**LESSONS LEARED ON THE LONGER-TERM IMPACT OF**

**UN ELECTION ASSISTANCE**

**CASE STUDY**

**REPUBLIC OF GEORGIA**

**Peter Eicher**

**March 2012**

1. **EXECUTIVE SUMMARY**

This case study forms part of a broader lessons learned project on the impact of UN electoral assistance over the past decade. The information and conclusions it contains are based on dozens of personal interviews with election stakeholders in Georgia conducted in February 2011, in addition to an extensive review of UN and other documents relating to elections in Georgia.

UNDP has provided electoral assistance to Georgia since 2003, through multiple projects and seven nation-wide elections. The projects were initially short and event-driven, but became longer and more diversified over time. They were carried out in a sometimes turbulent electoral environment and amid sharp political polarization. The projects focused most often on training for election administrators, voter awareness, and reforming the election law. The training component appears to have been particularly successful, resulting in substantially increased professionalism and technical capacity in the election administration, and a handover of training functions to national authorities. Project activities appear to have promoted national ownership and to have been cost effective. A number appear to be sustainable. UNDP also played a central coordinating role among the many organizations involved in electoral assistance in Georgia.

Despite international assistance, the overall quality of elections in Georgia, as measured by international election observers, has been uneven and has not shown steady progress. Elections have been undermined by a consistent set of problems, including the lack of a level playing field for all contestants, use of administrative resources in support of government candidates, intimidation of the opposition, low levels of public confidence and other problems.

Evaluations of election assistant projects in Georgia have generally been done by the project implementers themselves, with success measured largely by quantitative indicators (e.g., numbers of people trained, number of activities completed) or based on reactions of partners or recipients. There have been no independent project evaluations and no effort to look at whether the overall quality of elections has improved as a result of the assistance provided.

A principal conclusion is that while sustained election assistance can lead to improved professionalism and enhanced technical implementation of elections, it is far more difficult to deal with a government’s lack of political will to remedy underlying deficiencies.

A number of longer term lessons learned also emerge from the Georgia case study that may be applicable in many other countries. In particular, projects should be designed to take into account and to attempt to address any basic deficiencies in an election process. Reports by independent election observers can be an important source for identifying deficiencies. Specific project elements should deal not only with such issues as training and awareness, but also with problems such as political polarization, misconduct during the campaign or on election day, legal reforms, and support to non-governmental actors. In cases where the government may lack the political will to hold truly free and fair elections, project assistance should be reconsidered or should be augmented by a political approach, which could include UN actors beyond the UNDP country office. During project implementation and following elections, the success of UNDP involvement should be measured at least in part by the extent to which the elections meet UN and other international standards for free and fair elections.

1. **POLITICAL AND ELECTORAL CONTEXT**

**History of elections**

Georgia became independent in1991 with breakup of Soviet Union. Its two decades of independence have been politically tumultuous, including the overthrows of two presidents, civil wars, a war with Russia, and continuing internal political polarization.

The first post-independence president, Zviad Gamsakhurdia, was elected in May 1991 but fled during a 1992 insurrection. He was replaced by Eduard Shevardnadze, the former foreign minister of the Soviet Union, who led Georgia first as the elected speaker of parliament and then was elected president in 1995. Shevardnadze was reelected in 2000, but resigned in 2003 in the face of the “Rose Revolution,” which was sparked by seriously flawed parliamentary elections. New presidential elections in 2004 brought Mikheil Saakashvili to power. Saakashvili submitted his resignation and stepped down amid protests in 2007 but was reelected as president in early 2008. His second term will expire in 2013. Under the constitution he is not eligible for a third term. Most political power is vested in the president but constitutional amendments that will create the position of prime minister and devolve some power from the presidency the prime minister are scheduled to be implemented after the next presidential elections.

Parliamentary elections should be held every four years. The Rose Revolution resulted in a rerun of the 2003 elections, with new parliamentary elections held in 2004. In the current parliament, elected in 2008, the ruling United National Movement (UNM) holds an overwhelming majority.[[1]](#footnote-1) About half of the elected opposition members boycotted the session to protest what they consider rigged elections. The next parliamentary elections are scheduled for late in 2012. Georgia has also held local self-government elections every four years since 1998; the last were held in 2010.

**Political context of electoral democracy**

The political atmosphere in Georgia is generally polarized and confrontational. There are a large number of opposition political parties that for the most part have been small and fragmented, with frequently changing coalitions. Opposition groups have often resorted to protests, boycotts, and street action to make their views heard. Government reaction to such protests has sometimes been disproportionately severe.

Since independence, political events in Georgia have been overshadowed by a continuing problem of separatism. In the immediate post-independence period, war broke out with secessionist enclaves in South Ossetia (1992) and Abkhazia (1994), which have remained outside the control of the Georgian government since that time. In 2008, tensions with South Ossetia led to war and Russian intervention in support of the separatists, following which Russia recognized the independence of both South Ossetia and Abkhazia. Russian troops remain stationed in both enclaves. The war was characterized by violations of human rights and humanitarian law[[2]](#footnote-2) and resulted in substantial numbers of internally displaced persons (IDPs). In 2011 UNHCR continued to provide assistance for 273,000 individuals, the vast majority of whom are IDPs, although it reported that many of these were close to achieving a durable solution.[[3]](#footnote-3)

From a policy perspective, the government in power since 2004 has been reform-oriented and has undertaken economic, legal and political initiatives aimed at modernizing the country. Reasonably brisk economic growth has resumed following the 2008 war with Russia. Combating corruption has been a priority for the government; Transparency International reports that Georgia’s corruption perception index is far better than most others in the region.[[4]](#footnote-4) Internationally, the government has pursued policies aimed at membership in NATO and declared its desire eventually to join the European Union. Georgia’s progressive policies have led to substantial international assistance.

