEC transitional provisions, designed for the 2003

parliamentary elections, provided that the CEC had 15 members, with membership based on election results of the 1999 parliamentary and 2002 Tbilisi city council elections. The Chair was nominated by the OSCE and appointed by the President. These provisions were applied to the extraordinary presidential election, with the exception that, following UEC amendments on 29 November, the President selected the CEC Chair and the Parliament approved the nomination by majority vote.

The composition of the CEC for the 4 January election was therefore as follows:

- Chairperson, nominated by Parliament and appointed by the Interim President;
- 5 members appointed by the Interim President;
- 2 members appointed by Industry Will Save Georgia (ISWG);
- 1 member appointed by Burjanadze-Democrats;
- 1 National Movement appointee;
- 1 Labour Party appointee;
- 1 New Rights appointee; and
- 3 Revival Party appointees.

The DEC and PECs had the same composition, although PECs may be formed with a minimum of 9 members.

On 30 November, Mr. Zurab Chiaberashvili, formerly Executive Director of the International Society for Fair Elections and Democracy (ISFED), was appointed as the new CEC Chair. This followed the resignation of the former Chairperson, Ms. Nana Devdariani. The Interim President appointed five new CEC presidential appointees.

Consequently, two-thirds of the CEC (10 of the 15 members³) were appointed by members or supporters of the newly restructured government. Pragmatism may have prevailed in this approach due to the disintegration of the former governing party (CUG) and the need to avoid gridlock on the election bodies. However, the spirit of the CEC formula adopted in July - to form a more politically balanced CEC - was again not respected. Partial boycotts by the Labour and Revival parties, or their failure to appoint members, further contributed to the imbalance in DEC and PECs.

The mid-level commissions underwent major personnel changes, allegedly based upon past performance. In 49 districts, DEC chairs formally resigned and a total of 339 DEC members were dismissed. Most changes affected the five presidential appointees. In a few cases, DEC chairs did not go voluntarily. In Terjola for example, the DEC chairperson who previously had performed professionally, alleged that local National Movement officials pressured him into resigning. Notably, none of the six DEC chairs in Adjara resigned or were dismissed despite the falsifications reported during the November elections.

The changes in PEC composition reflected a similar pattern as the higher-level commissions, with a dominance of commission members from the National Movement and Burjanadze-Democrats. Although domestic observers or candidate

³ Chairperson, 5 presidential appointees; 1 Burjanadze-Democrat appointee; 1 National Movement appointee, and 2 ISWG appointees, who aligned themselves with this group.

representatives were present in most CEC meetings, they were largely absent at lower levels.

B. THE ORGANIZATION OF ELECTIONS

The election administration at all levels faced a challenging schedule. Nonetheless, the CEC stayed largely within the schedule set on 7 December and extended only a limited number of deadlines.

The CEC generally adhered to the law and functioned in a professional and transparent manner. Its performance was a notable improvement over its predecessors and demonstrated a greater commitment and political will to conduct a more democratic election process. Some decisions deemed necessary to deliver an election within the time constraints, like that concerning voter registration on election day, may not be desirable as precedents for future elections in Georgia.

Observers reported that generally the DEC's performed their duties in an orderly, transparent, and efficient manner. However, on election day, observers noted exceptions including in Saburtalo, Isani, Gori, Kharagauli, Batumi, Kobuleti, and Khelvachauri. Despite many new appointees, PECs appeared to work in a collegial and diligent manner.

The visible failure of some DEC's and PECs to maintain an appropriate distance from the main contestant of this election, Mr. Saakashvili and his supporters, created, at a minimum, the perception of some lack of impartiality and independence. For instance, observers reported that Mr. Saakashvili's campaign staff, as well as National Movement and Burjanadze-Democrat party officials, provided the election administration with material resources (Isani, Samgori, Tskaltubo, and Tkibuli), training (Chugureti), and campaign literature (Liakhvi, Gori, and Lagodekhi). There were reports, in particular in Kvemo Kartli region, Sagarejo, Chugureti, and Didube that local authorities directly conducted voter registration reserved for the PECs. In a few instances, district campaign coordinators also served as election commission staff (Liakhvi, Gori, and Dusheti).

The CEC should be commended for its efforts to increase the skills and professionalism of election officials. Numerous trainings, undertaken in close cooperation with various international organizations, were beneficial. However, it was clear that many DEC's and PECs would benefit from additional training, especially in vote count and tabulation procedures.

Much international assistance was focused on the CEC and electoral bodies, and this had a positive impact. The OSCE Election Assistance Program provided the total CEC budget of 1.6 million EUR. Although funding for salaries was distributed rather late in the process, it was essential to ensuring motivation and performance while limiting vulnerability to corruption. The international community co-ordinated its assistance and advice through the OSCE Election Assistance Program, the "Ambassadorial Working Group", and an associated Technical Working Group.

