

GEORGIA: DECIPHERING AN ELECTION THAT HAS ALREADY BEEN CONTESTED

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Without surprise, late in the evening of January 5, first estimations of the results of the early Presidential election announced by the Georgian institutions based on exit polls suggested that Mikhail Saakashvili will be victorious, with approximately 54% of the votes¹. As regards the two questions posed in a referendum the same day, 61% of the voters came out in favour of joining NATO (with nearly 20% against, and this was a surprise) while more than 64% voted for having the legislative elections in the spring. The only real surprise of this balloting was the relatively low turnout, with just 54% of potential voters participating. This compares to the traditionally very high participation levels in previous elections.

The Opposition does not accept this result, considering that the election got off to a false start and the balloting was manipulated². With a score estimated to be 0.9%, Giorgi Maisashvili, of the Party of the Future, a former fellow traveller of Saakashvili's, is the only candidate who has admitted defeat. Levan Gachechiladze, representing the Opposition coalition, proclaimed his victory and Shalva Natelashvili, of the Labour Party, has announced that he qualifies for a second round against Saakashvili. Davit Gamkrelidze, of the New Rights Party, has congratulated Levan Gasheshiladze for qualifying for the second round but refused to join the Opposition demonstration that took place on January 6 in Tbilisi. This demonstration, which was held calmly, barely gathered 5,000 Opposition members and was dispersed without incident. Despite a vague desire to fight to the end by some, reason seems to have prevailed and the defeat is an accomplished fact.

If the victory is confirmed by the central electoral commission³, it will put an end to the several historic weeks that Georgia has been experiencing since November 7. One may

¹ The other candidates got the following results: Gasheshiladze : 28.3%, Patarkatsishvili : 6.2%, Gamkrelidze : 3.6%, Natelashvili : 5.6%, Maisashvili : 0.9% and Sarishvili : 0.4%. Source :

<http://georgianmessenger.blogspot.com/>
² <http://georgianmessenger.blogspot.com/>

³ On the evening of January 6, i.e. more than 24 hours after the voting was over, the electoral commission was still not ready to announce the final result of this election. Its president said, however, that Mikhail Saakashvili led the field with 52.8% of the votes, beating his main challenger, Levan Gasheshiladze, who received 27% of the ballots. This announcement provoked a serious 'clash' between the president of the commission and its members representing the parties of the Opposition. Source: <http://georgianmessenger.blogspot.com/>

nonetheless wonder whether this will bring about a solution of the deep problems that led to the holding of an early election.

The events of November 7, 2007 and the violence that followed – a very heavy handed break-up of the street demonstrations, the sacking by police forces of the premises of the *Imedi* television network, which was close to the Opposition, and the proclamation of a State of Emergency – were the logical consequence of nearly four years of a poisonous political climate that the electoral campaign that just ended will not have helped to improve.

1) A campaign that was unbalanced if not falsified

The elections were under high surveillance, both on the part of international organisations – the Parliamentary Assembly of the Council of Europe (PACE) and the Organisation for Security and Cooperation in Europe (OSCE) – and on the part of NGOs – the Georgian Young Lawyers Association (GYLA), the International Society for Fair Elections and Democracy, (ISFED), Transparency International Georgia and New Generation/New Initiative (nGnI) assembled and supported by the Open Society - Georgian Foundation. ⁴ The general result that emerges is negative and highly mitigated.

Thus, Dieter Boden, head of the electoral observation team of the Bureau of Democratic Institutions and Human Rights (BDIHR) of the OSCE, found the media coverage to be unbalanced. ⁵ Though he admitted *‘that it is at times very difficult to maintain a perfect equilibrium between the candidates,’* he believes that *‘the Government candidate -- Mikhail Saakashvili – had overwhelming media coverage.’*

Though in its first report,⁶ the BDIHR/OSCE was content to trace the main outlines of the situation at the moment when the electoral campaign was launched, its second report⁷ is more incisive and critical. It mentions that some of the charges brought against Mikhail Saakashvili – illegal use of state money for electoral purposes, intimidation and attempts to buy votes – were founded.

In a report dated December 14, 2007⁸, Mátyás Eörsi, chief of an ad hoc committee by PACE, stressed the quality of technical preparations for this election and brought up a certain number of potential problems which could affect the good functioning of the democratic process.

