

# Elections in Georgia and the Aftermath

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Based on his experience as the Head of the OSCE/ODIHR Observation Mission for the presidential election in Georgia, the author shares some reflections on the trajectory of Georgia's political development. In his assessment, the decisive factor for Georgian politics was the parliamentary election, a year before the October 2013 presidential election. The dramatic victory of the Georgian Dream coalition in 2012 meant that in the run up the presidential contest, the governing coalition enjoyed a high degree of public support, which was crucial for the election of coalition's candidate as President. Further, the author believes that after the free and fair presidential election, Georgia is in need of external support to consolidate the rule of law. The upcoming 2014 local elections will present another test that, hopefully, will confirm this positive trend. In relation to this, the author refers to the emerging criminal allegations against the previous government following the 2012 parliamentary election: a concern for the country's democratic development. He emphasizes the need for a national strategy that focuses not on immediate political gains but rather on long term, sustainable changes to the political and institutional culture.



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The 2013 presidential election in Georgia took place in a political environment that was quite different from the previous year's parliamentary election.

In 2012, the United National Movement (UNM) coalition led by then president Saakashvili, and the newly created Georgian Dream (GD) coalition - hastily put together by businessman and philanthropist Bidzina Ivanishvili – ran campaigns characterized by harsh rhetoric and blatant accusations. By contrast, this year's election was much calmer and less tense, although not without harsh rhetoric and personal attacks. In particular, presidential candidate Nino Burjanadze was not shy in accusing the Saakashvili government of many crimes, but in general, this type of political attack featured less prominently than in 2012.

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It is indeed necessary to refer to the 2012 parliamentary election campaign, because the effects of the victory by the GD coalition are still very much felt in the country one year on. Subsequently, the new prime minister (Ivanishvili) and the governing coalition enjoyed a high degree of popularity, while the UNM and its leader Saakashvili - which had governed Georgia with little opposition since the 2003 Rose Revolution - saw a steep decline in popular support.

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Furthermore, after the elections Georgia was transformed from a presidential into a parliamentary republic, following constitutional amendments approved by parliament in 2010 and in 2013. As a consequence, the new president is no longer the country's most powerful institutional figure.

These various changes saw not only a calmer election campaign, but also increased apathy among the electorate, with a low voter turnout on Election Day (just 46 per cent).

It must also be noted that according to the OSCE/ODIHR observation missions, both the 2012 and the 2013 elections met most international standards of democracy, although with clear differences and to varying degrees.

The fact that the elections, and the subsequent transition of political power, took place peacefully and with respect for the most important democratic standards, certainly marks a positive development to be welcomed and encouraged by the international community. But in order to capitalize on this development with a view to achieving transformational change, all key stakeholders, institutions, government, parliamentary majority and minority, non parliamentary opposition and civil society organizations should continue work towards common goals: strengthening the rule of law and the professionalism and independence of the national institutions.

I have to say that as head of the OSCE/ODIHR election observation mission, I felt very much welcomed at all levels. From Government officials to parliamentary leaders, from the majority coalition to the various opposition forces, from civil society organizations to the media sector, everybody was interested in cooperating with us. In addition, while visiting the different regions, we noticed the attention and respect for the OSCE's work by the local institutions and political parties. This will be crucial in view of the upcoming 2014 local elections, which will represent another important test for the future of the country and its institutions, and where more tension and confrontation among the different group competing at the local level seems to be expected.

The general good opinion of the OSCE is probably due to the important role it has played in Georgia's recent history: from the various election observation missions conducted in the country since the mid-nineties, in particular the decisive 2003 elections; to the different projects carried out by OSCE institutions, for example by the ODIHR in the fields of human rights, rule of law or the media; to the active parliamentary cooperation between the Georgian Parliament and the OSCE Parliamentary Assembly.

Nor should it be forgotten that until the end of 2008, the OSCE had an active field mission in Georgia. Welcomed by the authorities at central and local level, the mission carried out numerous projects, providing concrete assistance to the Georgian people, especially in the areas where monitoring and reporting concerning humanitarian assistance and security were most needed.

It is therefore very unfortunate that the OSCE field mission was promptly closed down at the end of 2008 after the war with the Russian Federation in South Ossetia, as a consequence of the

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lack of consensus in the OSCE permanent council due to the Russian opposition.

The closure of the mission has had tragic consequences for the Georgian people most in need of assistance: namely the tens of thousands of internally displaced people from South Ossetia and Abkhazia, and the people who have seen their lives become more difficult with the establishment of the administrative boundary line. It is a bitter irony that Georgia is the only country that does not have a permanent OSCE mission, not because it is opposed to its presence (as is usually the case when countries do not want to be monitored by the OSCE), but for the opposite reason: precisely because it wants to cooperate with the OSCE and benefit from its assistance to improve the security of its people.

If the government in Moscow thinks that it can better assert its authority and legitimacy, internationally or regionally, by continuing to impose a veto on the OSCE's work in Georgia, it should urgently reconsider this position and welcome the request of all Georgian institutions and political parties to allow the OSCE to work in Georgia with a full mandate. The OSCE's strong track record in bringing the parties closer in situations of conflict should not be ignored or undermined; on the contrary, it should be valued as an important tool in solving some of the most urgent problems faced by the Georgian people.