C. CANDIDATE REGISTRATION

Two political parties and five initiative groups submitted candidate support lists with a minimum of 50,000 signatures to the CEC before the 12 December deadline. One candidate, Igor Giorgadze, was denied registration for not meeting the residency requirement. The six remaining candidates were confirmed on 17 December. One candidate, Zurab Kelekhsashvili, publicly declared his withdrawal the day before the election. However, he failed to submit to the CEC proper documentation and his name remained on the ballot in most polling stations.

While the Presidential election was a multi-candidate race, the political environment was not competitive. There was a clear frontrunner, Mr. Saakashvili, who dominated the political scene. Besides the National Movement and the Burjanadze-Democrats none of the major political parties presented candidates. Two of the six candidates ran in the 1995 and 2000 presidential elections and obtained less than 1% of the vote. The new political environment and short timeframe may have discouraged several potential contenders from running.

Regarding the majoritarian contests, in five of the 11 second round contests only one candidate remained on the ballot, as a result of late withdrawals of candidates, thus offering no choice to the electorate.

D. VOTER REGISTRATION

1. “Pre-Registration”

The central voter register used for the 2 November 2003 parliamentary elections was strongly criticized by international observers. The CEC was faced with two less than ideal choices – (1) address the many problems associated with the existing register; or (2) create an entirely new register. Neither approach could possibly have produced a complete and accurate list by 4 January 2004.

On 9 December, following an open debate and close voting, the CEC opted for a new registration. This decision, based on the rationale that public confidence in the old lists was too damaged to conduct a credible election, could be justified under the prevailing circumstances.

The registration devolved the majority of tasks and responsibilities to PECs. The process had three elements:

- Pre-registration: voters were to go to their respective local PECs to register;
- Enumeration and verification: PEC members were to go door-to-door within the precinct; and
- Public scrutiny: the lists were to be posted at PECs so that each voter could check his/her registration details, appeals could be registered concerning errors or omissions, and new electors could be added.

The first two phases terminated on 27 December. The public scrutiny period began 29 December and ended on 3 January.

The public information campaign concerning registration got off to a slow start, but gathered significant momentum. Although most citizens in urban areas were aware of the process, and had a basic understanding of how it worked, those from rural communities and areas of non-Georgian majority were less knowledgeable.

Despite the late start in some localities, and significant resource and infrastructure challenges, PECs and DECAs were reported to have worked diligently on all aspects of registration. PECs, DECAs, local branches of the Ministry of Interior (MoI), and other authorities, generally followed the law and CEC instructions. However, in some cases, PECs were inconsistent in their application of the CEC rules, including concerning “family registration”. Although verification safeguards did exist, the short timeframe limited measures to prevent multiple registrations. Nevertheless, the election administration should be commended for their substantial efforts to improve public confidence on this important aspect of the process.

However, the lists must be considered incomplete and a number of shortcomings raised concern about accuracy and inclusiveness. Many persons could not prove current residence because of outdated or missing documentation. Such persons would thus have the right to register only in their last officially recorded residence, meaning the possibility of substantial travel to avoid disenfranchisement. To help address this problem, the government ordered that citizens could obtain identity cards including registration of residency free of charge from MoI local branches. Although this did help in some cases, the process was slow. There were also credible reports of officials illegally charging money for identity documents. In one case, in which the CEC directly intervened, offenders were publicly dismissed from office.

2. Voter Registration on Election Day

On 30 December, the CEC allowed registration of voters on election day, including those abroad. The provision seemed reasonable in the circumstances of these elections, where voter registration was admittedly incomplete, but should not become a permanent feature.

On polling day, the process occasionally caused long queues, but it rarely triggered disorder. Those electors registered on election day queued separately, and were recorded on a separate register supported by the same individual registration form used in the pre-election registration. PEC staff appeared to have been generally diligent in verifying identity and residence of new registrants.

However, voter registration on election day complicated the count and tabulation process. The results protocol was produced before the decision allowing registration on election day was issued, and the CEC did not provide clear written guidelines on how to incorporate the number of voters who registered on election day. Thus many PECs struggled with mathematical errors in trying to finally reconcile the protocols.

In Adjara, regrettably no voter registration took place prior to election. On election day, approximately 78,000 persons registered and voted. It is important that, before new elections, any unregistered voters in Adjara (and elsewhere) be given the opportunity to register.

3. Out-of Country Registration and Polling

The Ministry of Foreign Affairs was responsible for registering citizens residing outside Georgia and organizing voting abroad. Some 8,000 voters were registered abroad, predominantly on election day. These figures are in sharp contrast to the flawed 2003 parliamentary elections when 59 PECs abroad allegedly processed nearly 80,000 registered voters. This time polling stations were established solely in Georgian embassies and diplomatic missions.

