

## **Post-Election Developments of November 3-12**

### **November 3**

#### *The CEC's Activities*

The Central Election Commission started its tabulation of the election results the night of November 3. The preliminary results were displayed on the CEC web site. Though, on November 3 the CEC preliminary data was changing, the order was the following:

1. Governmental bloc "For New Georgia "
2. Saakashvili-National Movement
3. Labor Party
4. Democratic Revival Union
5. Burjanadze-Democrats
6. New Rights
7. Industry Will Save Georgia

The CEC preliminary data from 937 polling stations and the PVT results announced by Fair Elections on November 3 gave identical orders for the major parties in the proportional race. This was true as of 17.45 pm on November 3, when according to the CEC data, the National Movement was leading the poll with 1.5% percent. The stability of these results lasted only for 5 minutes, afterwards the governmental bloc moved to the first place with significant advantage. By this time the data from Kvemo Kartli and Adjara had not been received yet.

On November 3, at the CEC press conference, Nana Devdariani, CEC chairperson, gave her assessment of the PVT results. *"It's good that such verification means exist, as Fair Elections had better financing and technical equipment than the CEC to publicize the results of 500-600 polling stations promptly "*, she noted at the press conference.

When assessing the elections Devdariani also said, *"The process is going normally, however the elections have showed unexpected outcomes."* The CEC chair claimed that the November 2 elections were a good rehearsal for future elections.

#### *Fair Elections Announces PVT Results*

On November 2 Fair Elections conducted parallel vote and parallel turnout tabulations for the first time in Georgia's electoral history. Preventing alteration of precinct results at upper level election administrations was one of the major goals of the parallel vote and turnout tabulations. "Government will support and facilitate a parallel vote tally to be conducted by independent election observers," it is said in the "Baker Scorecard." The parallel vote tabulation was intended to reduce the opportunity for falsifying election results, and therefore to enhance public trust in the election outcome.

The results of the PVT were based on the data recorded in the official precinct summary protocols. While conducting the parallel vote tabulation, Fair Elections' observers also recorded violations at the polling stations and thereby monitored the qualitative aspects of the voting and counting processes as well. The activity was conducted simultaneous to the official reporting and tabulation process conducted by the election administration.

Fair Elections also tracked hourly voter turnout. This enabled Fair Elections to better review election results and compare official turnout numbers with what the observers reported.

An additional reason for conducting the parallel turnout and parallel vote tabulations was that it offered voters timely information with regard to election outcomes. To this end, Fair Elections employed systematic probabilistic sampling method and chose a 20% sample of polling stations to report, out of the total 2870 stations. The data from these polling stations was received quickly, during the night of elections and early the next morning. Below are the results of the PVT, announced by Fair Elections on November 3:

1. Saakashvili-National Movement – 26,26%
2. Governmental bloc "For New Georgia" – 18,92%
3. Labor Party – 17.36 %
4. Burjanadze-Democrats – 10.15%
5. Democratic Revival Union – 8,13%
6. New Rights – 7,99%
7. Industry will Save Georgia – 5,20%

The margin of error for these results was less than 2%.

Fair Elections continued tabulation of the data received from other polling stations (more than 2000). The tabulation of the total data submitted by Fair Elections' observers proved the statistical stability and accuracy of the results announced on November 3.

### The Exit Poll Results

According to the exit polls conducted by the U.S. polling organization, Global Strategy Group, the November 2 election results were the following:

1. Saakashvili- National Movement Bloc (led by Mikheil Saakashvili) 20.7%
2. For New Georgia Bloc (led by Eduard Shevardnadze) 14.2%
3. Labor Party of Georgia 14.1%
4. Burjanadze-Democrats Bloc 8.1%
5. Democratic Revival Union 7.3%
6. The New Rights Bloc 6.0%
7. Industry Will Save Georgia Bloc 3.4%

While commenting on the result of the exit polls on November 3, Parliamentary Chairperson and leader of Burjanadze-Democrats election bloc, Nino Burjanadze said: *“It is evident that the opposition won the elections. It means that we will live in a different Georgia.”*

*“I call on the opposition parties to cooperate to defend our votes. I call on the opposition to create a coalition in the Parliament,”* Nino Burjanadze said.

