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Restrictions at polling stations upsets civil sector



Zurab Kharatishvili, Chairman of CEC

By Nino Edilashvili

After two days of struggle, the Central Election Commission (CEC) passed a resolution on September 24 restricting photo and video recording at polling stations on Election Day. However, it was a compromised version and local media representatives and NGOs harshly criticized it, calling for its cancellation and subsequently made an appeal against the CEC's decision in court.

The CEC explains their decision as one that protects voter rights and freedom of choice. "Filming should not infringe on voters' rights," Zurab Kharatishvili, CEC's Chairman said. According to the resolution, a media organization is only allowed to shoot a video or take a photo in each polling station for a maximum of 10 minutes during the voting process. After 10 minutes, reporters must retreat to a special location allocated inside the polling station building.

Under this resolution, once inside the polling station, cameras must be at least 3 meters away from any object and if a reporter or camera operator leaves the polling station for any reason, they will

lose their right to photograph and video-record inside again.

In addition, interviews must be recorded outside polling stations, as video-recording is prohibited inside voting cabins. It is also forbidden to record documentation that according to the Election Code is not public.

Out of the 13 members, the CEC passed the resolution with 9 votes of support. These nine members represented members of the ruling National Movement Party and the Christian-Democratic Movement.

The media met this decision with protests in front of the CEC office on Tbilisi's outskirts of Dighomi.

Kharatishvili however, said that transparency is guaranteed, as there will be approximately 25 people (including 9-10 international observers and 16 representatives of 16 different parties) who will monitor the situation in any polling station.

Tamar Chugoshvili, Chair of Georgian Young Lower Association (GYLA), one of the country's key advocacy organizations, expressed discontent, saying such regulations will not allow the ability to "conduct fair elections."

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OSCE points to increasing polarization

By Archil Sikharulidze

In its second interim report published on September 24, the OSCE Office for Democratic Institutions and Human Rights says that the polarization of the election campaign in Georgia "has increased." Aimed at evaluating general issues such as the campaign environment, campaign finance, as well as media and the participation of national minorities, the report covered a period between September 6 and September 19. Overall, OSCE's report is more summary of the facts than their actual analysis. The OSCE launched the observation mission on August 22 with a core team of 16 experts in Tbilisi and 28 long-term observers deployed throughout the country.

Campaign environment

"The polarization of the campaign has increased. The tone of the campaign messages from both the UNM and the Georgian Dream coalition senior leadership and majoritarian candidates is confrontational and rough" – exclaimed the OSCE Election Observation Mission assessing the general pre-election environment in the country.

According to the interim report, the main confrontation is going to have to take place between the ruling party (United National Movement, *abb.* UNM) and Georgian Dream Coalition (*abb.* GD) led by Bidzina Ivanishvili. Both sides have chosen the policy of mutual accusations and charges. The UNM 'questions the origins of Bidzina Ivanishvili's assets and his political agenda in the case of victory'; meanwhile GD blames the ruling party for twisting the facts.

OSCE report emphasizes the facts of involvement of officials as well as public (administration) employees in the pre-election campaign of the ruling party. According to the document, the "UNM representatives, municipal authorities and at times the police, allegedly signal to such voters [public (administration) employees/recipients of social benefits] not to engage in opposition activities but rather attend UNM rallies."

Campaign finance

Another important accent has been made by the OSCE on the 'campaign finance' issue. The report notes that about 35 cases of illegal donations [mainly in favor of the GD] were examined by the mission. In all instances, the OSCE has doubts about the fairness of the decisions taken by the Georgian courts.

"In some 35 cases examined in detail by the OSCE/ODIHR EOM, the courts have deemed the donations by such individuals illegal on the grounds that 'the donor failed to prove the origins of the property donated,'" – notes

the mission and continues by pointing out that all citizens are obliged by the law to declare income and pay taxes. Still, the Law on Public Unions of Citizens doesn't demand any documents proving the origins of the donated property to assess donation as legal; consequently, the facts of disagreement between the law and the reality create basis for criticism.

The OSCE interim report hadn't avoided the issue of discretionary power given to the SAO (State Audit Office). According to the report, legislation grants the SAO as well as the courts "wide discretion in determining whether

ments of the ruling party; meanwhile, Imedi TV tries to humiliate the GD and spread mistrust toward Bidzina Ivanishvili and his political coalition.

On the other hand, Maestro TV as well as TV9 was recognized as the oppositional 'mainly positive in tone, to the opposition GD bloc'. In the same time, Kavkasia TV well-known for its oppositional 'soul' has been considered as more or less neutral.

The only broadcaster recognized as fully neutral and who tends to promote media fairness was the Public Broadcaster (GPB). According to the report "GPB offered balanced coverage of the



a donation is 'justifiable'" which spreads doubts regarding objectivity of the institutions.

Additionally, the document complains about the cases when "potentially illegal donors were summoned without being informed about their status as witnesses or suspects. They were body searched and deprived of personal belongings during lengthy interviews conducted in a manner that did not indicate due process."

Media

The Georgian media environment became an issue of concern as well. According to the OSCE interim report, the media is highly politicized and tends to be biased toward the ruling party or the opposition: "...the majority of broadcasters monitored by the OSCE/ODIHR EOM appear to follow partisan editorial policies in their news and current affairs programs."

The OSCE marked out the broadcasters mainly promoting the UNM and humiliating the main Georgian oppositional force GD: Rustavi 2, Imedi and TV Adjara. According to the report, despite the fact that all these channels are pro-governmental there are differences in their policies; in particular, Rustavi 2 is more focused on praising achieve-

ments of the ruling party; meanwhile, Imedi TV tries to humiliate the GD and spread mistrust toward Bidzina Ivanishvili and his political coalition.

Other concerns

The OSCE mission is concerned that minority groups such as Azeri, Armenians mainly concentrated in border regions with only six MPs in the outgoing parliament are not able to fully integrate into civil society.

Finally, the OSCE responded to the latest developments in the country and exclaimed that the mission will be to further observe the political environment and assess the impact of the shocking videos [showing scenes of torture and the abuse of prisoners in prison number 8 located in Gldani, Tbilisi] unveiled by the broadcasters on 18 of September.

Responses

The representatives of the ruling party have not made any comments regarding the report. Meanwhile, the leader of the Georgian Dream Coalition, Bidzina Ivanishvili, noted that the OSCE mission fully reflected the existing injustice in its interim report.

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