4. Publication of Registration Results

According to the final results protocol, the total number of registered voters was 2,231,986. This figure was unfortunately not broken down to distinguish between those voters who registered prior to election day, and those voters who registered on election day. However, a figure of 391,035 voters registered on election day was published by the CEC immediately after the election.

Before the election, the CEC published the total number of voters that were registered in the pre-registration and enumeration phases, broken down by DEC. The total was 1,738,790 voters. However, no effort was made by the CEC to publish the numbers of registered voters by polling stations.

VI. THE CAMPAIGN

The campaign was extremely low-key and uneventful. Several candidates stated that they had insufficient funds to prepare campaign materials or organize events. Mr. Saakashvili, recognized as the frontrunner, focused on encouraging broad participation in voter registration and voting.

Observers reported that State administrative resources were at times used in support of Mr. Saakashvili. In contravention to the UEC, other candidates did not benefit similarly. In a few instances, Mr. Saakashvili's local campaign headquarters were established in State-owned premises (Kvareli, Kazbegi, Akhalkalaki, Aspindza, Shida Kartli region). National Movement and Burjanadze-Democrats campaign material and/or flags were at times displayed in public buildings (Gori, Karaleti, Akhalkalaki, Ambrolauri, and Racha-Lechkhumi governor's building). Such examples underlined ongoing concerns that there was a lack of complete separation between the State administration and party structures, which has been a recurrent problem in past elections.

In contravention to the UEC, there were cases of local authorities remaining in, or taking up posts, while at the same time running for parliamentary office. The newly appointed governors of Samtske-Javakheti and Akhalkalaki did not resign from their positions though they were candidates in the 4 January majoritarian contests.

The election campaign remained largely peaceful. Fears that substantial pre-election violence would overshadow the electoral process did not materialize. However, on 15 December an explosive device caused minor damage to the home of candidate T.

Shashiashvili. In the weeks leading to the elections five small explosions detonated in Tbilisi. It was not clear whether these incidents were related to the campaign.

The Georgian Ministers of State Security and Internal Affairs warned of threats against Mr. Saakashvili. He was subsequently provided with a security detail, and moved to living quarters within the Presidential Residence in Tbilisi. Although there may have been valid reasons for such additional security, the choice of the presidential residence did not convey a signal of State neutrality.

In Adjara, the authorities maintained until 28 December that they would not allow elections on the territory. The legally questionable state of emergency was in place until 3 January and was re-imposed on 7 January. Despite this, during the period leading up to the elections, elements of civil society began to organize and advocate for polling in their region. On 22 December, unknown men physically assaulted a student leader active in a pro-election Public Committee. Consequently, he had to be transported to Tbilisi for medical attention. There was little or no campaigning in Adjara.

VII. THE MEDIA

A. REGULATION AND OVERALL ENVIRONMENT

In the aftermath of the November events, the media continued to enjoy a high degree of freedom of expression, except in Adjara. However, incidents of random violence on media outlets and restrictions on media marred the generally peaceful campaign period. For instance, a small bomb exploded in front of the State TV/Radio in early December, and on 29 December a rocket-propelled grenade hit Rustavi 2, the main private broadcaster. In mid-December, a Tbilisi based correspondent from the newspaper “Zerkalo” (Mirror) reported being attacked and threatened. It is not clear to what extent the motivations behind these incidents were election related.

The media generally showed a greater degree of objectivity and a more critical approach than during the November elections. However, a more competitive environment will be a more indicative test of the media’s willingness to adhere to journalistic standards. Significant coverage was devoted to the voter registration process through the CEC public service announcement campaign. In that respect, private media played a particularly active role.

In Adjara, journalistic freedoms were restricted, under the pretext of the state of emergency. There were a number of credible reports of journalists being prevented from entering Adjara or from covering important events. Adjaran authorities blocked the cable feed of Rustavi 2 into the territory, claiming unconvincingly that the reason was a commercial dispute. Broadcasts resumed shortly before the election, but were pre-empted again when the state of emergency was re-introduced. Tbilisi-based Imedi radio was similarly hindered in its efforts to broadcast in the Autonomous Republic.

The law provides that two hours of free-of charge airtime on State media must be distributed among all competitors.

B. MEDIA MONITORING

The EOM continued the quantitative and qualitative monitoring of the same media outlets as during the November 2003 elections.⁴

Both print and electronic media mainly focused on the candidacy of Mr. Saakashvili. He and his party received almost 30% of the total airtime devoted to politics in all monitored national electronic media, except Adjara TV of a mainly positive tone. This rose to almost 60% in the week before the election. The governing coalition received 68% of the coverage in news programs (Interim President 14%, Government officials 27%, National Movement 25% and Burjanadze-Democrats 2%). With the exception of the free airtime required by law, other candidates were not present in the media. However, admittedly, there was substantial disparity in the relative newsworthiness of Mr. Saakashvili and his activities as compared to other candidates.