*“It is still too early to comment on the election results. Let’s see what will happen tomorrow,”* Tamaz Giorgadze, the representative of the governmental bloc "For New Georgia".

*“Opposition has good chances for success in the elections.”* President Shevardnadze mentioned on election day.

*“The elections were very transparent, fair and objective,”* stated president Shevardnadze.

*The Assessments of the November 2 Parliamentary Elections Made by International Observation Missions*

On November 3, the observation mission of the Organization for Security and Cooperation in Europe (OSCE) and other organizations, including the Council of Europe, released its preliminary statement on the November 2 parliamentary elections in Georgia. The observation mission had about 450 international observers from 43 countries.

The international election observation mission underlined improvements, including the new legal framework for the conduct of elections. However, the statement clearly highlighted the main irregularities and violations that disturbed the election process.

Observers from the OSCE and the European Parliament stressed that large numbers of voters had been disenfranchised. The statement highlighted especially the violations that took place in Adjara and Kvemo Kartli.

Following are the comments made by international observers:

*"These elections have, regrettably, been insufficient to enhance the credibility of either the electoral or the democratic process," said Bruce George, Special Co-ordinator of the OSCE Chairman-in-Office, leading the Short-Term Observation Mission.*

*"The irregularities and delays in the voting process on polling day reflect a lack of collective political will and administrative capacity for the conduct of the elections. The counting, tabulation and appeals process will now be crucial to building public confidence," concluded Julian Peel Yates, who is heading the Long-Term Observation Mission of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR).*

*"These elections are being discussed in light of presidential elections, when the country will elect a new President. Much is to be done to secure democratic and fair presidential elections in the country," Julian Peel Yates said.*

*"The use of different voter lists reduced confidence in the integrity of the data and lacked transparency," Demetrio Volcic, Head of the Delegation of the European Parliament said.*

*"The situation was rather tense and chaotic during the whole day of elections. A long procedural process and lack of knowledge of the procedures by the precinct officials triggered long queues of voters in front of the polling stations...Unfortunately, the Georgian government and the Central Election Commission failed to secure fair elections in the country, as well as to meet the commitments to the international organizations ... We call on the Georgian authorities and the political parties to do their best to improve the election process in order to get ready for the 2005 presidential elections, where the basic responsibility is to be assumed by the government," George Folsom, the President of the U.S. International Republican Institute (IRI), said.*

*"We believe that the people of this country are entitled to a better-run election system and protection of the right to vote, as sadly was not apparent yesterday. Urgent attention must be paid to training presiding election officials and addressing shortcomings in the system," noted Tom Cox, Head of the Council of Europe Parliamentary Assembly's Delegation.*

*"Thanks to the Baker plan and U.S. programs on democracy training and civil society building, on the day of the elections there was excellent media coverage and hundreds of passionate Georgian local election observers manned the polling stations, often until 4 or 5 in the morning." Zeyno Baran, the Director for International Security and Energy Programs at The Nixon Center, one of observers at November 2 parliamentary elections.*

CIS Executive Secretary, leading the CIS observers group, Yuri Yarov was positive about elections. As he said the November 2 parliamentary elections in Georgia were democratic and fair. *"All the 60 observers from CIS were given free access to monitor the parliamentary elections in Georgia,"* Yuri Yarov stated at a news briefing on November 3

## **November 4**

### *Fair Elections' Statement*

On November 4 Fair Elections released a preliminary statement on November 2 parliamentary elections. The organization expressed deep concern with regard to the intimidation and violence that was aimed at Fair Elections observers, and urged the Adjara government to release the illegally detained observer in Kobuleti. The statement underlined that the efforts of the observers and the desire of the voters combined to protect the overall integrity of the elections, despite the violations and fraud that were observed. Fair Elections urged the Central Election Commission to prove their good will in preventing any further abuses of the election process, which would include their refusing to affirm fraudulent results. *"Fair Elections hopes that this time the CEC will express its good will and the results in the election summary protocol will reflect the choice made by the Georgian voters on November 2 2003"*, concludes the organization.

### *The National Movement Calls for a Meeting*

Leader of the National Movement, Mikheil Saakashvili, called on other opposition leaders to meet on November 4 to discuss joint measures to prevent the manipulation of election results.

