

Georgia Election Watch



Georgia will hold parliamentary elections on October 31, 2020. The National Democratic Institute issued a report assessing the pre-election environment and has a team of eight international election experts who, paired with assistants based in Georgia, are tracking the work of the electoral administration, campaign environment, gender and inclusion, media and disinformation, and the impact of covid-19. They are virtually interviewing key stakeholders, including representatives of the Georgian government, political parties and candidates, the election administration, media, civil society, and domestic and international observer organizations. This is NDI's second bulletin resulting from that long term analysis; the first covered the election administration and campaign environment. The Institute will monitor the overall election process until its conclusion and will issue a comprehensive assessment shortly after the elections. NDI appreciates the support of the United States Agency for International Development (USAID) and National Endowment for Democracy (NED), which make possible the Institute's ongoing election analysis.

BULLETIN #2

INFORMATION ENVIRONMENT & INCLUSION of MARGINALIZED GROUPS

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INFORMATION ENVIRONMENT

TRADITIONAL MEDIA

Georgia's media environment is among the freest and most diverse in the region, but it is highly polarized, potentially impacting citizens' ability to make informed electoral choices. In a December 2019 NDI poll, 69 percent of respondents stated that they get the majority of their news from television, but only 32 percent agreed that Georgian TV presents unbiased coverage. Traditional media, especially television, remain key sources of advertising for parties around elections.

At a time when it is especially important for citizens to receive regular and reliable information about elections and political developments, recent reports of interference with journalists' work are troubling. These incidents include a protest that forced a Pankisi-based radio station to shut down temporarily, a threat against a journalist's life in Bolnisi, and violent clashes in Marneuli that left reporters and camera operators injured. Media and civil society representatives raised concerns that investigations of similar incidents in the past had not been impartial.

In recent weeks, traditional media, including TV, radio, and print, have been organizing national and local debates and programs featuring all political parties. However, many report that securing Georgian Dream (GD) participation has been

difficult. Although GD participated in the Georgian Public Broadcaster (GPB) debate on October 15, the majority of both national and regional outlets, particularly those viewed as opposition-leaning or critical of the government, report that the ruling party has avoided or ignored their programs.

NDI's interlocutors have expressed limited confidence in the Georgian National Communications Commission, the regulatory authority for broadcasting and electronic communications, saying it is politically biased and focuses disproportionate scrutiny on pro-opposition media. They argue that the regulator should instead focus on countering foreign disinformation and building Georgia's resilience, especially around elections. Recent disputes over advertising and fines of media channels indicate that media outlets and political parties may need more information from the Commission and the Central Election Commission on what is acceptable and required by law.

Despite fears over July 2020 legal amendments that authorized the Communications Commission to appoint "special managers" to electronic communications companies accused of certain violations, there has only been limited use of the new authority. NDI's interlocutors in broadcast media reported no interference or investigations during the election period, but remain concerned about the broad discretionary powers granted to the Commission.

SOCIAL MEDIA AND DISINFORMATION

Social media is an increasingly important source of information in Georgia, which in turn means that exposure to online manipulation is growing. While Facebook, the most popular platform in the country, has recently taken down large domestic disinformation networks, other domestic and foreign influence operations remain active.

By September 17, political parties and 117 majoritarian candidates were using Facebook to campaign, according to a report from the International Society for Fair Elections and Democracy (ISFED). Candidates use Facebook to communicate directly with voters, conveying their platforms, hosting live discussions, and sharing pictures of meetings with voters and TV appearances. However, ISFED also reports that

anonymous pages are actively discrediting both the governing and opposition parties, with the exception of the Alliance of Patriots, which is not being targeted by these pages. These online smear campaigns are domestically-led. The campaign against the opposition appears coordinated, well-financed, and led by people with access to significant resources, such as television archives; pages discrediting the ruling party appear less organized. Some political advertising has been based on micro-targeting, the practice of using consumers' personal data to tailor messages expected to be particularly persuasive to them. The limited distribution of these ads makes them difficult to monitor, expose or counter when they contain manipulated content. The impact of these campaigns on the elections is yet to be determined, but their presence inarguably contributes to confusion.

The opening of Facebook's ad library in August has allowed for more transparency regarding the ads run by candidates, supporters and anonymous pages on the platform. According to ISFED, from August 4 to September 6, most of the candidates respected requirements to attach disclaimers to ads. However, the State Audit Office (SAO), responsible for campaign finance monitoring, reported difficulty vetting online spending, in part because parties and candidates are not required to declare their official social media pages. Moreover, the SAO lacks the tools to review or issue sanctions for ads run on anonymous pages and has difficulty directly communicating with Facebook, which does not have an office in Georgia.

Disinformation regarding covid-19 remains prevalent, while the recently resumed fighting in nearby Nagorno-Karabakh has sparked new disinformation narratives. From September 17 to October 15, two Georgia-based independent fact-checkers partnering with Facebook have debunked 46 widely shared posts. Armenian, Azerbaijani and Russian news sources have spread misleading or fake news stories about Georgia's actions and attitude toward the conflict, events in the ethnic-minority areas, and the regional situation. Interlocutors mention worrying levels of tension online and offline. In addition, fact checkers debunked anti-Turkish and divisive statements shared by members of the Alliance of Patriots party.

INCLUSION OF MARGINALIZED GROUPS

Despite legal protections, women, ethnic and religious minorities, people with disabilities and LGBTI communities still struggle for political representation.