**Environmental Factors**

The situation of human rights in Georgia is mixed. The NGO Freedom House characterizes Georgia as “partly free,” citing a variety of specific problems with human rights, while also noting some improvements. Georgia lost its Freedom House status as an “electoral democracy” following the organization’s assessment that the elections of 2008 were problematic and it has not yet regained “electoral democracy” status.[[5]](#footnote-5) Human Rights Watch has expressed concern about government interference with freedom of assembly and lack of full respect for due legal process.[[6]](#footnote-6) The U.S. State Department’s human rights report for 2011 cites continued problems of arbitrary arrest and detention, selective application of the law targeting the opposition, and harassment of the opposition and non-governmental organizations.[[7]](#footnote-7)

Few women hold elective office in Georgia. Just six per cent of members of parliament are women (a total of nine members), the lowest proportion in the OSCE region and a decrease from the previous parliament. The number of women elected to local government is slightly larger at ten percent, which is marginally smaller than the number elected at the 2006 municipal elections.

The judiciary is nominally independent, but is sometimes perceived to be under the influence of the government.

Most Georgian broadcast news is reported to be sharply biased in favor of the government. Print media is more diverse but less influential and suffers from low professional standards. Opposition parties sometimes have difficulty in gaining access to the media. Self-censorship is said to be exercised. Human Rights Watch reports allegations of government harassment of media carrying critical reports.[[8]](#footnote-8)

Georgia benefits from an active civil society, including a number of NGOs that have been involved in domestic election observation.

According to estimates by the National Statistics Office of Georgia, the population of the country was 4,469,200 in January 2011.[[9]](#footnote-9) Of these, 3,544,770 were registered as voters for the last elections, in 2010.[[10]](#footnote-10) About 16 per cent of the population is made up of minority groups, including Armenians and Azeris.[[11]](#footnote-11) The GDP per capita stood at USD 2,623 in 2011, while the official unemployment rate was around 16 per cent. UNICEF reports that the adult literacy rate is 100 per cent.[[12]](#footnote-12)

1. **UNDP CONTRIBUTIONS TO ELECTIONS**

**Activities**

UNDP has provided election assistance to Georgia since 2003. There were about ten separate projects from 2003-2011focused specifically on elections.[[13]](#footnote-13) In the broadest sense, most of these were aimed at promoting free, fair and transparent elections. Almost all of the projects were short-term and event-driven, aimed at supporting a specific election, although recent projects have been of longer duration and have sought to address the electoral cycle. Until 2008, projects ranged from a few months to slightly over a year. The total value of funds expended on UNDP electoral project through 2011 was about USD 7.7 million.[[14]](#footnote-14) A number of other projects have also sought to contribute to improved elections, including two projects on women in politics and one on media monitoring. In addition to direct assistance, UNDP has played an important coordinating among donors and other election stakeholders.

Planning and implementing election assistance in Georgia has been complicated by political developments that have disrupted the normal election schedule. The Rose Revolution of 2003 led to repeat parliamentary elections and early presidential elections in 2004. Early presidential elections were held again in 2008. As a result, some project elements had to be condensed or curtailed, while others were designed and implemented rapidly and were event-driven.

UNDP’s principal partner for election assistance has been the Central Election Commission (CEC), although civil society organizations have also been regular partners. In an interview for this case study, the current CEC Chairman expressed great satisfaction with UNDP assistance, commenting that it was tailored to the CEC’s needs and was more flexible that assistance from other donors. Over the past decade, UNDP election assistance projects have tended to center around the same areas of emphasis, in particular training of election administrations, voter education/awareness, revision of the election law and women in elections, although there have also been project elements on other activities.

UNDP plans to phase out election assistance with end of its current assistance project, which runs through the 2012 parliamentary elections and the 2013 presidential election.

**Training**: In many instances, the largest element of the training component of projects has been cascade training on election day procedures for members of District Election Commissions (DECs) and Precinct Election Commissions (PECs). This has been conducted through a training-the-trainers methodology and the production and distribution of training manuals. In at least one instance, the training was conducted in co-operation with the International Foundation for Election Systems (IFES). Georgia has an unusually large number of election administrators for a country its size (13 for each polling station, for a total of about 45,000[[15]](#footnote-15)), so training is a formidable task. Cascade training was included as part of separate UNDP electoral assistance projects for the elections of 2003, 2006, 2008 and 2010, as well as for the 2004 elections in the Autonomous Republic of Adjara. In some instances training had to be rushed or the planned program could not be completed because early elections were called.

Professional capacity building training for members of the election administration through the Building Resources in Democratic Governance and Election (BRIDGE) program was introduced in a project beginning in 2008 and was continued in subsequent projects through 2012. In interviews for this case study, the Chairman of the CEC and senior CEC staff assessed BRIDGE training as interesting and useful, saying that it has helped build the professional capacity of personnel within the election administration.

After more than ten years of assistance from UNDP and other organizations on training, the CEC considers that it now has the capacity to conduct training without international assistance. A new training institution, the Center for Electoral Systems Development, Reforms and Training was created in 2010 under the auspices of the CEC. UNDP cooperated with the Center in developing materials and providing training for the 2010 local self-government elections. The Center has 12 full time staff and an annual budget of 2 million lari (about USD 1.2 million). It expects to provide training not only for election officials, but also for political parties, observers, NGOs and others, as well as civic and voter education. UNDP is expected to maintain a monitoring and advisory role on training until it phases out election assistance in 2013.

In addition to training for election administrators, training for domestic observers was included in projects in 2003 and in 2008-2009, while training for party agents was included in 2008-2009.

**Public awareness**: Public awareness and voter education have been major components of every large UNDP election project for the past decade, including projects for the elections of 2003, 2004, 2008 and 2010. Typically, the projects have included broad campaigns consisting of such elements as television and radio spots, posters, bus tours, and the distribution of leaflets, brochures and tee shirts. In some instances the campaigns have involved up to 100 field staff.[[16]](#footnote-16) Parts of the campaigns have targeted rural and disadvantaged communities. Training of media was included in at least two projects.[[17]](#footnote-17) The public information campaigns have typically been implemented through partner organizations, for example, IFES conducted the campaign with UNDP funding in 2004, while the International Society for Fair Elections and Democracy was an implementing partner in 2010.