The meeting, initiated by Mikheil Saakashvili, was held on the same day. It was attended by the National Movement, the Burjanadze-Democrats bloc, the Unity party, and civil society representatives. In spite of demands of public neither the New Rights, nor the Labor Party participated in the meeting. The attendees agreed to hold a protest rally if falsified results were released by the authorities.

Zurab Zhvania, a leader of the Burjanadze-Democrats bloc, called on his supporters to gather at the Concert Hall of Tbilisi, at the same time supporters of the National Movement assembled at Freedom Square in front of the municipality building.

*"The government and the President try to steal our votes. We, the opposition leaders, should do our best to protect our votes and the votes of our supporters,"* Mikheil Saakashvil, the leader of the National Movement mentioned on November 3.

### New Rights Refused to Join the Protest Rally

New Rights refused to take part in the protest rally. Davit Gamkrelidze, the leader of New Rights, claimed that the New Rights would protect their votes at the district election commissions and not in the streets. *"We recognize the victory of the National Movement in the elections. We also know that the Burjanadze-Democrats election bloc precedes us. We know that we also have overcome the 7% barrier,"* Davit Gamkrelidze said on November 4

According to the New Rights' leader, his bloc will obtain at least 25-30 mandates in the parliament.

### The CEC's Activities

Nana Devdariani, the CEC chairperson, held two briefings on November 4. According to the CEC chair, the lack of protocols at the CEC was due to prolonged discussions at the DEC. *"The CEC is not a non-governmental organization that counts the data where it wishes. We are acting according to law",* she stated at the briefing.

*"All parties are dissatisfied, but I am not going to change the data in the protocols. I promise that all parties will receive the amount of votes really obtained by them,"* Devdariani noted

At the same briefing, five probable districts for second round elections were determined. These were: Saburtalo, Gldani, Tianeti, Sachkhere, and the Lanchkhuti districts.

The second briefing of the CEC was held on the same day after the protesters moved to the CEC building. The building was surrounded by specially equipped police forces. The peaceful action at the CEC did not result in any incident. Nana Devdariani assessed protest rally in the following way: *"I think that such preliminary attention on preventing election fraud is little untimely, taking into consideration the fact that more than half of precinct results have not arrived yet and the final picture is not clear. I'm not going to take into consideration the decisions made in the street."*

*"I don't consider rally as pressure. I'm not going to receive doubtful protocols, all uncertain protocols will be appealed, if any contestant wants to protect its votes, it should not interfere with the activities of the CEC."*

## **November 5**

### The CEC activities

On November 5 the CEC chair held another briefing. It was said that Nino Burdjanadze had won in the Kutaisi majoritarian elections. It was also noted that, according to the preliminary data analysis, the governmental bloc "For New Georgia", "Saakashvili-National Movement", "Labor Party", "Democratic Revival Union", "Burjanadze-Democrats" all overcame the 7% threshold. As for "New Rights" and "Industry will Save Georgia," it was said that they were close to the threshold.

During the second part of the day nothing changed on the CEC web site. The data from Kvemo Kartli and Adjara had not been received at this time, except for some data from the Khulo district in Adjara.

On November 5, the CEC had counted the results from 2023 polling stations out of 2870. The preliminary results were the following:

1257304 out of 2138691 voters participated in elections, 34294 ballot papers were invalidated.

Number of votes cast for each contestant:

1. For New Georgia Bloc 309562
2. Saakashvili- National Movement Bloc 276210
3. Labor Party of Georgia 17334
4. Burjanadze-Democrats Bloc 111929
5. The New Rights Bloc 97254
6. Democratic Revival Union 82250
7. Industry Will Save Georgia Bloc 75899

#### *U.S. Embassy's' Statement on Parliamentary Elections in Georgia*

On November 5 the US Embassy in Georgia released a statement with regard to the November 2 parliamentary elections. The statement underlined the necessity of a timely, accurate tabulation and reporting of the vote count. The statement reads: *"The United States continues to monitor developments in Georgia's electoral process closely... The mismanagement and fraud of Georgia's November 2 parliamentary election denied many Georgian citizens their constitutional right to vote... The CEC should do everything possible to correct election day errors now, during tabulation of votes, by throwing out most egregious cases of fraud."*

On the same day, the US ambassador Richard Miles met with the president of Georgia Eduard Shevardnadze. *"I have conveyed to the President of Georgia Washington's concern at the irregularities which occurred on the day of elections."* Richard Miles said after the meeting.