First among the problems he mentioned was the terrible Georgian political climate. The schism between the Opposition and the Government authorities, the very low level of the political debate, the general feeling of mistrust, the threats of an early challenge to the results made by some of the candidates and the widespread feeling that the Rose Revolution was a reference point in political change⁹ all were crippling Georgian political life and relations between politicians, while raising distrust among the voters. The report raises the issue of enrollment in the electoral lists by the Commissions of Voting Offices on the same day as the voting – a factor in fraud – as well as the possible violation of secrecy of the voting booths by the installation of video cameras in the voting offices – and the abusive use of State funds and personnel by Mikhail Saakashvili during the campaign.

⁴ Of the George Soros Foundation.

⁵ http://www.media.ge/eng/page.php?m=news_details&id-numb=2753

⁶ http://www.osce.org/documents/odihr/2007/12/29018_en.pdf

⁷ http://www.osce.org/documents/odihr/2007/12/29149_en.pdf

⁸ http://assembly.coe.int/CommitteeDocs/2007/20071214_Memorandum-Pre-election-Georgia.pdf

⁹ According to Ghia Nodia, Director of the Caucasus Institut for Peace, Democracy and Development, *‘there still exists in Georgia a revolutionary syndrome which wants democracy to be made by popular gatherings in the centre of Tbilisi.’*

Whereas the OSCE and PACE units are in accord on an unbalanced campaign, the situation is quite different from the standpoint of the Georgian Central Electoral Commission. Where the BDIHR/OSCE sees serious disparities in the treatment of the candidates, this electoral commission speaks of a *'balanced and diversified treatment.'* This commission is composed of 6 members named by the President and 7 members representing the 7 political parties, including the party in power, which passed the threshold of 4% of the votes in the last national election, i.e., a total of 13 members, and this certainly explains the position taken in contradiction with the view of international organisations. As regards media coverage, the commission could only put out warnings but did not have the power to punish the networks which were involved in the manipulation.

The International Crisis Group (ICG), an independent NGO specialising in the prevention and resolution of conflicts, said in its last report that¹⁰ *'the behaviour of the Government authorities remained authoritarian'* and it cited cases of Opposition activists who were exposed to pressure or threats by the authorities. It also criticised the overall methods deployed by the candidate of the majority, Mikhail Saakashvili, to make tendentious use of State funds put at its disposal for the campaign.

Among all the candidates in the lists, Saakashvili was the only one whose New Year's greetings were broadcast live and in full on the public television channel. This speech even preceded the messages from Ilia II, patriarch of the Georgian Orthodox Church and from Nino Bourjanadze, interim President.

Rendered public on January 6, 2008 under the aegis of the OSCE, the preliminary report of the international mission of election observers¹¹, consisting of representatives of the BDIHR/OSCE, of the Parliamentary Assembly of the OSCE, of PACE and of the European Parliament, confirmed that the vote took place in accordance with the principles and obligations of the OSCE and of the Council of Europe in terms of democratic elections. Apart from this satisfactory note, the report insisted there were a number of major problems that the Georgian authorities were going to try to resolve before the next legislative elections. Among these problems, we find media coverage favouring the former President (both in terms of time and of tone), the partiality of certain members of the electoral commission, incomplete or inexact voting lists and claimed incidents of physical violence against and kidnapping of Opposition figures.

2) Inflated Demagoguery

This demagogic escalation was foreseeable and it was Mikhail Saakashvili who was the first to open this Pandora's box.

Beginning on November 28, he promised the return of displaced persons to Abkhazia. He added with full seriousness, that he envisioned the solution to this problem during his first term. Given that the term was cut short, he now believed that *'in the very near future, at most in several months, with the aid of the international community, he would be able to create the conditions for the return of the displaced persons in full safety and dignity.'*¹² These displaced persons have been living in hotels ever since the 1992-1993 conflict and recent government decisions on privatisation have increased the fear that these refugees would be pushed out onto the streets. On August 10, 2007, nearly 60 families received a warning that they must leave the hotel in Telavi which had been their refuge since 1992 given that the hotel had just been sold to a private company.

