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### GEORGIA POLICY ALERT #3

## Georgia to investigate physical attacks and intimidation of political party candidates, women, and journalists

Georgia's 2020 Parliamentary pre-election period is marked with high polarization amid constantly emerging allegations of physical violence and intimidation against political party candidates and its supporters. Orchestrated attacks include threats against journalists, who are being unlawfully prevented from doing their job, and intimidation of female candidates disproportionately targeted based on their gender.



*Destroyed campaign material of Independent candidate Anna Dolidze. Source: [Twitter of Anna Dolidze](#).*

Georgia's 2020 pre-election period has been marked with an extreme level of polarization compared to previous period. Polarization has been a constant feature in Georgian politics undermining usual political competition and electoral processes capitalizing on vilification and intimidation of political opponents.<sup>1</sup>The Council of Europe (CoE) and the OSCE/ODIHR have long highlighted Georgia's political polarization endangering the democratic process.<sup>2</sup>In the days leading up to elections, both the domestic (ISFED) and international election observation mission (OSCE/ODIHR) have raised concerns in relation to incidents of harassment and intimidation of political party candidates and its supporters often manifested through threats and physical assaults. Female candidates have been disproportionately targeted based on

<sup>1</sup>Democracy Reporting International. *The High Price of Extreme Political Polarisation and what to do about it*. Fact -finding Mission.2018.

<sup>2</sup>See e.g. Resolution of the Parliamentary Assembly of the Council of Europe, On the Functioning of Democratic Institutions in Georgia, 01 October 2014 and the OSCE/ODIHR Election Observation Mission. Presidential Election in Georgia: Final Report (2019).

their gender whilst journalists too have been threatened and unlawfully prevented from doing their job.

### ***Intimidation and physical violence of Party-Political candidates and its supporters***

On September 3 2020, the Parliament established a criminal liability for voter intimidation or coercion through amendments to the Criminal and Election Codes.<sup>3</sup> Nevertheless, there have been overwhelming reports of physical attacks on opposition party supporters and members compared to the previous pre-election period.<sup>4</sup> This also included unfair dismissal of public servants and threats against political party supporters in a bid to prevent them from their political activism.<sup>5</sup> Similar to previous elections, teachers and school directors have been approached by all political parties to vouch for their support. The ruling party, however, has been pressuring them to vote for their party, threatening that a failure to do so would risk their jobs.<sup>6</sup>

### ***Attacks against journalists***

Journalists been particularly badly targeted during this period. Some have been harassed for their attempts to report on alleged violations related to their election campaign whilst others were threatened<sup>7</sup> or physically attacked.<sup>8</sup> Impeding journalist's work is a criminal offence punishable under the Criminal Code of Georgia.<sup>9</sup> Georgia, as a member of the European Convention on Human Rights, has a positive obligation to establish a sound legal framework for journalists to work safely.<sup>10</sup> Similarly, under the CoE Resolution on *Journalist's security in Europe*, it ought to create an enabling and favorable media environment through various regional measures to curb intimidation of journalists.<sup>11</sup>

### ***Legislative safeguards for women participation and harassment of female candidates***

The July 2020 amendments to the Electoral Code introduced a gender quota for candidate lists on which at least every fourth candidate should be from the less represented gender as a prerequisite for registration.<sup>12</sup> This has been a welcome change in line with Georgia's regional and international obligations on ensuring women participation in the political and public sphere.<sup>13</sup> The Convention against Elimination of all Forms of Discrimination against Women (CEDAW) encourages special measures to increase the number of female candidates and office-holders. By the same token, Georgia has an obligation to eliminate discrimination against women in political life and ensure that women are on equal terms with men and

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<sup>3</sup>Amendments to the Electoral Code of Georgia. <https://info.parliament.ge/#law-drafting/20821> September, 2020.

<sup>4</sup>Ibid. After the physical assault one supporter ended up in a hospital with a concussion, whilst the second was attacked by the casket. A.Natsvlishvili. *I blame Georgian Dream*. Formula News (Geo). 14 October, 2020.