#### *The Leader of the "Labor Party" Holds a Special Briefing*

On November 5 the leader of the of the "Labor Party" declared that representatives of Labor Party would not defend their votes by participating in the "bloody fight." *"The mass violations did not take place during these elections,"* noted Shalva Natelashvili, leader of the "Labor Party".

#### *The Opposition Goes to the Streets*

On November 5 protesting voters held a demonstration at Freedom Square in front of the municipality building. The protesters demanded the protection of their votes. The police and interior forces were mobilized throughout Tbilisi.

The leader of the National Movement Mikheil Saakashvili called for the citizens to conduct a peaceful demonstration in front of the CEC building. The protesters moved to the CEC building. The rally ended peacefully.

### **November 6**

#### *The CEC's Activities*

On November 6 the CEC chair held another briefing where Devdariani released information with regard to the number of complaints filed with the CEC. According to the CEC chairperson, more than 200 complaints were filed with the CEC from various districts of Georgia. *"The opposition blames us in prolonging the results of the elections at the same time they create problems to the Districts at the local level",* Nana Devdariani stated at the briefing while talking about what was hindering the submission of protocols to the CEC.

A CEC session was scheduled for November 6. Due to the preliminary information, the session was supposed to determine where the second round of elections and bi-elections would be held. However at the beginning of the session, Givi Komahidze, the CEC deputy chair, made a statement against Rustavi 2 and the "Kmara" movement. His statement was related to "Kmara" announcement on election fraud running on Rustavi 2. *"If this dirty campaign against us is not stopped, I'll request the responsibility of the press department and invalidation of accreditation for "Rustavi 2",* stated Komahidze.

*"In the conditions of such pressure the CEC will not tabulate election results and let's see then who will seat in the parliament,"* stated Nana Devdariani. After this statement a break was announced, but the session was not renewed.

That evening the CEC received data from Adjara. The DEC chairs brought the information directly to the CEC deputy chair cabinet. The CEC deputy chair Givi Komahidze informed the media that the results had arrived from Adjara. According to this data, the Democratic Revival Union received 269 854 votes, the number of voters participating in elections was 284 000 out of 289 000 registered. The governmental bloc "For new Georgia" obtained 3008 votes, "National Movement" 236, "Labor Party" 2268, "Burjanadze-Democrats"418, "New Rights" 2231, "Industry Will Save Georgia" 1475. The data submitted from Adjara significantly changed the CEC preliminary results.

*"I did not expect such a number of votes,"*-commented Nana Devdariani.

#### *The Press Conference of the Governmental Bloc Speaker Irina Sarishvili*

On November 6 the speaker of the governmental bloc "For New Georgia" Irina Sarishvili held a press conference. She noted that the November 2 elections were democratic and this was first precedent for Georgia. At the same briefing she accused the representatives of the "National Movement" and "Burjanadze Democrats" of blackmailing the government and at the same time to be making deals with the government. She mentioned that the government should not be afraid of the thousands of people in the street and should not make deals with the opposition.

### **November 7**

#### *The CEC Preliminary Data*

According to the most recent data from the CEC, the Democratic Revival Union is leading the poll. By this time the CEC had counted results from 2279 polling stations out of existing 2 870. The turnout number was 1554022. 3 5406 ballots were declared invalid. The preliminary results were the following:

1. Democratic Revival Union 326549
2. For New Georgia Bloc 314816
3. Saakashvili- National Movement Bloc 288385
4. Labor Party of Georgia 181474
5. Burjanadze -Democ rats Bloc 117987
6. The New Rights Bloc 102067
7. Industry Will Save Georgia Bloc 78604

Due to the data received from Adjara, the "Democratic Revival Union" began to lead the polls in the CEC preliminary results. First place was maintained by the "Democratic Revival Union" for 2 days, as no updates were made to the preliminary data for two days for unknown reasons.

### *The New Decision of Adjarian Parliament*

On November 7 the Adjarian parliament made a decision according to which the head of the Adjara Autonomous Republic, and leader of the Democratic Revival Union, Aslan Abashidze becomes senior military official of Adjara. Experts regarded this decision as unconstitutional;

### *The Democratic Revival Union to Protect Its Votes*

The representatives of the Democratic Revival Union stated that their party obtained more votes than recorded in the precinct protocols. On November 7 the Democratic Revival Union held an action in Tbilisi to protect its votes. The supporters of the party arrived from the districts of Georgia. Around 200 persons participated in the action, several supporters of the governmental bloc "For New Georgia" were among the participants.