A variety of other activities have also been included as elements of the public awareness component of UNDP election assistance projects in Georgia. For example, a good practice begun as early as 2003 was the establishment of a media center at the CEC for election day. The most recent project, in anticipation of the 2010 local elections, included a civic education component for schools on elections, which was subsequently incorporated into the permanent school curriculum.

**Gender**: Specific gender components were included in UNDP election assistance projects in 2003 and 2004, aimed at promoting women’s participation, voter education and raising awareness of women’s issues among journalists. Subsequently gender elements were no longer specifically included in election assistance projects, but from 2005-2010 UNDP implemented separate projects on women and politics. There does not seem to have been an effort to mainstream gender considerations into all aspects of election assistance projects.

**Election legislation**: At least three UNDP election assistance projects (2003, 2008 and 2009) have sought to address problems with Georgia’s legal framework for elections and in particular the Unified Electoral Code (UEC), which has frequently been cited as a weak point of the election process. The UEC has been revised repeatedly, often shortly before elections, but remains flawed despite assistance from UNDP and a number of other international organizations.[[18]](#footnote-18)

UNDP projects have aimed at identifying gaps in the legislation and providing recommendations for improvement, including by bringing international experts to offer advice and options on various portions of the law. In its most recent election project, UNDP worked to develop public consultations on aspects of the election legislation, including by sponsoring public debates on electoral reform. UNDP personnel also attended meetings of the Election Code Working Group (ECWG), a group of political party representatives and others that gathered to discuss improvements to the UEC. While the ECWG provided a useful forum for discussions and did lead to some improvements in the law, most opposition parties eventually began to boycott the ECWG because of what they perceived as intransigence on the part of the governing UNM.

An innovative element included in the 2010 UNDP project on electoral legislation was support for the drafting and signing of a Code of Conduct by national electoral subjects, accredited local observers and the media.[[19]](#footnote-19) This provided an open, consultative process for reaching agreements on electoral issues among sharply polarized contestants, as well as offering the opportunity to address concerns over problems with the election process.

**Coordination**: Beyond project assistance, UNDP has played a leading role in coordinating international election assistance through its co-chairmanship of the Technical Working Group (TWG), a gathering of international organizations, embassies, international and domestic civil society organizations and the CEC that meets regularly to discuss election issues, share information and coordinate international assistance. UNDP co-chaired the TWG with the Organization for Security and Co-operation in Europe (OSCE) until the OSCE Mission in Georgia was closed in 2009. Since then, UNDP has co-chaired the group with the Council of Europe. In interviews for this case study, many participants in the TWG underscored the value of the group and praised UNDP’s role. In addition to the TWG, the Resident Representative also co-chairs an Ambassadorial Working Group (AWG) that provides a forum for high-level consultations and coordination. During election periods, much of the AWG’s focus is on elections. A range of persons interviewed for this study had mixed views on whether adequate mechanisms existed to ensure that the TWG’s concerns on elections were considered and acted upon by the AWG. Many commented that the AWG holds great influence and could have been more effective in intervening with the Georgian government to resolve election problems.

**Other project activities**: In addition to the major project areas described above, UNDP projects over the past decade have provided a number of other activities and types of assistance. In 2003 and 2004, these included provision of equipment and payment of direct operating costs of the CEC (including for gas and electricity, and for internal travel by members of the CEC). Such budgetary support was phased out after the 2004 elections. Also in 2004, UNDP was instrumental in establishing the CEC’s “information center,” which publicized election results on election night. UNDP provided support for domestic observer organizations in 2004 and 2009. In 2008, UNDP organized training for political party polling agents.

Aside from election-specific projects the only UNDP projects that appear to have addressed election issues as part of their implementation are two projects on women in politics and an ongoing project on media monitoring.

**Achievements**

International election assistance to Georgia over the past decade has had a number of positive results. It is, of course, difficult to quantify the extent to which international assistance is directly responsible for electoral advances which were also supported by the Georgian authorities. In Georgia, moreover, where there have been multiple international actors assisting with elections – sometimes cooperating on the same projects – it is also difficult to assess the impact of UNDP vis à vis other international actors. Nonetheless, it would be fair to assess that UNDP projects over the past decade appear to have contributed to a number of notable achievements.

Most importantly, the professional capacity of the CEC is reported to have improved markedly as a result of training. There is little doubt that the CEC now has the technical capacity needed to manage elections effectively. CEC officials attribute this increased capacity at least in part to successful UNDP training programs. In addition, the CEC appears to have established its own capacity to train lower level election officials through the creation in 2010 of the Center for Electoral Systems Development, Reforms and Training. Assuming the Center can now successfully take on the job of providing effective training for some 45,000 polling workers, as well as professional development training for higher level officials, this will mark a very substantial achievement and a primary example of building domestic capacity.[[20]](#footnote-20)

On another issue, it is widely acknowledged that the legal framework for elections in Georgia, and in particular the UEC, has improved a great deal as a result of repeated revisions over the past decade. Many of the positive amendments to the law were made as a result of international advice and urging, including by UNDP. The latest round of changes was undertaken in part through a consultative process involving opposition parties, which is a good practice. Many persons interviewed for this case study commented on the value of UNDP’s role as an advocate for positive change in the legal framework for elections. Nevertheless, certain parts of the UEC remain problematic despite years of international advice and recommendations for changes. Moreover, some recent changes to the legal framework for elections are broadly regarded as steps backward rather than as progress.[[21]](#footnote-21)

UNDP projects also deserve a measure of credit for specific, important improvements in election practices. It was a UNDP project in 2004, for example, which set up the CEC Information Center, which publicizes election results by polling station following election day, providing an important element of transparency and accountability of election results.[[22]](#footnote-22) An early UNDP project also helped establish a CEC media center for election and post-election liaison with the media, another important element of transparency.

UNDP’s earliest election projects included budgetary support for CEC operations. This ceased and projects moved into technical support, demonstrating clear progress, as well as an essential commitment by the Georgian government to assume its responsibility for funding elections. The Georgian budget now provides adequately for election activities.