¹⁰ <http://www.crisisgroup.org/home/index.cfm?id=5233&l=2>

¹¹ http://www.osce.org/documents/odihr/2008/01/29182_en.pdf

¹² <http://www.civil.ge/eng/article.php?id=16450>

On December 5, he promised that in January 2008, an agreement would be signed creating a free economic zone around the port de Poti *'which would turn Poti into a flourishing city.'*¹³ The next day he announced the creation of a new bank, the *Bank of Cheap Credits*, which in the coming years is expected to distribute up to 3 billion laris in credits for the private sector. And he announced, in all seriousness, interest rates of between 4 and 10%. In the course of the same rally, he announced in a jumble of promises the laying down of a new highway between Tbilisi and the west of the country, full employment for everyone and the increase in the minimum pension to 100 dollars per month.¹⁴

On December 11, he asked the Government to take care of gas bills of consumers in social difficulty that have gone unpaid since 1999.¹⁵ Finally, on December 12, he invited debate around the voting rights of soldiers on duty outside the country by declaring that *'the decision of the electoral commission to refuse to organise the vote for this personnel constitutes a disturbing precedent which should be taken to the courts.'*

On December 16, during a speech which was broadcast live by the private television channels *Rustavi2* and *Mze* as well as by the public channel, he officially presented his programme which he summarised with this slogan: *'Georgia without poverty.'*¹⁶ He promised in a jumbled manner to provide free medical cover for some 680,000 persons deprived of it, a gift of 1,000 laris¹⁷ per newborn for socially vulnerable families, a minimum retirement pension of 100 laris per month in the course of the coming two years, an annual tax credit of 2,000 laris for each company created in 2008 and 2009, and dignified work for all, without respect to age.

The Opposition did not stay put and did all it could to make up for lost time with respect to electoral promises.

Badri Patarkatsishvili, the nefarious billionaire businessman, owner of the private television channel *Imedi*, promised to finance social programmes using his personal funds up to the level of 1.5 billion laris¹⁸ and described the two initial stages of his presidency. Phase 1 would be devoted to social matters. In the course of this phase, Patarkatsishvili planned to assume the monthly invoices of electricity and gas (amounting to 16 laris) and to cover the water bills (2.4 laris). Among other promises, annual unemployment compensation of 600 laris, a minimum salary of 300 laris beginning in September 2008, minimum pensions of 120 laris (150 for veterans of the Second World War), a scale of rising payments for newborn (3,000 laris for the first child, 4,000 for the second and 5,000 for each additional child).

At the end of 18 months, he envisaged phase 2, the phase of *'breakthrough.'* He expected unemployment to be cut by 20% by exempting companies from taxes and by re-opening the Russian market for Georgian products, without compromising national interests. He also promised to make the Georgian Army completely professional and ended by promising to double *'the amounts that the gang in power puts in the electoral balance.'*

As for Shalva Natelashvili, the leader of the Labour Party, he promised free gas and electricity for the coming three years by taxing *'the billionaires who have bought Mikhail Saakashvili by financing his campaign.'*¹⁹ He did not forget the bank crashes of the Soviet era and announced compensation for the lost rubles. And for good measure, he accused Badri Patarkatsishvili of copying his programme.

¹³ <http://www.civil.ge/eng/article.php?id=16506>

¹⁴ <http://www.civil.ge/eng/article.php?id=16511>

¹⁵ <http://www.civil.ge/eng/article.php?id=16555>

¹⁶ <http://www.civil.ge/eng/article.php?id=16591>

¹⁷ 1.000 laris = approximately 427 Euros

¹⁸ <http://www.civil.ge/eng/article.php?id=16599>

¹⁹ <http://www.civil.ge/eng/article.php?id=16564>

3) A campaign in the gutter

The logical consequence of the poisonous political climate and a campaign marked by inflated demagoguery, low blows and underhanded tricks studded the weeks that preceded January 5. Apart from the mutual accusations of provocations launched here and there by the various parties, one remembers the episode that saw a violent clash between the government authorities and the billionaire candidate Badri Patarkatsishvili.

In mid-December the campaign headquarters of Badri Patarkatsishvili published a video cassette in which a retired Georgian officer accused the police forces of having forced him to testify against the businessman saying he had purchased arms for a coup d'état. The authorities deny having ever arrested and interrogated the former military man in question.

On December 24, in an interview with the British newspaper *Sunday Times*²⁰, he announced that he had proof of an attempted assassination which was staged against him by men working for the Ministry of Interior.²¹ In support of this accusation, the British paper put onto its website extracts from an audio cassette that it received from the Georgian billionaire. This cassette reproduces the conversation between a man who identified himself as being a member of the Ministry of the Interior and a Chechen who was recruited to kill Patarkatsishvili. According to the *Sunday Times*, the presumed killer was Uvais Akhmadov, a Chechen war lord who, at the last moment, decided to withdraw from the plot and who sold the piece to people around Badri Patarkatsishvili.