### *The incident in Zugdidi*

On November 7 the supporters of the "National Movement" held a rally in Zugdidi. The leader of the "National Movement" Mikheil Saakashvili went to Zugdidi as well. Several anonymous armed persons began shooting next to the assembled people. The police did not react to this display of violence and lawlessness. One woman was wounded at the incident. The citizens recognized several supporters of the former commandant of Zugdidi among the armed persons.

### *Fair Elections Press Conference with Regard to the Elections in Adjara*

On November 7 Fair Elections held a press conference with regard to the election results from Adjara. The organization stated that the results from Adjara do not reflect reality. It was noted that according to the data received by the CEC, around 284 000 voters participated in elections in Autonomous Republic of Ajara, and 269 854 of those voted for Democratic Revival Union

However, according to the information provided by Fair Elections' observers the results were the following: if the total number of voters announced by Adjara government is correct, only around 153 000 voters participated in elections in Ajara autonomous republic; only 145 000 of which voted for Democratic Revival Union;

The Democratic Revival Union was in fourth place in the PVT results announced by Fair Elections on November 3. There is a 40% difference in the turnout figures reported by the election administration in Adjara and Fair Elections.

### *Protest Action to Protect Votes*

In response to the preliminary data publicized by the CEC, the National movement started protest actions throughout Georgia. Participants in the actions demanded the protection of their votes and affirmation of the victory of the "National Movement" in November 2 parliamentary elections. The protest actions were held in Telavi, Kutaisi, Zugdidi, Zestaponi and Gori.

### *The Bloc "Burjanadze-Democrats" Refuses to Enter the Parliament*

The leaders of the bloc, "Burjanadze-Democrats," declared that they were boycotting the election results, and that they refused to accept the mandates obtained by their bloc. They stated that they were joining the action of the "National Movement". The "Burjanadze-Democrats" requested new elections.

## **November 8**

### *The Latest Data from the CEC*

According to the latest data publicized by the CEC, the Democratic Revival Union was still leading the polls. The number of polling stations where the results counted was 2 285. 1 559 659 voters participated in elections.

### *"Burjanadze-Democrats" join the "National Movement"*

On November 8 a joint demonstration was held at Freedom Square in front of the municipality building. The demonstration was supported by thousands of citizens from the regions as well as from Tbilisi. However many people from the regions were prevented from reaching Tbilisi by the police. A students' movement joined the demonstration on the same day.

## **November 9**

### *The CEC session*

A CEC session was held on November 9. The CEC determined November 23 as the date for the second round of elections. It was decided that bi-elections would be held on November 16 at the precincts where the elections were disrupted. A total of 36 complaints were filed with the CEC and courts with regard to majoritarian elections. The winners of majoritarian elections are the following: 21 from the governmental bloc "For New Georgia", 4 from "National Movement", 1 from "Labor Party", 6 from "Democratic Revival Union", 3 from "Burjanadze-Democrats", 3 from "New Rights", 2 from "Industry Will Save Georgia" and 16 candidates from initiative groups. Appeals with regard to all majoritarian candidates winning in Adjara are filed to the CEC.

### *The Rally Continues*

The protest rally enlarged to thousands again on November 9 after several hundred people spent a night in front of the Parliament. Thousands of citizens demanded President Shevardnadze's resignation. The riot police were mobilized during the demonstration. People willing to join the protest rally in Tbilisi were still hindered on their way to the capital, as the police blocked the highways.

*"Our position is that any irregularity and violation during the elections should be corrected via courts, through legal means and not in the streets,"* Elguja Medzmariashvili of the For New Georgia bloc said.

### *The Leaders of the Protesting Parties Meet with the President*

On November 9 the President of Georgia came to Rustaveli Avenue where the protest demonstration continued. The protesters continued to request the resignation of the president. Before leaving, the president met with Nino Burjanadze, the Parliamentary Chairperson, and the leader of the bloc "Burdjanadze-Democrats". When the president was leaving the demonstration, Mikheil Saakashvili, the leader of the "National Movement" tried to approach the president and talk to him, however he was stopped by the president's bodyguards.