<sup>5</sup>ISFED. Parliamentary Elections Third Interim Report of Pre-Election Monitoring (August 4 – September 5) of 8 September 2020.

<sup>6</sup>ISFED. Parliamentary Elections Fifth Interim Report of Pre-Election Monitoring (29 September - 21 October) of 22 October 2020.

<sup>7</sup>Father of the director of an independent media outlet has been threatened if his son did not stop the broadcasting. ISFED, Parliamentary Elections, Fifth Interim Report of Pre-Election Monitoring (29 September-21 October) of 22 October 2020.

<sup>8</sup> ISFED. Parliamentary Elections Fourth Interim Report of Pre-Election Monitoring (August 4 – September 5) of 8 September 2020.

<sup>9</sup> Article 154 (unlawful interference with the journalist's professional activities) of the Criminal Code of Georgia.

<sup>10</sup>Article 10 (Freedom of Expression), the European Convention on Human Rights.

<sup>11</sup>CoE Resolution (2317(2020). Threats to Media Freedom and Journalists' Security in Europe.

<sup>12</sup>Organic law of Georgia on changes to the Electoral Code of Georgia. 02 July, 2020.

<sup>13</sup>Article 3, CEDAW. See also OSCE/ODIHR. Existing Commitments for Democratic Elections in OSCE Participating States (2003). p.61.

should be eligible for election to all publicly elected bodies.<sup>14</sup> At least 29 parties have met the gender quota that will increase female participation by twenty percent by 2020.<sup>15</sup> The common barrier to women's equal participation is the political party itself where a male dominated party leadership only places women on every fourth place on their party list. This means that if a party receives less than four mandates, it is unlikely to have any female representation.<sup>16</sup> Amid these changes, at least two female candidates were threatened with disclosing details from their private life, one made openly through social media by the standing Governor.<sup>17</sup> There have also been instances of derogatory online comments and covert surveillance against a female candidate.<sup>18</sup>

### **Conclusion**

The OSCE Commitments entrust the State to prevent and respond to any recourse to violence or intimidation against election participants.<sup>19</sup> These provisions imply that Georgia has a duty to create a level playing field for election contestants and above all not to hinder them from addressing their messages to the electorate. This not only obliges Georgian authorities to prevent its agents from obstructing the political campaigns of parties and its candidates but requires them to act against unfair interference by private persons. Finally, in a bid to decrease the highly polarized environment, Georgian authorities need to apply a rights-based approach to the present human rights violations.

### **To Georgian authorities:**

- Ensure that female candidates are not disproportionately targeted based on their gender and promptly investigate instances of harassment and intimidation.
- Launch an investigation on covert surveillance against party candidates including female candidates.
- Prevent harassment against journalists and create an enabling environment for them to perform their duties.
- Investigate all instances of physical violence and intimidation against political party candidates and activists in a timely and transparent manner and ensure prevention of similar incidents.

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<sup>14</sup>Article 7, CEDAW.

<sup>15</sup>NDI. Georgia Election Watch Bulletin No 2. 20 August-20 October, 2020.

<sup>16</sup>ibid.

<sup>17</sup>Facebook page of Anna Dolidze, an Independent Candidate at Didube Chugureti District, Tbilisi. <https://www.facebook.com/Drannadolidze/> 13 October 2020.

<sup>18</sup>SFED. Parliamentary Elections Fourth Interim Report of Pre-Election Monitoring see also, FB page of Ana Dolidze showing a man in civilian clothes recording the political campaign.

<sup>19</sup>IPU, 4(8). "States should take the necessary measures to ensure that parties, candidates and supporters enjoy equal security, and that State authorities take the necessary steps to prevent election violence." See also ACEEEO, 2 (3).



**To the EU:**

- Step up the pressure for the Georgian authorities to ensure that the pre-election period provides an equal playing field for all participants and supporters including women candidates and create an unimpeded work environment for journalists.
- Engage through various diplomatic missions to ensure prompt and efficient investigation of alleged incidence of harassment, threats and intimidation.

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More reports on the parliamentary election campaign in Georgia can be found [here](#).

More information also available at [www.epde.org](http://www.epde.org)

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