Returning to the election environment, it is certainly true that the idea of cooperating with international institutions is very much present in the mindset and practice of the country's political and wider leadership. For a country that has struggled throughout its history to assert its independence, defend its territorial integrity and protect its culture and identity after decades of occupation, this is a sign of maturity and shows a forward-looking approach that all interested parties should be able to build on in order to stabilize the region and to guarantee a security approach based not on the fear of a military threat or confrontation, but by building institutions based on the rule of law and capable of cooperating internationally.

It is therefore commendable that the authorities made clear - if not entirely successful - efforts during the last election campaign to establish a level playing field among the candidates, to keep the political environment free from undue pressure and to avoid illegal restrictions of campaign activities throughout the country.

This objective was supported by some of the regulations adopted by previous Governments and by the performances of some of the institutions involved. For example: the Central Election Commission administered the elections in a professional and timely manner; there were rules in place providing for free air-time on the main television channels for 6 qualified candidates and for the generally balanced coverage of the campaign by the main media outlets; and the presence of numerous observers and party representatives in the local election commissions was ensured. All of these factors meant that all the main stakeholders had a general level of trust in the administration of the elections.

These results were possible because, during Saakashvili's presidency, the government prioritized European integration, in particular the EU Association Agreement and a series of important reforms were implemented as part of this process. The EU Association Agreement was finally initialed at the 28-29 November EU Eastern Partnership Summit in Vilnius. The decision by the GD coalition to initial the Agreement dispelled many of the fears and allegations that were flying around during the 2012 election campaign, that they would change the course of the country's foreign policy.

Holding elections in line with international standards was Georgia's last hurdle before being given the green light to start this process. In light of the choices by Armenia, and then Ukraine to suspend or postpone their Association Agreement negotiations, Tbilisi's commitment to the Euro-Atlantic integration path should not be taken lightly or viewed condescendingly by European countries and the United States. The progress made by Georgia remains as fragile as the context in which this country has been historically situated, and should not be taken for granted.

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Despite some significant progress over recent years in the field of economic reforms, Georgia still faces enormous challenges. In particular, further progress hinges on the need to link its economy to the European market. It must be noted that the recent reopening of commercial trade lines with the Russian Federation after a few years of almost complete closure following the 2008 war does not represent a strategic alternative for a country that still denounces the military occupation of two of its regions by Moscow, and wants to assert its independence.

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to the consolidation of its democratic institutions. Nobody has forgotten that during the months prior to the launch of the election campaign, the tensions between the governing coalition and the UNM opposition were very high. This was due to a number of judicial initiatives that led to the incrimination (and in some cases the pre-trial detention) of former UNM ministers and officials, and also to allegations of pressure on local officials, which resulted either in resignations or in UNM representatives shifting their political allegiance to parties in the new governing coalition.

While these tensions significantly diminished during the final months and weeks of the election campaign, there is a fear that they could resume to an even greater degree, in light of the rumors and in some cases statements by representatives of the parliamentary majority concerning the possible incrimination of former President Saakashvili who no longer has presidential immunity.

Although it is clear that legitimate requests for redress and justice by citizens must be always taken seriously by the authorities, it is also well known that in some cases the interrogation, trial and eventual incrimination and conviction of previous governments officials can become a blunt political tool, a mean of demonstrating to the public that the new authorities have changed everything that was bad in the past. This does not, however, serve the interests of a country and of its citizens. This could certainly be a temptation, but its effects would haunt the citizens of Georgia for a long time in the future.

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When criminal allegations emerge following a change of power, show trials are not the answer to restoring justice. The only way justice can be achieved is through proceedings that guarantee a fair trial and that are distinct from revenge politics. In order for a trial to be fair, the victim should have the right to claim justice, and the defendant should be presumed innocent until proven guilty, with access to proper defense and without undue pressure on the judges and witnesses.

This is certainly one of the main challenges currently facing this relatively small country whose democratic history is still young and fragile. Hopefully, the new leaderships of both the GD and the UNM coalition will be able to implement a long term project for Georgia that focuses not on immediate po-

litical gains but rather on making long term, sustainable changes to the political and institutional culture.

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It is obvious that this kind of project, whereby the rule of law and the separation of powers are entrenched in the culture of a society, can be sustainable only with greater and long-term international support from Western institutions. We have seen in many cases, even inside European Union structures and countries, that progress is not linear and that a bumpy road lies ahead for every country seeking to consolidate democratic institutions.

Georgia can now we can ask some external support for consolidating the rule of law after a pattern of increasingly democratic elections. The upcoming 2014 local elections will present another test that should confirm this positive trend. Setting good standards for elections also means that there is a greater responsibility to meet this challenge in future elections, and to avoid any setbacks.

It will now be up to the national institutions and people to consolidate this process. The renewal of the main political parties that now govern the country, both at the central and local levels will hopefully serve this purpose, proposing and preparing a new leadership whose political vision is not based on ideology, but rather on the provision of efficient and reliable services to their fellow citizens by building institutions that will withstand the passage of time, and the inevitable political changes.

After wars, occupations and revolutions, Georgia is looking with hope to its democratic friends and allies in the West for support in addressing these many questions.

It is indeed our shared responsibility to be vigilant and to respond positively and frankly to this call.