There have been other notable electoral improvements during the period of UNDP project assistance, although UNDP was not centrally involved in these. Most notably, the voter lists, which were once an issue of tremendous controversy, are reported to be greatly improved, although the lists are still often criticized. The public broadcaster is reported to be substantially more balanced during election periods than was once the case. Domestic election observer organizations are active, professional and have expanded their activities.

**Concerns**

Despite continuing and substantial international assistance on elections in Georgia over the past decade, the overall quality of Georgia’s elections has not shown a steady improvement if measured in terms of whether the elections comply with Georgia’s international obligations and other standards on democratic elections. Georgia is a state party to the International Covenant on Civil and Political Rights and as such is bound by the standards it contains. In addition, Georgia is a member of the Council of Europe and a participating state of the OSCE, by which it has freely undertaken additional obligations and commitments on conducting democratic elections.

The most impartial measure of Georgia’s progress in this regard is the final election observation reports of the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR).[[23]](#footnote-23) The ODIHR has deployed sizeable election observation missions to each of Georgia’s national elections over the past decade. A broad range of persons interviewed for this case study, including in the election administration, political parties and NGOs, agreed that the ODIHR’s reports provide a fair and accurate assessment of the quality of Georgia’s elections.

In brief summary, the ODIHR reported that the 2003 parliamentary elections (the first for which the UNDP provided assistance) were deeply flawed to the point of not being a genuine democratic process. These were the elections that sparked the Rose Revolution. The January 2004 presidential election showed substantial progress and the 2004 parliamentary elections were praised as the most democratic since independence. The 2006 local self government elections, however, were a step backwards, characterized by a number of significant shortcomings. The 2008 presidential and parliamentary elections were also a step backward from 2004. The 2010 local self-government elections were reported as showing evident progress, although some analyses argued that since less was at stake in the local elections, they are not a good basis for comparison.

A major problem that becomes evident through a review of observer reports is that many of the same deficiencies are repeated again and again in each election process, up to the present. Among these:

* **Constituency size**: The size of single mandate constituencies in Georgia ranges from as little as 6,000 to as much as 140,000. This seriously undermines the principle of the equality of the vote and the democratic character of Georgia’s elections.
* **Absence of a level playing field**: The incumbent party has consistently used state and public resources unfairly to further its election campaign. This use of “administrative resources,” such as access to government offices, equipment, transportation and civil servants, has been sufficiently prevalent to blur the distinction between the political party and the state. Some use of administrative resources is even protected by law.
* **Intimidation and pressure**: The opposition and persons inclined to support the opposition have been subject to unacceptable intimidation and pressure from the government.
* **Problems with counting and tabulation**: Although election officials are reported usually to follow procedures correctly during voting, there have been persistent problems reported with counting and tabulation.
* **Gender**: Women have been consistently under-represented as candidates and elected officials, with no notable upward trend over the past decade.
* **Dispute resolution**: The process of resolving election complaints and disputes has been problematic, effective remedies have not been available to complainants, and persons involved in election irregularities have not been systematically prosecuted.
* **Voter lists**: Although voter lists are generally acknowledged to have improved substantially, there have been continuing concerns that the quality remains inadequate.
* **The election law**: Despite repeated revisions of and improvement to the UEC, every observer report calls for further improvements to remedy serious deficiencies.
* **Low public confidence**: Because of the problems cited above, the opposition has lacked confidence in the integrity and impartiality of the election process.

When measured against these continuing deficiencies, there is considerable evidence that international election assistance in Georgia, including UNDP assistance projects, has been far from fully successful in meeting the long-term project objective of promoting free and fair elections.[[24]](#footnote-24) It is not clear, in fact, that UNDP projects have even been aimed at trying to address most of the identified deficiencies with the elections. Over the ten years of UNDP election assistance, it appears from records available that project design benefited from only one regular electoral needs assessment mission to Georgia and no independent evaluations.[[25]](#footnote-25)

As set out above, UNDP projects have in a number of instances been repetitive, including similar activities in each cycle. Particularly notable in this regard may be the repeated large project elements on public awareness and voter education. The impact of such projects is particularly difficult to quantify. However, lack of voter knowledge has seldom been cited in Georgia as a problem (with the exception, perhaps of some minority areas in some elections). Persons interviewed for this case study generally assessed the public as extremely well informed on politics and elections, and not in need of awareness-raising, suggesting that UNDP project emphasis on this activity may have been unnecessary.[[26]](#footnote-26)

Another indicator worth examining is the effectiveness of repeated cascade training for DECs and PECs conducted by UNDP and other international organizations. Despite repeated rounds of cascade training, the ability of PEC members to count and tabulate votes according to prescribed processes has consistently come in for criticism from observers. A variety of reasons for this was proffered by people interviewed for this case study: many election officials are new and find the procedures daunting; many election officials have been doing it for years and so don’t take training seriously; many PEC members were replaced shortly before elections and after the training was completed; and last-minute changes to laws and procedures caused confusion. While each of these explanations might have some merit, perhaps it would have been worthwhile also to question the effectiveness of training methods used. This has been done by the new head of the Center for Electoral Systems Development, Reforms and Training, who plans to institute a new method of training for PECs before the next elections, using electronic training tools rather than traditional cascade training.

The focus on such issues as training and public awareness stems in part from a long tradition of these being central elements of UNDP electoral assistance projects; they are often the first activities considered in any country when a new project is being formulated. They may be perpetuated in subsequent projects for a variety of reasons, including of a lack of careful analysis of needs, a tendency to continue with the known approach, or policy guidance that allows country offices to launch new projects without a needs assessment mission from the Electoral Assistance Division if the projects do not enter into new areas of activity. In addition, training and public awareness tend not to be controversial or politically sensitive.

Most of the weaknesses and deficiencies in Georgia’s elections that are highlighted by international observers do not relate to questions of technical competence of election administrators. Rather, they appear to stem from a lack of political will on the part of the government to take the steps necessary to ensure that elections comply fully with their commitments and with international standards. This raises an important question of how to deal with a lack of political will by government authorities, which is discussed in the conclusions section below.