State TV-1 generally complied with the legal provisions concerning free airtime. Each of the six candidates was allocated 20 minutes each day. Although the free airtime was used by all candidates, its effectiveness was reduced because not all broadcasts were in prime time. While State Radio broadcast free airtime from 12:00 to 13:00 and from 20:00 to 21:00 (prime time), State TV-1 – claiming commercial reasons - allocated slots in afternoon hours, from 15:15 to 17:15. Candidate Garibashvili complained to the CEC that electricity cuts in rural areas during afternoon hours prevented inhabitants from being fully informed through State TV about candidates and the campaign. Although the UEC did not regulate when free airtime was to be broadcast, the CEC wrote to State TV-1 suggesting it ensure prime time slots. The schedule did not change.

State TV-1 coverage was generally more balanced than during the November elections. Nevertheless, the National Movement, including Mr. Saakashvili, together with the Interim President and government officials were granted about 63% of the total political airtime. This coverage was overwhelmingly positive. Mr. Saakashvili alone was allocated 21%. The other five candidates combined received only 7% of total airtime. From 29 December to 3 January, one week before the election, the visibility of the frontrunner noticeably increased, reaching 50% of the total coverage.

Rustavi-2, the largest private television station and widely considered an active participant in the events of 22-23 November, largely overtook State TV-1 as the prime channel of the institutional communication. Its coverage was more balanced than during the November elections, but like most other media gave very extensive coverage to Mr. Saakashvili and his party. It frequently broadcasted images and documentaries on the so-called “Rose Revolution” that could be considered as campaigning. During the week before the election almost 2/3 (62%) of the total political airtime concerned Mr. Saakashvili. The coverage was mostly positive. Other

⁴ Four nation-wide TV stations were monitored - State TV1, Rustavi 2, Imedi TV, and Adjara TV – and five newspapers -- Sakartvelos Respublika, 24 Saati, Rezonansi, Akhali Taoba, and Alia.

presidential candidates were largely ignored. The Revival Party was the only political subject receiving extensive negative coverage, partly due to the threatened “boycott” of the election by the Adjara authorities.

Imedi TV provided the most balanced coverage, a broad spectrum of political views and a critical approach. In the week before the election, slightly more airtime was dedicated to candidate Shashiashvili (25%) than to frontrunner Mr. Saakashvili (21%).

Adjara TV again provided wholly biased coverage in favour of the Revival Party, to which it allocated 73% of news coverage, almost all positive. Coverage of Mr. Saakashvili was comparatively small, less than the other candidates combined, and was mostly negative.

In the print media, some 60% of the political space was devoted to Government officials, the National Movement and the Burjanadze-Democrats, and their leaders. Nevertheless, print media presented a generally larger spectrum of political views and covered the authorities more critically. However, their circulation was limited.

Paid advertising was rather limited with Mr. Saakashvili’s spots (essentially “Rose Revolution” timelines), being the most frequent, particularly on *Rustavi-2*. Interestingly, a few paid advertisements were broadcast promoting Igor Giorgadze, although his candidacy had been rejected by the CEC.

VIII. ELECTION DISPUTES

Very few formal complaints were brought to either the courts or the election commissions. This was in marked contrast to previous elections. It may relate to the limited campaigning and lack of competitive environment. Formal complaints received by the CEC in the pre-election period were less than 20 and mainly regard DEC appointments. The few cases heard by the CEC and courts were resolved within the legal deadlines and without obvious bias.

IX. GENDER ISSUES

Men tend to dominate Georgian political life though several women, including the Interim President Nino Burjanadze, have risen to public prominence. There is only one female Minister in Government, appointed by Ms. Burjanadze. Fourteen women serve in the currently convened Parliament. None of the regional governors are women.

Women were active in election commissions though their engagement decreased at the higher echelons of the administration. One woman sat on the CEC. Some 80% of DEC chairs were male, while 16% of deputy chairs and 61% of secretaries were female. In 46% of the polling stations visited by observers on election day, the PEC chairperson was a woman.

The low level of campaigning impeded a thorough assessment of the degree of female participation in campaign activities or the inclusion of women's issues in political platforms. Observers reported that in most regions men and women participated equally in pre-election registration and in voting. However in Azeri-majority villages, observers assessed female participation in the election process to be low.

X. PARTICIPATION OF NATIONAL MINORITIES

Georgia has two sizeable national minority populations: Azeris (concentrated in Kvemo Kartli and part of Kakheti) and Armenians (concentrated in Samtskhe Javakheti) as well as less numerous minority groups including Russians, Ossetians, Iezids, Greeks, Chechens, and Abkhazians. In many cases, national minorities have poor proficiency in the Georgian language.

National minorities living in Samtskhe-Javakheti and Kvemo Kartli tended to be less engaged in national level politics. This was partly explained by the information barrier they faced due to language and location of their settlements. During the pre-election period, State TV-1 started broadcasting the news in Azeri and Armenian thus potentially broadening access to public information for these minority groups. State Minister Zhvania's pre-election trips to Armenia and Azerbaijan - where he met with the respective Heads of State - also helped boost minorities' trust in post-revolution change and the interim government.