Only 21 of the outgoing parliament's 150 members are women, giving Georgia one of the world's lower rates for women's representation in parliament. The recently introduced mandatory gender quota for party lists aims to ensure at least 30 members (or 20 percent) of the next parliament's members are women. Parties exceeding the quota with party list ratios of one in three women will earn a bonus in state campaign funding; currently available CEC data indicates at least 29 parties have done so, including European Georgia, For Justice, Strategy Aghmashenebeli, and Alliance of Patriots. Overall, gender quotas are viewed positively, but the Girchi party has challenged the quota's constitutionality. On September 25, the Constitutional Court upheld the quota as a legitimate mechanism to promote women in politics. The one-in-four quota becomes one-in-three starting with the October 2028 parliamentary elections, and quotas expire after 2032.

One potential obstacle to the greater gender diversity encouraged by the quota law is that, for most political parties, women have not been placed at the top of their lists. In many cases they are listed fourth and, as a result, parties winning fewer than 4 seats are unlikely to seat a woman MP. With a lower threshold, this is a scenario that could happen more frequently, meaning women may again make up less than 20 percent of MPs. Interlocutors identify political parties as the primary barrier to women's equal participation in politics. In most cases, male-dominated party leadership leads an insular candidate selection process, and regional party structures are managed by long-time male supporters. As of this writing, only 22 percent of majoritarian candidates are women. If this number stands, it represents a slight increase over 2016 (17 percent) and 2012 (14 percent).

Most party platforms make general references to marginalized groups, including women, ethnic minorities and persons with disabilities, such as by calling for equality for all citizens, emphasizing the

need for more opportunities for women in politics and business, and increasing access to education and employment for persons with disabilities and ethnic minorities. However, these declared goals often lack detailed policy approaches. Few political party programs include specific policies tailored to persons with disabilities, and those that do only offer expanded state assistance rather than a comprehensive approach for greater inclusion. Only a handful of parties and candidates reported developing specific outreach strategies toward marginalized groups.

The covid-19 pandemic has disproportionately affected women across the world. As case numbers rise in Georgia, some candidates are concerned about a decline in turnout among women. In 2016 and 2018, women made up a slightly larger number of voters on Election Day (51 and 52 percent, respectively). Nevertheless, women's membership in district and precinct election commissions (DECs and PECs) has so far been unaffected. As in past years, women predominate, composing 74 percent of PEC members and, in DECs, holding 60 percent of permanent and 69 percent of the temporary positions.

Georgia's ethnic minorities (about 13 percent of the population) are generally underrepresented on the campaign trail. The two majoritarian districts of Marneuli/Gardabani and Akhkalaki/Ninotsminda are exceptions where ethnic Azerbaijanis and Armenians, respectively, form local majorities. Fourteen ethnic minority majoritarian candidates are running in these districts, but none elsewhere in Georgia.

Although political parties are circulating campaign materials and campaign posters in Azeri and Armenian, none have released their programs online in either language so far. Due to language barriers, ethnic minority communities tend to rely on media reports from Russia, Armenia or Azerbaijan, although multilingual local media sources are becoming increasingly relevant. The CEC is providing election information in Azeri and Armenian through voter information campaigns, its website and the call center, and translating training materials for election officials and printing multilingual ballots for relevant districts.

Anti-Muslim and xenophobic rhetoric remains part of the political discourse and recently the Alliance of Patriots party was fined for using anti-Turkish messaging in its campaign. The resumed conflict in

Nagorno-Karabakh has only added tension in communities densely populated by ethnic minorities where there is already a history of pre-election antagonism. A focus on the conflict may exaggerate stigmas that portray minority populations as a security threat.

The Central Election Commission translates its media conferences and informational videos into sign language and is conducting an online course for district and precinct election commission members on how to support the independent participation of persons with disabilities in the election process. In the past, disability rights advocates reported access issues, such as examples of people using wheelchairs being unable to enter polling stations. To address this issue, the CEC is implementing a process that allows voters with disabilities to select an accessible polling station by reviewing an interactive map hosted by the CEC.

The map includes photos and information about accessibility adaptations, which people with disabilities can use to determine the best polling station for their needs. The voter has until October 25 to select the polling station that best suits their needs. Nevertheless, disability advocates remain concerned that some of the polling stations identified as accessible by PECs and DECAs will not be accessible for everyone, mainly because the criteria for determining accessibility is not clear.

One LGBTI rights group is asking political parties to pledge to keep homophobia out of the campaign. Discrimination and attacks on LGBTI rights groups' offices continue and are being investigated, but these groups report that homophobia and transphobia have not featured prominently in campaigns.

Recommendations:

- The Georgian National Communications Commission, in coordination with the CEC, should take additional steps to publicize rules and proactively ensure compliance among the media and political parties.
- To safeguard voters' access to balanced and reliable information, political parties and candidates should participate in all available debates and political programs to present their policies and plans to the public.
- Media outlets and journalists should be allowed to perform their legitimate functions and exercise their rights, in keeping with journalistic ethics, without interference. Authorities should investigate alleged incidents in a timely manner and ensure that the perpetrators are adequately sanctioned.
- To increase transparency and avoid circumvention of the campaign finance rules, the electoral code should include provisions on the declaration of pages or social media used for campaign purposes. In order to increase their capacity to vet online advertising, state authorities should also establish communication with Facebook before elections.
- The government, political parties, civil society groups, journalists and online platforms should continue and expand efforts to detect and mitigate disinformation in the elections, and should implement long-term strategies to strengthen information integrity and community resilience.
- Political parties should put in place internal mechanisms to ensure women candidates are well supported throughout the remainder of the campaign.
- In the remaining days of the campaign, parties should make a deliberate effort to provide concrete details and steps regarding how they would address issues of importance to marginalized populations.
- Political parties and candidates should avoid topics that risk increasing division or tensions, including the fighting in Nagorno-Karabakh, and instead focus campaigns on program priorities and speak more directly to the needs of minority communities in Georgia.
- Political parties should sign on to the multi-party memorandum against the use of homophobic language in elections.