Many of the individuals interviewed for this case study provided examples of recent developments in Georgia that constitute worrying signs that the authorities have still not come to grips with the need to ensure a level playing field, fair space for the opposition to campaign without harassment or intimidation, and legislation that meets international standards on such basic issues as the equality of the vote.

1. **ASSESSING BASIC PRINCIPLES**

The terms of reference for this case study called for special attention to how election assistance projects have promoted the principles of sustainability, cost-effectiveness, national ownership and strengthening human rights, as well as gender equality.

**Sustainability**

Sustainability appears to have been a strong point of UNDP election assistance to the election administration of Georgia. The technical capacity of the CEC appears strong, at least in part as a result of training and capacity development projects supported by UNDP over many years. Among other operational issues, the CEC is poised to conduct future training for DECs and PECs without further international assistance. The establishment of the Center for Electoral Systems Development, Reforms and Training, moreover, puts the CEC in a position to have all types of professional development training at its disposal without need for further international assistance. In addition, the CEC is in the process of establishing five regional resource centers – a project that it has hired UNDP to implement but is paying for itself – that will expand training infrastructure to the regions. Other UNDP initiatives have also been taken over by the CEC, such as the information center which publicizes election results by polling station following elections.

UNDP’s plan to phase out its direct election assistance by 2013 following the next presidential election is another indication of the apparent sustainability of its project achievements.

UNDP’s support to civil society organizations working on elections has also increased their capacity and enabled them to undertake important activities that they might not otherwise have been able implement. However, while Georgia’s civil society groups working on elections have developed impressive professional capacity, they would not be financially sustainable without international assistance.

A concern with regard to sustainability is that recent changes to legislation have stripped the CEC of two major functions. Responsibility for the accuracy of the voter lists has been put into the hands of a new State Commission on Verification of the Voter Lists, consisting of political parties and NGOs, chaired by a member of the opposition. While this may go a long way to build confidence in the lists, it also means that the capacity built by the CEC on this issue may be lost and the new commission may have to develop its own capacity from scratch. In addition, responsibility for overseeing campaign and political party spending rules has shifted from the CEC to another government agency, the Chamber of Control. It is not yet clear whether the Chamber will have the capacity to handle this task effectively; its role has already stirred political controversy.

**Cost effectiveness**

UNDP has implemented about ten election-specific projects in Georgia since 2003 with a total expenditure of about USD 7.7 million. The cost per project is quite small compared to UNDP election projects worldwide. Investment per eligible voter came to just pennies per election. Most of the costs of elections have been paid through the regular budget of the Georgian government rather than by donors. UNDP projects did not include large or expensive purchases of equipment. That the CEC, at its own expense, has hired UNDP to implement a project to establish regional resource centers is another unusual indication of how cost-effective some elements of UNDP assistance have become. By all these measures, UNDP election projects can be considered to have delivered positive results for limited costs.

Less certain is the question of how to measure cost effectiveness in terms of the quality of elections. As pointed out pointed out previously, while the technical implementation of elections in Georgia has improved markedly over the past decade, the elections have consistently fallen short of the international standards to which Georgia has committed itself. This raises the question whether cost effectiveness can be measured solely in terms of easily quantifiable activities (e.g., numbers of people trained, numbers of public service ads aired, number of ballot boxes procured) or whether other indicators should be developed to assess whether assistance has led to elections which are more genuine, democratic, free and fair.

**National ownership**

There are many clear and positive indicators that the CEC has taken ownership of project activities sponsored by UNDP. Most notable is the establishment of the Center for Electoral Systems Development, Reforms and Training, through which CEC has taken on responsibility for training of all levels of the election administration and is seeking to expand even into training of other election stakeholders including political parties and NGOs. The development of the regional resource centers, which are being established with UNDP assistance but at CEC expense, is another excellent sign of national ownership. In another example of national ownership, materials from the civic education element of UNDP’s most recent election project have been integrated into the regular school curriculum. Yet another indicator is that there has been no international Chief Technical Advisor as part of UNDP projects since 2008 and an increasing number of national experts have been engaged to implement elements of the projects.

The process of amending the UEC through ECWG over the past several years also demonstrated some hopeful signs of national ownership. The establishment of an open, consultative process – including opposition parties and a role for civil society – was a good practice which might have led to a national consensus and a strong sense of shared ownership of election legislation. The physical move of the ECWG negotiations from their original venue at the offices of an international NGO, the National Democratic Institute, to the parliament, was an important step toward national ownership. In the end, however, only a very limited consensus was achieved and most opposition parties remain alienated from the law. The governing party, for its part, sometimes gave the impression that changes to the UEC were made only under international pressure or to satisfy international concerns, rather than from their own desire to adopt the best possible legislation.

**Impact on human rights**

The impact on human rights of UNDP’s election assistance projects is difficult to quantify. While there are many positive things that might be said about human rights in Georgia, it is difficult to link any of them directly to UNDP election projects. It could be argued, perhaps, that better elections by their very nature improve civil and political rights. But, the overall quality of Georgian elections has not shown a steady improvement over the decade of election assistance and there are some continuing negatives on human rights, in particular the problems of intimidation and pressure on the opposition and its supporters. During a February 2012 visit to Georgia, the UN Special rapporteur on the rights to freedom of assembly and association expressed alarm at “the increasing climate of fear and intimidation against opposition parties, labor unions and members of non-governmental organizations,”[[27]](#footnote-27) showing that the human rights situation remains problematic. It is notable also that the international NGO Freedom House still characterizes Georgia as only “partly free” and does not consider Georgia to be an “electoral democracy.”[[28]](#footnote-28)

The question of advancing human rights does not seem ever to have been taken directly into account when UNDP formulated its election projects for Georgia. At the same time, however, there was no general guidance from UNDP that advancing human rights should be an explicit goal of electoral project formulation or implementation.