*"We agreed that the opposition leaders, including Zurab Zhvania and Mikheil Saakashvili will meet the President to deliver our demands,"* Nino Burjanadze said.

*“We, including Nino Burjanadze, do not intend to go the State Chancellery and talk with Shevardnadze.” “If he wants to talk with us, I offer him to meet with us not in the State Chancellery, but publicly,” Mikheil Saakashvili said.*

*As president commented he was satisfied by visiting the protesters. “I have told them what I wanted,” Eduard Shevardnadze mentioned.*

The same evening a meeting between the president and opposition leaders, Nino Burdjanadze, Zurab Zhvania and Mikheil Saakashvili was held at the Krtsanisi residence. Mikheil Saakashvili left the meeting earlier than the other participants.

*“With this kind of policy Shevardnadze pushes the country into civil confrontation. He disclaims responsibility for everything happening in this country. He and his policy is really dangerous for Georgia,” Mikheil Saakashvili said.*

*“We informed the President regarding the ballot fraud. He told us that he has nothing to do with the ballot fraud, with Zugdidi incident and finally he shouted on me: “I do not want to talk with you.” After this I left the talks,” Mikheil Saakashvili told journalists.*

*“Shevardnadze was not ready for this meeting and consequently we did not reach any agreement. Each of us painfully stressed and justified our demands, however we did not receive answer to any of our questions.,” commented the meeting Zurab Zhvania.*

*The president himself evaluated the meeting as “strained, but interesting”. While assessing Mikheil Saakashvili the president of Georgia mentioned, “He is dangerous – this is my final conclusion. However the recent developments in the country are not caused by only one person.”*

## **November 10**

### *The Appeal of Fair Elections Is Transferred to the District Court*

Fair Elections filed a complaint against the Mtatsminda #1 DEC. The organization requests the invalidation of the DEC summary protocol, as it was compiled without including all the data received from the PECs. The next day, the Mtatsminda DEC compiled another protocol with similar data and registration number, where the results missing in the first protocol were included. There still exist two DEC protocols with the same date and registration number and different results, which is against the law. Fair Elections requests the invalidation of both protocols. On November 10 the rayon court submitted the complaint to the Tbilisi District Court.

Fair Elections has already submitted complaints requesting invalidation of the summary protocols in Bolnisi, Tkibuli, and Marneuli districts.

### *The Boycott of “Rustavi 2”*

Representatives of "Industry will Save Georgia", "Labor Party" and "Democratic Revival Union" held a joint press conference, where they made a statement of their plans to boycott the TV company, "Rustavi 2". It was mentioned that they refuse to give any interviews to the representatives of "Rustavi 2" and if their activities are covered by this TV company, they will take a case to court.

### *The President Travels to Adjara*

On November 10 the president of Georgia traveled to Senaki and afterwards to Adjara, where he was met by the leader of Adjara, Aslan Abashidze. According to Aslan Abashidze, any campaign against the legitimate government is unacceptable. In Senaki the president was met by the representatives of local governments, at one point citizens tried to approach the president, however the police interfered with their attempts. The representatives of media outlets were intimidated as well. Anonymous persons took away their cameras.

## **November 11**

### *Protest Rallies Continue*

Some party representatives have engaged in hunger strikes. Giorgi Kheviashvili and Lado Chipashvili from the "National Movement" began the hunger strike on November 11. The same day the representative of the "Burjanazde-Democrats bloc" Vasil Maglaperidze joined them.

### *Decision of Tbilisi District Court*

The Tbilisi district court invalidated the summary protocol of the Bolnisi DEC. The complaint was filed by the National Movement and the Georgian Young Lawyers Association. The Court ordered the Bolnisi DEC to check protocols and recount the polling results.

## **November 12**

The EU ambassadors in Georgia met with President Shevardnadze on November 12. As they stated, there should necessarily be a dialogue between the government and the opposition.

The same day, Mikheil Saakashvili, the leader of the National Movement met with the State Minister Avtandil Jorbenadze. The meeting was held at the State Chancellery.

*"I have demanded of Jorbenadze and the government once again to admit the victory of opposition in the elections... We also require the punishment of persons responsible for election fraud", stated Saakashvili.*