This is not the first time that an attempt at assassinating the Georgian businessman has been mentioned. In September, the former Minister of Defence, Irakli Okruashvili, without providing any proof, accused President Saakashvili and his 'henchmen' of being involved in numerous crimes and having ordered the liquidation of Badri Patarkatsishvili. It was, moreover, amidst this sensational revelation that the events, exploited by the Opposition, which took up the cause of the former Minister of Defence, led dramatically to the street demonstrations of November 7.

For their part, the authorities have not been idle. As soon as Patarkatsishvili's accusations became known, they published a tape recorded in London on December 23 during a meeting between Irakli Kodua, from the Ministry of Internal Affairs, and Badri Patarkatsishvili. According to Nika Gvaramia, Deputy State Prosecutor, the Georgian billionaire offered \$100 million to Irakli Kodua if he would publicly speak of a government fraud and then 'neutralise' the Minister of the Interior²². The Deputy State Prosecutor said that this operation was carried out in liaison with the British authorities and that charges would be brought against Patarkatsishvili leading to a request for his extradition from England, where he has been living as a political refugee ever since investigations were opened against him in Russia in 2001.

A bit later, on December 26, the *Rustavi2* television channel broadcast a video in which the Georgian billionaire admitted having tried to buy the official of the Ministry of Interior but defended himself against having wanted to foment a coup d'état. In the confusion surrounding this admission, six journalists of the *Imedi* channel resigned, refusing to answer for the erring ways of the founder of the station, Badri Patarkatsishvili, by staying at their posts. A few hours later, the team heading this television station decided to suspend its broadcasts and on the next day Badri Patarkatsishvili announced his intention to withdraw

²⁰ The *Sunday Times* is the property of *News Corp.*, a holding associated with Badri Patarkatsishvili and his television channel *Imedi*

²¹ http://www.messenger.com.ge/issues/1512_december_24_2007/1512_assassination.html

²² http://www.messenger.com.ge/issues/1513_december_26_2007/1513_gelbakhiani.html

from the Presidential race though leaving his name on the list of candidates.²³ On January 2, he announced the creation of a new political party with a view to the legislative elections, the *Democratic National Movement* and on the 3rd, he reconfirmed his candidature for the Presidential election.

The big revelations which Badri Patarkatsishvili and the authorities engaged in, the numerous accusations of irregularities during the campaign – of which only a few have been the subject of judicial investigation, the lack of confidence and the confusion between government decisions and the electoral campaign of the former President, all these points have contributed to a *'failed'* campaign which, by focusing on problems of egos, has ignored the problems of substance.

4) Conclusion

Mikhail Saakashvili will have to manage this victory and draw some conclusions from the two months gone by which proved to be as important for the future of his country as the events of the Rose Revolution of 2003. Far from the 96% of his election in 2004, his score of nearly 53% should prompt him to ask himself some essential questions with regard to governance for the five years of his term. He and his future Government are facing a simple choice. Either they can continue the authoritarian abuses that led to the events of November 2007 – the vexing marginalisation of the Opposition, the undermining of institutional mechanisms of control and development of party favoritism at all levels, or they can give real substance to the democratic credo that they have, till now, honoured more by words than by deeds.

During nearly four years in power, they were able to convince themselves and many of their Western supporters that a *'tough'* policy was needed to solve the problems handed down by Shevardnadze (generalised corruption and dysfunctional operation of the state structures). These arguments don't work now. If Georgia wants to really become a strong and stable democracy, its leaders should achieve a veritable intellectual revolution.

The strong reaction and unanimous condemnation of international bodies in November sent a clear and unequivocal message. On December 28, in the course of one of his last campaign rallies, Mikhail Saakashvili seemed to have understood this message. Mentioning his future government once he was reelected, he considered it necessary to make important changes: *'I now want a team of professionals, a team open to all competences ... the revolutionary team we had at the beginning has had its day.'*²⁴ This, he said, was needed in order to meet the socio-economic challenges facing the country, poverty and especially unemployment. We believe he will remember these words when he is inaugurated.

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²³ <http://www.civil.ge/eng/article.php?id=16698>

²⁴ <http://www.civil.ge/eng/article.php?id=16702>