Minority understanding of the electoral process appeared to have increased since the 2003 parliamentary elections, when uneven comprehension of election materials published in Georgian partly contributed to electoral violations in Azeri and Armenian areas. To address these problems, the CEC printed bilingual ballots (Georgian-Russian), and voter registration materials in Azeri, Armenian, Russian, and Georgian. Numerous domestic and international groups supported the implementation of voter education programs targeting minority villages.

However, bilingual ballots were not available in some minority regions (Akhaltikhe, Ninotsminda), apparently due to distribution problems. PEC members in some minority areas complained of being unable to understand polling instructions (Marneuli, Akhalkalaki). Some PECs in predominantly Armenian and Azeri areas had difficulty filling in protocols that were only in Georgian (Samtskhe-Javakheti and Kvemo Kartli). Election staff in these areas told observers that they could more easily understand and work with protocols and instructions in Russian.

XI. CIVIL SOCIETY/ DOMESTIC OBSERVERS

Non-governmental organizations were significantly engaged in domestic observation during the 2003 parliamentary elections; the International Society for Fair Elections and Democracy (ISFED) and the Georgian Young Lawyers Association (GYLA) contribution was particularly notable. In comparison, observers noted a decrease in domestic scrutiny around the presidential election, especially in the pre-election period.

The CEC accredited 59 domestic observer organizations. Observers reported that domestic non-partisan observers were present in 71% of polling stations and 79% of DEC's. However ISFED, the dominant NGO observer group, was well represented in some areas, but virtually absent in others. It conducted a parallel vote tabulation (PVT) and parallel turn out tabulation (PTT) but the results were not as widely publicized as in November. GYLA focused its monitoring on DEC's. While ISFED and GYLA's involvement and priorities appeared to slightly shift, other domestic observer engagement seemed to grow. In 51% of cases where international observers saw NGO observers present in polling stations they were from organizations other than ISFED and GYLA. On election day, domestic groups were generally not obstructed in their work, and did not encounter intimidation as they had in the past.

Although less active in scrutinizing the election, domestic NGOs were very active in other aspects of the election, including training and public information. Several ISFED staff members were brought into the election administration. This followed a trend visible throughout Georgian civil society in recent months as several former NGO activists accepted posts in the State administration especially at the district and town level.

In Adjara, harassment of civil society activists in the run-up to the election, and the arrest and detention of a GYLA observer during the November polls, had initially made some organizations anxious about observing. However on election day, ISFED, GYLA, the National Movement, and several others groups, observed without hindrance. They did not file any complaints on polling in the Autonomous Republic.

XII. VOTING, COUNTING AND TABULATION

A. GENERAL ASSESSMENT

Observers reported from more than 1,300 polling stations in Georgia. The election took place in 75 districts. Due to severe weather conditions no voting took place in polling stations in the Kodori Gorge and a peaceful public demonstration prevented voting taking place in one station in Plevi village. Apart from these isolated incidents voting proceeded smoothly and in a calmer atmosphere than during the November elections. Despite concerns that voter turnout would be low, participation was high: the CEC announced 88% turnout. Observers witnessed popular enthusiasm and eagerness among the voters. Unrest or disturbances occurred at 41 (3%) polling stations visited. In general, few serious violations were reported. Violent incidents were observed at just 10 (less than 1%) polling stations visited.

Observers assessed the voting process as excellent or good in 76% of polling stations visited.⁵ But once again, as with previous elections, significant voting irregularities took place in Kvemo Kartli where the count and tabulation were often in violation of procedures.

⁵ Observers assessed the process as adequate in 19% of polling stations, poor in just over 2% and very poor in less than 1%.

Observer's opinions of the counting phase were less favourable with 13% assessing the count process as very poor or poor.⁶ Observers followed the complete tabulation of results in 42 DEC's with the process being assessed as excellent or good in 57%.⁷

Almost one quarter (24%) of the polling stations visited were assessed as difficult to access.

B. VOTING PROCEDURES

Over 99% of PECs observed were provided with copies of the legislation and guidance manuals and most worked diligently and cooperatively to follow the correct voting procedures. Observers noted however that in 31% of PECs not all PEC members reported for work and that many PECs, particularly those with new members, would benefit from additional training.

Election day registration occurred in most polling stations. Registration without proper residency check was observed in 4% of the polling station visited (Tbilisi, Liakhvi, Gori, Bolnisi, and Akhalkalaki). Observers noted no case where a person who could prove eligibility and residence was denied the right either to register or vote. However, in 38% of the polling stations visited, observers reported that voters were refused the right to vote because s/he did not meet the residency requirement or s/he lacked required identification documents.