**Gender equality**

The extent to which UNDP electoral assistance projects successfully promoted gender equality is another issue that is difficult to quantify. By the starkest measures it would be hard to claim success: the number of women elected to parliament has declined and is reported to be the lowest in the OSCE area. Recommendations for changes to the election system that might have increased the proportion of women elected were not enacted by the government. The ruling party, moreover, did not include even one woman among the seven members it selected for CEC membership (one nominee of the party and six “professional” members selected by the parliament).

On the other hand, the election law was recently changed to provide a modest financial incentive (ten per cent more public funding) to political parties which include at least two women among every ten names on their candidate lists. It is too early to tell whether this will have a meaningful impact. Several women’s NGOs interviewed for this case study dismissed the change as insignificant. UNDP election projects have included repeated public awareness campaigns aimed in part at promoting women’s participation. No studies have been produced to assess the impact of these efforts.

It appears that in general gender was not mainstreamed as an issue into electoral assistance projects. While the public awareness components of projects did include elements aimed at women, these appear to have been mainly “stand alone” activities within the projects. Beyond election assistance projects, UNDP did implement two significant projects on gender and politics from 2004-2009. While election related, these projects do not seem to have been aimed specifically at improving the quality of elections or to have been closely coordinated with election-specific projects. A new project planned on women’s empowerment does not include any election-specific elements.

**Other principles**

When assessing the effectiveness of UN election assistance, it is important to look beyond the five specific principles singled out for attention in the terms of reference for this case study, and described above. There are many other UN principles and standards on elections, enshrined in such documents as the International Covenant on Civil and Political Rights and other UN human rights treaties, as well as General Comment 25 of the UN Human Rights Committee, resolutions adopted by UN bodies and other official documents. These principles and standards should also be taken into account when assessing the extent to which election assistance projects have been successful.

1. **RELATIONSHIP OF ELECTION ASSISTANCE TO THE PARIS DECLARATION ON AID EFFECTIVENESS**

Georgia was not a participant in the 2005 Paris Declaration on Aid Effectiveness.[[29]](#footnote-29) Georgia therefore cannot be held specifically accountable for implementation of the actions set out in the declaration. Any assessment of UNDP electoral assistance to Georgia in light of the Paris Declaration must also take this into account. Nonetheless, the Paris Declaration is generally accepted as good practice in development assistance, so it is worth considering how some of its main elements relate to UNDP electoral assistance to Georgia.

Many of the elements of the Paris Declaration do not lend themselves directly to the specifics of election assistance. For example, national development strategies, which are a central element of the Paris Declaration, seldom if ever include holding genuine, free and fair elections as a goal. Even the lesser objective of establishing effective national institutions and systems for improved technical administration of elections is rarely or ever mentioned. For all these reasons, there does not appear to have been any effort by UNDP in Georgia to take the Paris Declaration into account when developing election assistance projects.

Despite this, a number of elements of the Paris Declaration seem to have been implemented or achieved. In particular, Georgia has seen progress on national ownership of election assistance projects, as described above, which is one of the five key indicators in the Paris Declaration. To a large extent, UNDP electoral assistance has also been aligned with Georgia’s priorities, in particular in regard to capacity building for the election administration. Donors have coordinated their electoral assistance to Georgia to avoid duplication and have sometimes adopted strategies of joint political engagement, which is also in line with the Declaration. The government has taken important steps to address the problem of corruption, another element of the Declaration. In the recent case of drafting amendments to the UEC, a consultative process was adopted, which was a positive step, even though its implementation was not entirely successful.

On the other hand, many elements of the Paris Declaration do not appear to have been applied or, in some instances, even considered with respect to election assistance. Donors have tended in most instances to provide short-term, event-driven election assistance funding rather than more predictable multi-year commitments, as called for in the Declaration. Joint impact assessments of the projects do not appear to have been carried out, as suggested in the Declaration. In terms of “managing for results” – another of the main Paris Declaration indicators – there was no clear effort to link election assistance to improvement in the identified deficiencies of elections. Finally, in regard to mutual accountability, the Paris Declaration invited partner countries and donors to establish their own targets, to coordinate internal monitoring of indicators of progress, and to make arrangements for evaluating and reporting the results. These steps were not taken.

1. **CONCLUSIONS**

A decade of UNDP election assistance in Georgia shows that election assistance can have a positive impact in a number of important ways on the conduct of elections. As set out in this case study, UNDP assistance has helped build and solidify the professional capacity of Georgia’s election administration to conduct technically sound elections. It has helped develop a sustainable basis for training election officials at all levels in the future. It has initiated new approaches that have led to increased transparency and accountability. It has supported and encouraged the involvement of civil society organizations in improving elections. It has worked to increase public awareness and participation in elections. UNDP assistance has also supported an open, consultative and participatory approach toward election reform. UNDP’s co-chairmanship of the TWG and AWG has been central to enhanced donor coordination and has sometimes contributed to coordinated political approaches.

While these are notable achievements, the Georgia experience also highlights some of the limits of international electoral assistance. The value of election assistance cannot be measured only in terms of technical improvements, the number of people trained, the number of public service announcements aired, or in terms of indicators such as national ownership, sustainability and cost effectiveness. In essence, the true quality elections lies in whether they are free and fair, as judged against United Nations and other international standards to which countries have committed themselves. This needs to be taken into account when assessing the effectiveness of electoral assistance projects.

Most of the remaining deficiencies of Georgia’s elections, as identified by international observers, are problems which can be resolved only through sufficient political will on the part of the government. Resolving continuing problems such as intimidation, an uneven playing field for all contestants and building public confidence in the election process demands strong government leadership. Technical steps can help, but only in the context of strong governmental determination to resolve the problems.