The application and verification of anti-fraud ink was inconsistent in many regions of the country including in Shida Kartli (Gori, Kareli), Samtskhe Javakheti (Akhalkalaki), Kvemo Kartli (Marneuli, Tsalka), Imereti (Chiatura, Baghdati, Vani, and Kharagauli), Kakheti (Gurjaani), and Mtskheta-Mtianeti (Mtskheta, Dusheti, Kazbegi, and Akhgori). In 13% of cases observers found that voters were rarely or never checked for ink and in 9% were rarely or never marked prior to voting. The inconsistency in inking reduced the effectiveness of an important anti-fraud measure.

In 92% of polling stations observed voters identification was usually or always properly checked. However, in a few cases less rigorous verification of identification and inking increased the likelihood of multiple and group voting. Observers noted cases of identical signatures on voters' lists, especially in Marneuli, Tsalka, and Ninotsminda.

Once again observers expressed concerns about ballot secrecy, reporting instances of open voting, badly positioned screens, group voting and inadequate voting booths. The UEC was partly responsible for this failure, as by law voters were obliged to show the reverse of folded marked ballots to PEC members to verify the presence of PEC signatures (before the ballots are placed in envelopes). This practice, combined with the use of poor quality paper in the production of ballot papers, created a possibility for PEC members to see for whom voters have cast their ballot.

⁶ In 27% of the polling stations visited, observers assessed the process as excellent, in 41% as good and in 19% as adequate.

⁷ In 27% of the polling stations visited, observers assessed the process as adequate, in 14% as poor and in 2% as very poor.

Observers reported instances of ballot stuffing in Kvemo Kartli region - Marneuli (PECs 2, 4, and 16) and Gardabani (PEC 36). In addition, widespread proxy voting in this region raised questions about the integrity of the results, and led to annulment in some PECs.

As observed in the pre-election period, on polling day election commissions did not always maintain a sufficient distance from the leading candidate's campaign, or from State authorities. New Years cards with a message from Mr. Saakashvili were distributed in PECs (Rustavi, Marneuli). Roses, a symbol clearly associated with Mr. Saakashvili, were strewn in PECs throughout the country. Local authorities (Bolnisi, Gori, Ninotsminda) and police (Rustavi, Bolnisi, Gori) were also observed in some PECs. In Kobuleti, observers witnessed five PEC chairs going to the office of the local executive with protocols rather than to the DEC.

C. THE VOTE COUNT

Observers attended the count in 130 polling stations and in virtually all cases they were able to observe all stages of the count process without hindrance. Their assessment was generally positive with few minor incidents.⁸ In 68% of counts attended, the observers assessed the conduct of the count as excellent or good.⁹ The atmosphere at the count was assessed as excellent or good in 84% of polling stations.¹⁰ As regards the PECs organization of the count and understanding of procedures, observers assessed this as excellent or good in 54% of cases.¹¹ In 20% of cases not all of the appointed PEC members were present at the count.

A relatively high number of PECs failed to correctly follow the complicated counting procedures: 21% did not determine the number of unused ballots and envelopes and seal them prior to the opening of the ballot boxes; 16% did not check for the validating stamps and signatures on the envelopes; 35% failed to count and announce the number of envelopes in the ballot box; not all ballots and envelopes were accounted for in 12% of PECs; in 17% of counts there was no checking of the ballots for signatures and the PEC stamp and in 23% of PECs they did not mark as void ballots found outside envelopes or without signatures/stamp. The determination of ballots' validity was inconsistent in 11% of PECs.

Observers reported the presence of unauthorized persons during the counting in 33% of PECs monitored and in 20% of these PECs, the unauthorized persons were interfering in the process.

Almost half of PECs had difficulty in completing the results protocol and 50% displayed the election results publicly.

D. TABULATION

⁸ In just over 2% of PECs a violent incident during the count was observed.

⁹ 19% of counts were assessed as adequate, 7% as poor and 6% as very poor.

¹⁰ Observers assessed the atmosphere as adequate in 10% and poor or very poor in 6%.

¹¹ In 28% of PECs it was assessed as adequate, in 12% as poor and 6% as very poor.

After the close of the polling stations, observers in 42 districts followed the preliminary tabulation of results at DEC level. They reported that in 47% of DEC's observed, some members of the DEC were not present and that unauthorized persons were present in 29% of cases. However, in only 10 cases unauthorized persons tried to direct, interfere or influence the process. Observers also reported disturbances or unrest in 10% of cases.

The observers' reports indicated however, that generally there was a significant improvement in the process at the DEC level compared to the recent parliamentary elections. In 57% of visited DEC's the atmosphere was excellent or good¹² while 52% were assessed as excellent or good on organization.¹³ There was much more transparency with observers assessing 66% as excellent or very good.¹⁴

However, at the DEC level significant problems remained with the reconciliation of result protocols. This was particularly evident in Samgori, Chughureti, Gldani, Rustavi, Marneuli, and Bolnisi.