The question of how to address failures of political will by governments to conduct truly free and fair elections is one of the most difficult issues facing UNDP in the context of electoral assistance around the world. Electoral assistance projects can sometimes help with this, for example, by structuring dialogue between government and opposition political parties aimed at bridging their differences, or by supporting civil society organizations that monitor and publicize electoral progress or problems. Other creative means might also be found in the context of election assistance projects to help promote governmental will for needed changes. At the same time, however, project initiatives often need to be linked with political interventions to encourage government action. Such interventions might take place in various ways, including through such coordination forums as the AWG, directly by UN or UNDP officials resident in a country, or by means of visits or communications by UN officials from out of country. For example, several stakeholders interviewed for this case study cited the February 2012 visit by and statements of the Special Rapporteur on freedom of assembly and association as a good example of the type of political intervention that UN officials can usefully make.

In the final analysis, UNDP may need to take basic decisions on whether its involvement in election assistance in a country – or in certain types of election assistance – is merited at all in the absence of sufficient governmental will. UNDP needs to be wary of lending its flag, and its apparent seal of approval, to election processes when faced with a history of inadequate government will to conduct free and fair elections.

1. **LESSONS AND RECOMMENDATIONS**

The case of Georgia offers a number of possible lessons learned and recommendations that may be valuable to the larger, global study and to future UNDP electoral assistance around the world. Some of these are summarized below.