Observers reported that, in violation of the law, in 33% of cases PECs were completing protocols at the DEC and in 37% changes or corrections were made to PEC protocols at the DEC. Observers noted that in 30% of cases the protocols did not add up correctly .

XIII. POST-ELECTION EVENTS AND RESULTS

Regrettably, in Adjara, immediately after the election, the harassment of civil society activists that occurred during the run-up to the election continued. Some activists and their families were detained, but they were eventually released. Observers reported raising tensions in the Autonomous Republic and an increase of NGO activities.

There were significant delays in publishing results protocols, and substantial problems in reconciling the mathematics within them. For example, of the 1497 protocols published by 7 January on the CEC website, as many as 930 contained mathematical errors. The CEC returned some 650 protocols to DEC's with additional instructions to expedite accurate reconciliation.

These problems significantly delayed the announcement of final results. On 15 January, the CEC approved the final protocol for the 4 January presidential election, as well as results from the presidential election in the Kodori Gorge which were postponed until 11 January.¹⁵

¹² Observers assessed 25% as having an adequate atmosphere, with 6% poor and 2% a very poor atmosphere.

¹³ 34% were assessed as adequate, 9% as poor and 5% as very poor.

¹⁴ 17% were assessed as adequate, 11% as poor and 6% as very poor.

¹⁵ The table consolidates the published figures for both the 4 January and the 11 January Kodari Gorge elections.

#	Name	Votes received	%
1	Roin Liparteliani	5 158	0,26%
2	Kartlos Gharibashvili	4 222	0,21%
3	Zurab Kelekhsashvili	1 908	0,10%
4	Teimuraz Shashiashvili	36 716	1,87%
5	Mikheil Saakashvili	1 890 739	96,24%
6	Zaza Sikharulidze	4 782	0,24%

The CEC also published the following figures on 15 January, which did not include the Kodori Gorge results:

- Number of voters 2, 231, 986
- Number of ballots cast: 1, 963, 556
- Number of invalid ballot papers: 13, 571
- Number of unofficial ballot papers: 324
- Number of unofficial envelopes: 67
- Ballots with all candidates crossed out: 1, 07%

The EOM compared officially published protocols with information copied by observers from over 1,500 PEC and DEC protocols on election night. Although some discrepancies were found, these were not statistically significant and there was no evidence of systematic or intentional results engineering.

Results were annulled in Mtatsminda (PEC 40), Marneuli (PEC 4, 13 and 22) and Ozurgeti (PEC 23) because of widespread falsifications. As the annulments could not affect overall results, re-runs were not scheduled.

XIV. RECOMMENDATIONS

The OSCE/ODIHR is offering the following recommendations, which should be read in conjunction with the comprehensive recommendations contained in the OSCE/ODIHR Final Report on the 2 November Parliamentary Elections (part 1), published on 28 January.

A. LEGISLATIVE FRAMEWORK

1. While the UEC represented an improvement over previous legislation, further progress is desirable. After the upcoming parliamentary elections, urgent attention should be given to reforms, including consideration of outstanding OSCE/ODIHR and CoE Venice Commission recommendations.
2. There must be early and clear decisions, either by Parliament or the CEC, on how relevant thresholds will be calculated. In particular, a legal definition of the “votes of the participants” must be clarified well in advance of the repeat parliamentary election.

B. ELECTION ADMINISTRATION

3. Authorities should make all efforts to ensure that opposition political parties are more adequately represented in election commissions at all levels. A “transitional” formula, based on Arts. 27 and 128 of the UEC, should be developed to ensure greater pluralism on the CEC and subordinate bodies.
4. Changes to DEC and PEC, other than adjustments to increase political pluralism, should be made based only on unsatisfactory performance.
5. Internal reforms of the election administration, in particular at the CEC, should proceed quickly and aim at effective and professional administrative support.
6. Immediate and sustained efforts should be made to ensure comprehensive training of elections officials, focusing on PECs and DECs, particularly on vote count and tabulation procedures.
7. All measures must be taken to streamline and improve the layout of the summary results protocol at PEC and DEC levels. Such measures should not be taken at the expense of any major safeguard within the existing legal framework. The balancing formulas should be built into the protocol text and outlined in user-friendly instructions.
8. Voter marking (inking) is an important anti-fraud measure that assists in building public confidence. It should be maintained for the foreseeable future, and steps should be taken to ensure uniform implementation of voter marking regulations. PEC training and public information campaigns should underscore the importance of voter marking and address some specific concerns (ink quality, religious issues etc.).
9. The CEC decision that permitted each DEC to create a special reserve of people who could assist PECs on election day should be repealed, or procedures and safeguards should be adopted to prevent abuse and ensure transparency in application.