* Long-term electoral assistance can enhance the professionalism and capacity of election management bodies and can lead to significant improvements in the technical implementation of the election process.
* The design of electoral assistance projects should take into account deficiencies that have been identified in the electoral process and should include activities aimed primarily at addressing these. By the same token, project formulators should look critically at any proposed activities that do address identified deficiencies and should be cautious about including them in an election project.
* UNDP should consider issuing guidance as to how human rights issues related to elections should be taken into account when formulating and evaluating election assistance projects.
* Domestic and international election observation reports can be key tools in identifying deficiencies that might be addressed by election assistance projects, as well as in keeping pressure on the authorities for positive change. This suggests that assistance to establish or support non-partisan domestic observation organizations can be a constructive element of UNDP assistance projects if these organizations require assistance.
* UNDP should consider carefully if it should be involved in electoral assistance in countries in which the government has shown a continuing lack of political will to take the necessary steps or implement the necessary reforms to deal with basic problems standing in the way of free and fair elections. If projects are implemented in countries where the political will of the government is in question, they should be designed to take this into account and should include elements designed to address this problem. For example, project elements in such situations might, depending on local circumstances, include:
	+ Sponsoring dialogue between the governing and opposition parties aimed at reforms to the election system or processes;
	+ Providing advice and comparative experience on legal and technical steps that could be taken to deal with deficiencies;
	+ Developing codes of conduct for behavior of parties, candidates and other election stakeholders;
	+ Providing assistance to stakeholders other than the government or the election administration, including, for example, political parties, civil society, the media, or organizations representing women or minority groups;
	+ Supporting in particular civil society organizations that are seeking to address deficiencies in the election process, including non-partisan domestic election observers.
* In instances where the government’s political will is in question, any election assistance should be linked to a political approach which encourages the government to take the steps necessary hold free and fair elections. Such steps might include:
	+ Discussions between the UNDP Resident Representative (or Special Representative) and senior officials of the host government to highlight problems and expectations;
	+ Discussions among international donors to identify problems and coordinate consistent messages to the host government;
	+ Involvement by the UN Department of Political Affairs to reinforce messages and, if appropriate in local circumstances, to take steps toward mediation or conflict prevention;
	+ Visits or statements by other UN officials, such as human rights rapporteurs.
* In general, and especially in countries in which the host government’s political will to conduct free elections may be in question or where public confidence in elections is not strong, UNDP election assistance projects should follow a direct implementation (DEX) mechanism, in order to avoid any perception that UDNP assistance may not be impartial.
* The success of election assistance projects should be measured not only through quantitative measures or indicators such as national ownership, sustainability and cost effectiveness, but more importantly against whether the assistance provided helped engender free and fair elections in line UN standards as well as the host country’s other obligations regarding elections. UNDP should develop guidelines for making such assessments, based on the standards contained in the International Covenant on Civil and Political Rights, General Comment 25 of the UN Human Rights Committee, and other UN treaties, resolutions and documents. The results of such assessment s should help guide the development of any future election assistance projects.
* In line with the Paris Declaration on Aid Effectiveness, indicators for impact assessment could be included as part of election assistance projects. Such indicators should include whether elections comply with UN standards and good practice on elections. In accord with the Paris Declaration, the indicators could “…establish mutually agreed frameworks that provide reliable assessments of performance, transparency and accountability.”[[30]](#footnote-30)
* Needs assessment missions and independent evaluations should be conducted more frequently when election assistance is implemented over a long period of time, in order to provide an independent view of the effectiveness of projects and whether their components remain the most appropriate use of assistance in changing circumstances.
* Gender issues should be mainstreamed into all elements of UNDP electoral assistance projects. Including a distinct but separate gender component in project activities is not an adequate substitute for mainstreaming.
* Further attention should be devoted to “mainstreaming” election issues into the broader range of democratic governance projects (e.g., parliament and law drafting, women’s empowerment, judicial training, media development). Such mainstreaming could be useful in general to create synergies in UNDP governance programs and to solidify democratic gains, but might be especially useful when election assistance projects come to an end or if there is no donor funding available for election-specific projects.
1. 119 of the 150 members of parliament elected in 2008, including 71 of the 75 members elected in single member constituencies and 48 of 75 members elected through proportional representation. [↑](#footnote-ref-1)
2. See, for example, “Human Rights in the War-Affected Areas Following the Conflict in Georgia”, OSCE/ODIHR, 27 November 2008, <http://www.osce.org/odihr/35578>, and the Report of the Council of the European Union’s Independent International Fact-Finding Mission on the Conflict in Georgia (“the Tagliavini report”), , September 2009, <http://www.ceiig.ch/pdf/IIFMCG_Volume_I.pdf>. [↑](#footnote-ref-2)
3. UNHCR Georgia webpage, http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48d2e6. [↑](#footnote-ref-3)
4. Transparency International, Corruption Perceptions Index 2011, http://cpi.transparency.org/cpi2011/results/. [↑](#footnote-ref-4)
5. Freedom House, “Georgia remains ‘Partly Free’ in Freedom House Survey,” <http://civil.ge/eng/article.php?id=24367> [↑](#footnote-ref-5)
6. Human Rights Watch, Georgia Country Summary 2012, <http://www.hrw.org/world-report-2012/world-report-2012-georgia>. [↑](#footnote-ref-6)
7. *Country Reports on Human Rights Practices – Georgia*, U.S. Department of State, <http://georgia.usembassy.gov/officialreports/hrr2010_georgia.html> [↑](#footnote-ref-7)
8. Human Rights Watch, Georgia Country Summary 2012, <http://www.hrw.org/world-report-2012/world-report-2012-georgia>. [↑](#footnote-ref-8)
9. National Statistics Office of Georgia, http://www.geostat.ge/index.php?action=0&lang=eng. [↑](#footnote-ref-9)
10. OSCE/ODIHR Election Observation Mission Report, Municipal Elections 30 May 2010. [↑](#footnote-ref-10)
11. Ibid. [↑](#footnote-ref-11)
12. UNICEF Georgia webpage, http://www.unicef.org/infobycountry/georgia\_statistics.html. [↑](#footnote-ref-12)
13. An internal UNDP document, a spreadsheet prepared by the Country Office of governance projects since 2004, lists nine election projects, to which is added the project conducted in 2003. Because some projects were extended or included different elements funded different donors, the number ten is not necessarily absolute. [↑](#footnote-ref-13)
14. Internal UNDP document, ibid. [↑](#footnote-ref-14)
15. Various documents contain different figures for the number of election officials, which may reflect variations over different elections. The figure of 45,000 was provided by the Chairman of the CEC. [↑](#footnote-ref-15)
16. For the 2004 presidential and repeat parliamentary elections. [↑](#footnote-ref-16)
17. For the 2008 parliamentary elections and the 2010 local self government elections. [↑](#footnote-ref-17)
18. “Joint Opinion on the Electoral Code of Georgia,” by the Venice Commission and the OSCE/ODIHR, 22 December 2011, http://www.venice.coe.int/docs/2011/CDL-AD(2011)044rev-e.pdf. [↑](#footnote-ref-18)
19. http://www.undp.org.ge/index.php?lang\_id=ENG&sec\_id=22&info\_id=942. [↑](#footnote-ref-19)
20. Despite the increased professionalism and capacity of the CEC, a recent survey found that the public view of the CEC was just 46 per cent favorable, ranking it 15th of the 17 institutions included on the survey. “Georgia National Study, October 27 – November 11, 2011,” International Republican Institute, http://www.iri.org/sites/default/files/2012%20January%205%20Survey%20of%20Georgian%20Public%20Opinion%2C%20October%2027-November%2011%2C%202011.pdf. [↑](#footnote-ref-20)
21. See, for example, “Joint Opinion on the Electoral Code of Georgia,” by the Venice Commission and the OSCE/ODIHR, including paragraphs 61-62 on the use of administrative resources, 22 December 2011, http://www.venice.coe.int/docs/2011/CDL-AD(2011)044rev-e.pdf. In addition, the December 2011 amendments to the Law of Georgia on Political Unions has drawn sharp protests from non-governmental organizations involved in elections; see, for example, “Petition of Georgian NGOs and Media Organizations,” at http://gyla.ge/index.php. [↑](#footnote-ref-21)
22. The Information Center was established as part of the UNDP project “Technical Assistance to Electoral Systems/Processes in Georgia, implemented in 2004. See UNDP Project Document GEO 03/004, 5 December 2003. [↑](#footnote-ref-22)
23. The final reports of ODIHR election observation missions to Georgia over the past decade are available at http://www.osce.org/odihr/elections/georgia. [↑](#footnote-ref-23)
24. Promoting free and fair elections in line with international standards has been repeatedly cited as an overarching objective of UNDP election projects in Georgia. For example, the 2009-2010 project document on “Promoting Dialogue and Capacity for Effective National Electoral Process” states that “the overall objective is to contribute to the conduct of free, fair and credible elections;” the 2008-2009 project document on “Developing Capacities of Democratic Institutions for Fair Electoral Processes and Civil Participation” cites the project goal as “elections compliant with the basic democratic principles and electoral standards;” and the 2006 project document on “Support to the Electoral Administration of Georgia in Preparation of Local Self-Governance Elections” states that the “overall goal of the project is to increase the Electoral Administration capacity in holding free and fair elections consistent with international standards.” [↑](#footnote-ref-24)
25. The needs assessment mission was conducted in 2003 following the first request from the Georgian authorities to the UN for electoral assistance. In February 2008, a consultant provided a “Report on proposed electoral support activities based on lessons learned from the presidential elections of January 2008;” the report’s recommendations centered on proposals for assistance to the parliamentary elections three months later. Finally, a joint DPA/UNDP mission visited Georgia in 2009 to assess the political environment and UNDP’s overall strategic engagement following the war with Russia; one of seven tasks of the joint mission was to “provide support to the ongoing UNDP electoral assistance project.” The joint mission provided recommendations on election assistance programming, only some of which were followed. [↑](#footnote-ref-25)
26. The exception to this view came from some NGOs that have actually been involved in implementing projects on awareness-raising for UNDP. As implementers, they may be well placed to judge needs; however, they also have a direct stake in a positive assessment of public awareness projects. [↑](#footnote-ref-26)
27. “UN expert raises alarm on arbitrary restrictions against opposition, unions and NGOs,” 13 February 2012, http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11818&LangID=E. [↑](#footnote-ref-27)
28. Freedom House, “Georgia remains ‘Partly Free’ in Freedom House Survey,” <http://civil.ge/eng/article.php?id=24367> [↑](#footnote-ref-28)
29. The text of the Paris Declaration is available at http://www.oecd.org/dataoecd/11/41/34428351.pdf. [↑](#footnote-ref-29)
30. Paris Declaration on Aid Effectiveness, paragraph 19. [↑](#footnote-ref-30)