C. VOTER REGISTRATION

10. The CEC must immediately commence data entry and initial consolidation of the voter register. Immediately after the election cycle, authorities should give priority to the development and implementation of a comprehensive strategy for management of all personal data and records, including voter lists.
11. An additional voter registration should take place to allow those that did not register for the presidential election to register for the parliamentary elections. This is particularly important in Adjara, where preliminary

registration did not take place. Sufficient time must be given for public display and scrutiny of the new register.

12. Until the accuracy of the voter list meets broadly accepted “best practices”, citizens should be able to register on election day, provided that their eligibility has been checked and it has been confirmed that they have not voted (use of indelible ink).
13. Any future decision to conduct voter registration on election day should be taken in a timely manner to be properly reflected in all forms, and supported by clear instructions and adequate training.
14. In order to enhance transparency and confidence, the CEC should display on the Internet registration figures on a district and precinct level. These should be updated immediately after any new registration period, and – if possible – at regular intervals during the process. If voters register on election day, the number of such voters should also be officially published, and included in the summary results protocols.

D. THE CAMPAIGN AND THE MEDIA

15. Authorities and electoral bodies must ensure that administrative resources are not abused and guarantee equal conditions for all election contestants. The election campaign must be separated from State activities.
16. Local executive authorities should not illegally interfere in the electoral campaign or provide resources to candidates or parties on an unequal basis. Political parties or electoral subjects should not be provided with premises for election activities unless this is provided to all election subjects on an equal basis.
17. Distance must be maintained between election administrations and political parties/candidates. Other than nominating members and monitoring as provided by law, parties must not involve themselves in any aspect of the election administration. Greater pluralism on the electoral bodies and additional training will help address this priority.
18. Support should be given to domestic NGOs and the CEC to increase their capacity to monitor compliance with the rules concerning media access and coverage.

E. NATIONAL MINORITIES

19. To encourage national minority participation and understanding in the election process, PEC manuals, ballots, protocols, and public information materials should be made available in minority languages or Russian in areas where they reside, following consultation with representatives of the minorities.

20. Public information in areas where national minorities reside should focus on malpractices common in these areas, such as group and proxy voting.

F. DOMESTIC OBSERVERS

21. Support should be given to domestic NGOs to ensure increased scrutiny on the forthcoming parliamentary elections.

G. ELECTION DAY

22. Measures should be taken to enhance the secrecy of the vote. If resources allow, the quality of voter screens and booths should be upgraded.
23. Efforts should be made to improve access to polling stations, particularly to ensure that physically disabled voters are not disenfranchised.

H. ADJARA

24. Authorities in the Autonomous Republic of Adjara must guarantee an environment, conducive to a meaningful democratic contest. All parties and candidates must be able to freely campaign in Adjara. Rights to association, assembly and expression, especially for NGOs, must be protected. The “state of emergency”, which is of dubious legality, should be immediately lifted and not be re-imposed.
25. Adjaran authorities must ensure that journalists have full freedom of movement and are not hindered in their work. There should be an immediate restoration of broadcasts of Rustavi 2 in Adjara. At the same time, Adjara Television must be more balanced and responsible in its coverage.
26. The CEC and Adjaran authorities should ensure an extended period of voter registration in Adjara to compensate for failure of the Adjaran authorities to allow citizens to participate in the registration process undertaken for the presidential election.

I. GENERAL

27. The authorities should uphold the integrity of the democratic election process in Georgia by continuing to hold any persons responsible for violations of election related laws fully accountable. Those who have tolerated or committed fraud should be considered unfit to serve on election commissions.
28. Although the State must ultimately assume full responsibility, in the current circumstances the international community should continue its support for the conduct of democratic elections in Georgia. Assistance again to pay salaries of electoral officials will enhance motivation and performance while limiting vulnerability to corruption. Support should

also be channelled to important long-term issues, such as a comprehensive strategy for all personal data and records, including voter lists. Continued care must be taken to ensure that the technical support from the international community is well co-ordinated.

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and(...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Document).

The ODIHR, based in Warsaw, Poland, was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 100 staff.

The ODIHR is the lead agency in Europe in the field of **election observation**. It coordinates and organizes the deployment of thousands of observers every year to assess whether elections in the OSCE area are in line with national legislation and international standards. Its unique methodology provides an in-depth insight into all elements of an electoral process. Through assistance projects, the ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include the following thematic areas: rule of law, civil society, freedom of movement, gender equality, and trafficking in human beings. The ODIHR implements a number of targeted assistance programs annually, seeking both to facilitate and enhance State compliance with OSCE commitments and to develop democratic structures.

The ODIHR monitors participating States' compliance with OSCE human dimension commitments, and assists with improving the protection of **human rights**. It also organizes several meetings every year to review the implementation of OSCE human dimension commitments by participating States.

The ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies. The Office also acts as a clearing-house for the exchange of information on Roma and Sinti issues among national and international actors.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihhr).