

INTERNATIONAL CONFERENCE

Options and considerations for reforming the electoral system of the Republic of Moldova. Comparisons from international experience

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PRESENTATIONS OF THE INTERNATIONAL EXPERTS

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The Westminster Model in UK – First Past the Post in Practice

Dr John Ault FRSA FRGS,

Director –Democracy Volunteers, Great Britain

Introduction

The UK has used a form of First Past the Post for UK general elections since the nineteenth century, arguably earlier. Although, some areas have used other forms of electoral system, at times, the system, as it is now configured has been in existence since the 1950s.¹

The system has delivered majoritarian governments in all but two general elections since 1945, namely 1974 and 2010, as the nature of First Past the Post maintains a strong duopoly on the electoral process.

¹ The University seats used the Single Transferable Vote (STV) until the multi-member university seats were abolished in 1950.

FPTP has regularly been challenged as being unfair by smaller parties and not until 2010 was a third party in a position to prevent a majority for one party or another. Even then it could only form a coalition with the largest of the two main parties.

In 2011, as part of the Coalition agreement between the larger Conservative Party and the smaller Liberal Democrats, a referendum on changing the electoral system was held to replace FPTP with the Alternative Vote (AV) which was defeated in a UK-wide referendum by a margin of 67.9% to 32.1%.

Notably, although FPTP is still used for Westminster Parliamentary elections, other systems are used for devolved assemblies and local government. In total,

- Westminster – First Past the Post
- Devolved Parliaments – Additional Member System
- Northern Ireland Assembly – Single Transferable Vote
- European Parliament – Party List System
- Mayor of London – Supplementary Vote
- Welsh and Scottish local elections – Single Transferable Vote
- English local elections – First Past the Post (sometimes in multi-member wards)

It oversimplifies the situation in the United Kingdom to describe it as using only FPTP, but as this system is still maintained for Westminster parliamentary elections this paper will focus on them.²

Reasons for the use of First Past the Post

Arguments that have been put forward in favour of First Past the Post are clear:

- It is simple for the voter to understand
- It leads to clear results (a weighted majority) and strong governments
- It maintains the strong historical link between individual MP and their constituency
- It prevents extremist parties gaining entry into the democratic process

The representativeness of FPTP is not seen as being the primary objective of the system. Local Members of Parliament receive an individual mandate from their electorate. Nominally, FPTP might suggest that there is a fixed point at which MPs would need to meet a threshold to be elected but some MPs are elected on much less than 50% of the vote, something that the proposed change to Alternative Vote would have eliminated.³

The Development of Parties in the United Kingdom

Historically, the eighteenth century saw the emergence of two political traditions – the Whigs and the Tories. The Whigs eventually transformed into the Liberal Party, based on the

² The present Conservative manifesto will replace Supplementary Vote with FPTP for mayoral elections.

³ In 2015, the SDLP Member of Parliament for Belfast South, Alasdair McDonnell, was elected with 24.5% of the vote.

ideology of political philosophers such as John Stuart Mill, and the Tories emerged as the Conservative Party.

This duopoly persisted for the until the end of the First World War which saw the emergence of the Labour Party which, following the war, rapidly replaced the Liberal Party as the main opposition to the Conservatives. Not until after the Second World War did the UK truly return to a duopoly with the effective eradication of the Liberal Party from all but the most remote parts of the UK.

As the so-called post-war consensus broke down, during the government of Margaret Thatcher in the 1980s, multi-party politics began to re-emerge and the Liberal Party, along with moderate members of the Labour Party formed an Alliance – effectively the third party in politics. Nationalist movements have always been apparent in Northern Ireland since Irish partition in the 1920s but nationalist movements also began to emerge in Wales, based around the minority language, and more notably in Scotland.

The Labour government, led by Tony Blair, from 1997 saw devolution to Scotland and Wales and the settlement of the Northern Irish question through the ‘Good Friday Agreement’. These assemblies were to be elected by the Additional Member System and in 1999 elections to the European Parliament were also elected by a party list system. This use of proportional representation has allowed smaller, especially regionalist, parties the opportunity to gain influence in their respective territories. Each has seen nationalists in government at some point since devolution.

The United Kingdom Independence Party’s (UKIP) recent electoral success has been almost entirely been as a product of the party list system used for European Parliamentary elections – it has only ever elected one MP at a general election under First Past the Post despite gaining 12% of the national share of the vote in 2015.

Political Corruption

One of the disadvantages of the First Past the Post system is the existence of so-called ‘safe seats’ where one party has an unassailable margin of victory in a constituency. This has arguably contributed to recent political scandals where politicians claimed expenses for their work to which they were not entitled.⁴

This scandal led to a significant undermining of the credibility and integrity of parliament. As many of the incumbent Members of Parliament affected by the scandal were in safe seats the likelihood of them being removed electorally was limited – many resigned or were effectively disowned by their party – disallowing them from standing at the subsequent general election.

This has led to the creation of an independent parliamentary watchdog which sets and regulates the pay and expenses of Members of Parliament. It has also led to discussions about the possible recall of MPs – which concluded in the Recall of MPs Act 2015.⁵ Term limits have also been discussed for MPs – but have not been enacted.

⁴ <http://www.telegraph.co.uk/news/newstoppers/mps-expenses/>

⁵ <http://www.legislation.gov.uk/ukpga/2015/25>

It is difficult to assess how this would be different under a proportionate system except that list systems ensure the election of the top named candidate in UK elections to the European Parliament.

Gender Equality, minority representation and the Celtic Fringe

Women are still underrepresented at Westminster constituting 29% of Member of Parliament. However, this a record high for the representation for women in parliament. This compares to 35% of Members of the Scottish Parliament being women, 42% of Welsh Assembly Members and 28% in the Northern Ireland Assembly.

Women had never constituted more than 5% of MPs before 1987, despite the first woman Prime Minister being elected in 1979.

The primary change that boosted the election of women to parliament was the use of 'All Women Shortlists' in Labour held seats before the 1997 election – which artificially ensured the election of more women for the incoming Blair government. The system of safe seats ensured election of women. FPTP naturally encourages 'selectorates' within local constituency parties – who would traditionally select 'safe' candidates who would invariably be white, affluent, male and middle aged.

This rationale, by definition, also limited the capacity of ethnic minorities to gain election. 6% of the 2015 parliament was made up from ethnic minorities – compared to being 13% of the population.

However, the UK's indigenous minorities – the Scots, the Welsh and even the Cornish have nationalist movements which seek election to Westminster. FPTP has often limited their capacity to access parliament because they only contest smaller parts of country but in recent times, following the 2014 unsuccessful referendum on Scottish Independence, this has seen a significant advance for the Scottish National Party at Westminster electing 56 of Scotland's 59 MPs – with 50% of the votes in Scotland – just 4.7% of the UK-wide vote.

Social Cohesion

Historically, FPTP has assisted in creating continuous government within the duopoly especially in the post-war consensus following the Second World War. However, especially the period of the 1979-1997 Conservative government saw significant economic and social change which led to high unemployment and social unrest. Indeed, the imposition of an unpopular 'Poll Tax' was the direct cause of the unseating of Margaret Thatcher in 1990.

First Past the Post embeds majorities which allows governments to enact unpopular, if arguably, necessary policies. Public support is not essential in a system where minorities win large landslide election victories.

However, conversely the use of direct democracy, through referenda, has led to greater autonomy for Scotland, Wales and Northern Ireland but also the potential for Scottish Independence ending the union between Scotland and England which has existed since 1707. It has also led to the UK's imminent cessation from the European Union – which seems to be leading to a realignment in UK politics.

Conclusion

First Past the Post is an integral aspect of the traditional adversarial Westminster model. It creates simple majorities in parliament even when no such majority exists in the country. It has been argued that it allows for the stability of one-party administrations and that this can lead to effective policy direction. This is, of course, arguable as a majority of the country may not support the policy programme of the incumbent change.

It also leads to potential wide changes in government policy as the two parties can offer significantly differing policy platforms at elections and this only rarely tempered by a coalition partner.

Electoral system of Belarus

Pavel Sapelko, Electoral analyst, Viasna Association, Belarus

1. General information about the electoral system of the Republic of Belarus

Parliament – the National Assembly of the Republic of Belarus has been the representative and legislative body of the country since 1996.

The Parliament consists of two chambers – the House of Representatives and the Council of the Republic.

The Council of the Republic is the chamber of territorial representation. In each region and in the city of Minsk there are elected eight members of the Council of the Republic at secret ballot by local Councils of Deputies of the basic level of each region and of the city of Minsk. Eight members of the Council of the Republic are appointed by the President of the Republic of Belarus.

The House of Representatives consists of 110 members. The members of the House of Representatives are elected according to the law, on the basis of universal, equal, free, and direct electoral suffrage by secret ballot.

The local Councils of Deputies are elected by the citizens of the corresponding administrative and territorial units for the term of four years.

According to the Constitution, public associations, labour groups and the citizens have the right to nominate candidates under the law.

The Electoral Code specifies these rules:

Elections of the deputies of the House of Representatives, deputies of local Councils of Deputies are held at single electoral circuits.

Elections of members of the Council of the Republic of Belarus are held on the basis of equal and indirect suffrage by secret voting.

110 electoral circuits are created for the holding of elections of deputies of the House of Representatives on the territory of the Republic of Belarus.

For the holding of elections of deputies of local Councils of Deputies the electoral circuits are created, the number of which differs depending on the level of the Council.

The right to nominate candidates for deputies belongs to political parties registered by the Ministry of Justice of the Republic of Belarus not later than six months before the appointment of election, labour groups as well as citizens by way of gathering signatures.

A political party is entitled to nominate for each electoral circuit for elections to the House of Representatives and the respective local Council of Deputies only one deputy from the members of that political party.

A person suggested for nomination as candidate for deputy of the House of Representatives in the electoral circuit by a group of voters must have support of not less than 1000 electors who reside in the territory of that electoral circuit whereas a person suggested for nomination as candidate for deputy of a local Council of Deputies – of voters who reside in the territory of the electoral constituency in the number depending on the level of the Council of Deputies (from 20 to 150).

Nomination of candidates for deputies of the House of Representatives from labour collectives of organizations with at least 300 employees, is performed at meetings (conferences) of voters in labour collectives.

The candidate who received most votes of the voters who took part in the voting, is deemed to be elected. When voting is held for one candidature, the candidate is deemed to be elected if he has obtained more than half of votes of the voters who took part in the voting.

Thus, the electoral system in place in Belarus is the conventional majoritarian one.

2. The extent to which the electoral system in the Republic of Belarus ensures representativeness of the elected deputies

It is worth noting, that according to the independent monitoring (including international one) the results of the elections in Belarus do not correspond with the expression of voters' will.

Territorial representation – the equal representation is not adequately ensured; it depends on the extent of administrative influence, proximity of the elected candidate to the administrative power. At the same time, there is a **positive aspect** in the fact that a certain deputy is elected directly by the voters – thus, a voter votes for an individual, who, after being elected, will 'represent' the voter.

The example of Norway: voting for a party; voters can cross out certain candidates – members of such party. De facto, this norm is pointless.

Gender representation and representation of minorities – the majoritarian system in Belarus does not provide for the support of women and minorities.

Political representation – from 2004 till 2016 no opposition political party or movement was represented in the Belarus Parliament. One female representative of political opposition

and one female representative of an independent non-governmental organization are elected to the functioning House of Representatives.

3. Electoral systems and party system development in the Republic of Belarus

Negative aspects:

– the role of parties in the state and society is diminished; During parliamentary election, the capabilities of a party are equated with the capabilities of labour groups of 300 employees or 1000 voters.

– the natural activity of the parties is decreased (including during elections):

2000 – 272 representatives of parties were registered (92 of them – members of Liberal Democratic Party (LDP))

2004 – 174 representatives of parties were registered (25 of them – members of LDP)

2008 – 84 representatives of parties were registered (10 of them – members of LDP)

After national and international observers had criticized the electoral activity of parties – main political players, the results were as follows:

2012 – 264 representatives of parties were registered (93 of them – members of LDP)

2016 – 332* representatives of parties were registered of the total of 521 candidates

*298 – from parties only, the rest are nominated by several subjects, 77 – LDP.

4. Influence of the electoral system on the establishment of majority and government stability in the Republic of Belarus

The electoral system has no effect on the government, since the government is accountable to the Parliament only formally, while de facto it is subordinated to and formed by the President.

5. Is there a correlation between the electoral system in place in the Republic of Belarus and political corruption (is there is a correlation, please specify the details)?

The majoritarian system in Belarus contributes to the increase of political corruption: the candidates who have administrative or economic instruments, obtain clear advantage over the others. Former high-level officials directly promise the voters to use their past connections and capabilities in solving regional issues. The heads of large enterprises (mainly state ones) use their enterprises' funds and human resources in the electoral process; they also are capable of exerting influence on the voters.

6. Does the electoral system in the Republic of Belarus contribute to gender equality, representation of minorities, diaspora, etc.?

Good results in gender representation in Belarus are solely administrative.

The issue of representation of national minorities is not relevant for Belarus.

The issue of representation of persons with disabilities and diaspora is still unexplored.

7. Do the electoral systems in the Republic of Belarus play any part in ensuring social cohesion and preventing conflicts in society?

In my view, electoral system in Belarus plays no part in ensuring social cohesion, it does not prevent conflicts in society as well; however, this is the result of the general state of the electoral system, and only to a certain degree – by the majoritarian type of elections.

Thus, the negative aspects of the majoritarian system, besides the ones already specified, are as follows:

- populism as the basis of campaigning;
- a candidate can have no previous political activity, approved program, formulated views;
- ‘individualists’ with no coordinated policy start working in the Parliament;
- the members of parliament mainly pursue regional, or, more specifically, local interests; they are accountable to the voters; any long-term or unpopular projects have no sense;
- deputies’ irresponsibility: it is easier to solve several local problems to be re-elected, instead of dealing with fundamental but unpopular issues. It is impossible for the parties, since they have programs and inner-party discipline.

Electoral System of Lithuania

Prof. Dr. Mindaugas Jurkynas

Vytautas Magnus University, Kaunas, Lithuania

History

In 1990, parliamentary democracy in Lithuania commenced with the first election to the Supreme Council-Constitutive Assembly (*Seimas*). The pro-independence Popular Movement won a landslide victory. However, internal disagreements in the Movement and ensuing fragmentation of the parliamentary majority led to a snap election in 1992, which delivered a triumph to the ex-Communist Lithuanian Labour Democratic Party. After the 1996 election the Homeland Union-Lithuanian Conservatives, the heir of the Popular Movement, received just one seat short of an absolute parliamentary majority and formed a reigning coalition with the Lithuanian Christian Democratic Party⁶. In 2000, the ex-Communist party merged with the Social Democrats under the title of the Lithuanian Social Democratic Party and won 30 percent of MP seats in the election, but two new parties – the Lithuanian Liberal Union and the Social Liberals – formed a left-of-centre ruling coalition. The Social Democrats lured away the Social Liberals from a fragile government and took reign of the cabinet of ministers in 2001. In the 2004 election, other political neophytes – the Labour Party, the Liberal Democrats (later renamed as Order and Justice) and the Peasant and New Democracy Union

⁶ Both parties merged in 2008.

swept away nearly half of the parliamentary seats. Although Labour stormed in with a 28 percent share of the *Seimas*, the Social Democrats, standing between political nemeses – the Conservatives and Labour – commanded coalition cabinets with Labour, the Peasants and the Liberal and Centre Union until the 2008 election. It brought joy to the Conservatives who formed the right-of-centre government with the help of two small Liberal parties and the populist National Resurrection Party. The 2012 election, again, swung luck back to the Social Democrats, who formed a cabinet of ministers with the Labour party and Order and Justice.⁷ In 2016, the underdog of Lithuanian politics, the Peasants and Green Union, surprised almost everyone by winning over 40 percent of parliamentary mandates and making a left-of-centre coalition with the shrunken faction of the Social Democrats. In 1990–2016, the Social Democrats and the Conservatives have dominated Lithuanian politics, and since 2008, governments in Lithuania have served 2 consecutive and uninterrupted 4-year terms.

Electoral system

The Lithuanian electoral system described here consists of elections to the parliament and the office of the president.

The parliament (*Lietuvos Respublikos Seimas* or *Seimas*) consists of 141 parliamentarians elected for a four-year term. The parliament is considered to be elected when three-fifths of parliamentarians have been elected. Regular elections to the *Seimas* are held no earlier than two, and no later than one month prior to the expiry of the term. Pre-term elections to the *Seimas* may be held (1) upon the decision of a three-fifths majority of all parliamentarians; (2) upon the decision of the President if the *Seimas* fails to adopt a decision on a new programme of the Government within 30 days of its presentation; (3) if the *Seimas* twice in succession disapproves of the Government programme within 60 days of its initial presentation; (4) or, upon proposal of the Government, if the *Seimas* expresses direct no confidence in the Government. The President may not, however, announce early elections to the *Seimas* if his own term expires within less than six months, or if six months have not passed since early elections to the *Seimas*. For the elections to be valid, a turnout of 50 per cent is required. If the turnout in individual constituencies was lower, new elections had to be called. For a straight win, candidates had to receive an absolute majority of the votes. If a winner emerged in the first round, the two top candidates advanced to a second round, in which the winner was declared by a simple majority.

The electoral system was changed prior to the 1992 *Seimas* elections. Seventy-one of the 141 mandates were to be contested in single-member constituencies, while the remaining 70 were to be elected under proportional representation in a single, countrywide district. The deputies were to be elected for a four-year term. Any citizen of the Republic of Lithuania who, on the day of election, has reached the age of 25 and is a permanent resident in Lithuania, can run for parliament.

A turnout of more than 40 per cent is required for the elections to be valid in the single-

⁷ The coalition also included the Electoral Action of Poles in Lithuania who were later ejected from the government after disagreements with the Prime Minister in August 2014.

mandate constituencies. Up until 2000, a candidate who obtained more than 50 per cent of the votes in the first round was declared as the winner. When no winner emerged, the two front-runners had to contest a second round. When only two candidates participated in the first round and both failed to obtain 50 per cent plus one vote, new elections had to be held. In the second round, a simple majority was sufficient. In the multi-member constituencies, more than 25 per cent turnout is required for the elections to be valid. In order to qualify for seat distribution, parties and political movements must overcome a nation-wide threshold, originally set at 4 per cent, but raised to 5 per cent for individual parties and 7 per cent for joint lists in 1996. There was no threshold for national minority parties in the general election of 1992. This exemption was abolished before the 1996 general elections. Seats are distributed according to the Hare quota, where all votes for parties above the electoral threshold are pooled. The pool is divided by 70, equivalent to the total number of seats allocated in multiple-member constituencies. The votes of the individual parties are divided by the divisor. Remaining unallocated mandates are allocated to parties whose remainder is closest to the divisor.

The electoral system was again modified prior to the 2000 *Seimas* election. According to the amendments, the two-round format in single member constituencies was abandoned in favour of a simple form of plurality system – the First Past the Post system. If candidates receive an equal amount of votes, the older candidate becomes parliamentarian. Again, since 2004 the two-round system has been reinstalled.

The President is elected in direct elections. A candidate who obtains more than 50 per cent of the votes in the first round cast is considered elected, provided that at least 50 per cent of all eligible voters participate in the election. If the turnout is below 50 per cent, the candidate who receives the majority of votes and at least one-third of all registered voters is declared as the winner. If no candidate obtains more than 50 per cent of the votes, a second round between the top two frontrunners is to be held within two weeks. The candidate who obtains the majority of all votes cast in the second round is considered elected, regardless of the turnout. If only two candidates run in the first round and neither obtains an absolute majority, or at least one-third of votes of all eligible voters, new elections are called. The President is elected for a five-year fixed term and may be elected for a maximum of two terms. The president-elect must immediately suspend his or her party membership.

Electoral system of Ukraine

*Oleksiy Koshel, Director
Committee of Voters of Ukraine*

Majoritarian electoral system has been used in parliamentary elections in Ukraine several times.

- 1994 – majoritarian electoral system of absolute majority

- 1998 – mixed electoral system (50 / 50)
- 2001 – mixed electoral system (50 / 50)
- 2002 – mixed electoral system (50 / 50)
- 2006 – proportional electoral system (closed lists)
- 2007 – proportional electoral system (closed lists)
- 2012 – mixed electoral system (50 / 50)
- 2014 – mixed electoral system (50 / 50)

Among the key disadvantages of majoritarian system:

1. Majoritarian system leads to the vote buying

Majoritarian system in parliamentary elections implies that the value of one vote is relatively low as there are about 160-180 thousand voters in a constituency.

Proportional system implies that value of a vote is much higher as there is a single nationwide constituency with 36 million voters.

Thus vote buying in majoritarian constituency is much easier than in proportional one considering the different quantity of required votes.

- Example of bribery in elections: Midterm parliamentary elections, in July 2015 (constituency №205).
Chernihiv residents (constituency №205) were given between 40 and 100 thousand food rations according to the different estimates.
Distribution was accompanied with conflicts of inhabitants with each other and with the police.

CVU report states the following:

«Election campaign in midterm parliamentary elections in Ukraine was held in constituency №205 in environment of high competition between candidates, unprecedented violations of the legislation on vote-buying and illegal campaigning»

2. Majoritarian system = lost voters

There is a winner-takes-all principle. The votes of the voters who voted for candidates who won 2-3-4 and lower places get lost.

According to estimates of the CEC, majoritarian system implies that interests of more than a half of Ukrainian voters who participated in election were not represented in the Parliament, which is abnormal.

In proportional electoral system significantly less votes get lost.

3. Majoritarian system = flip-floppers in the Parliament

Proportional system contributes to better political structuring of the Parliament.

This is especially important for parliamentary-presidential republic like Ukraine. These are Verkhovna Rada factions but not individual MPs form a coalition which then appoints the government.

In addition, often exactly majoritarian deputies change their factions, which does not promote the confidence of voters in Parliament.

4. Majoritarian system = incomplete composition of the Parliament

In terms of annexation of Crimea and occupation some regions of Donbas about 30 MPs from the constituencies that are located in these areas can't be elected. As a result, the composition of Verkhovna Rada consists of 423 MPs instead of 450.

Proportional electoral system would facilitate the election to the Verkhovna Rada in its constitutional composition.

CVU constantly reported about the problems of majority system in its election reports.

For example, on the Early parliamentary elections 2014 CVU mentioned:

«The main problem of the law is that early parliamentary elections Ukraine will be conducted on the base of mixed (so-called "parallel ") electoral system. Elections in 2012-2013 revealed that this system (i.e. - its majoritarian component) creates conditions for use of administrative resources, vote buying and distortion of the people's will ...»

Disadvantages of majority electoral system will be also seen if we compare it with proportional system:

The main types of violations (according to CVU conclusions)	
<p><i>Elections to Verkhovna Rada in 2007 (proportional system)</i></p>	<p><i>Elections to Verkhovna Rada in 2014 (majoritarian and proportional system)</i></p>
<ol style="list-style-type: none"> 1. Violations in commissions' activities – 40% 2. Illegal campaigning – 20% 3. Administrative resources – 20% 4. Criminalization of the election process – 10% 5. Obstruction of journalists' and observers' work – 10% 	<ol style="list-style-type: none"> 1. Vote buying – 55% 2. Administrative resources – 15% 3. Illegal campaigning – 10% 4. Criminalization of the election process – 10% 5. Violations in commissions' activities – 10%

The main political parties in Ukraine have promised to change the electoral system and cancel the majority system. According to the Coalition Agreement (2014), which were signed by five biggest Pro-European parties in Verkhovna Rada one of the promises was:

«Refusal of mixed proportional and majoritarian electoral system and introduction of proportional system of elections to the Verkhovna Rada of Ukraine in which voters will have the

opportunity to vote for specific candidates in multi-member constituencies, which is proportional system with open lists»

Now in Parliament have been registered several bills about the changing of electoral system to a proportional, but none of them was supported by Verkhovna Rada.

Electoral system of Georgia. Towards a Proportional Electoral System to Attain Political Balance

Lasha Tugushi,

European Initiative – Liberal Academy Tbilisi

Georgia's electoral system

Georgia uses mixed electoral system. This means that during the Parliamentary election a voter is given 2 ballots, in one of which he or she should cast the vote for the preferred political party, and in another one – for the majoritarian candidate. Until the conditions provided for in Article 4 of Georgian Constitution (creation of two-chamber Parliament after the territorial integrity of the country is restored) are created, 150 Members of the national Parliament are elected for the term of 4 years on the basis of the universal, equal and direct suffrage, by secret ballot. At that, 73 MPs are elected in the majoritarian single-member constituencies, and the remaining 77 – by proportional representation with a threshold of 5% for political parties.

It is worth noting that the current electoral system has certain flaws, mainly the ones that are inherent to the majoritarian system.

In case of majoritarian system, the ruling power formally dominates. In 2016 Parliamentary election the Georgian Dream ruling party won 55 seats of 73, representing approximately 75% of majoritarian deputy mandates, while in the proportional part the same party obtained only 48% of votes, thus receiving 44 seats. Independent candidates obtained 10 seats in the Parliament, while Social Democrats and Conservatives got 3 seats each, and Industry Will Save Georgia Party and Green Party of Georgia – 1 seat each. Representatives of the remaining 4 parties are basically the satellites of the Georgian Dream. In the 2012 election they were forming a bloc, and later – a coalition with the Georgian Dream. The same can be said about the independent candidates, who are in tune with the majority, which is evident from the voting results.

The same statistical picture was observed in 2008, for instance. According to the Central Electoral Commission, the United National Movement (then-ruling party) won 59.18% in the proportional system. However, since in the majoritarian part the party obtained 71 seats of the total of 75, in general it got 119 seats in the Parliament, i.e. 79.33% of the total number of MPs. The United National Movement gained the constitutional majority in the Parliament by virtue of this system.

Prior to 2016 parliamentary elections, the parties, non-governmental organisations and the President of Georgia reached a significant consensus on the need to change the electoral system. According to the achieved agreement, the country should have switched completely to the proportional system. However, the Parliament didn't approve this suggestion back then. The same challenges were also faced before, both during the parliamentary election and local elections, since this system is used in local elections as well.

Representativeness of the MPs – weight of votes

One of the main problems of the majoritarian electoral system was the striking discrepancy between the numbers of voters in the electoral constituencies, which significantly undermined the principle of equality of all votes' weights. For instance, there are 163,654 voters registered in Kutaisi, while in Kazbegi – only 5,779. Despite the difference, the voters elected 1 MP in Kutaisi electoral district and 1 – in Kazbegi district. Consequently, the recommendation of the Venice Commission states that the number of registered voters in the electoral constituencies should be of about 10% (up to 15% in exceptional cases). This condition was later adopted based on the judgement delivered by the Constitutional Court. Currently, the number of votes is about 15%. The set 30% threshold for majoritarian MPs was changed as well. Thus, the minimum electoral threshold for the candidates elected under majoritarian system is now of 50% + 1.

Party system and the electoral context

A well-developed party system has to be in place for the sustainable development of the country. At its current development stage, Georgia is marked by sharp division between the politics and radical political discourse, which includes both parliamentary and weak non-parliamentary political parties. This situation does not contribute to the development of the party system at all.

Thus, we can name a number of existing challenges in:

- achieving the sustainable funding of the parties;
- democratic processes provided by the legislation and ensuring parties' participation in the political process;
- dividing the party and government institutions;
- elements of informal governance;
- poor skills in developing communication strategies and electoral programs and presenting these to the voters.

A range of comprehensive measures should be taken to rectify the situation. Public administrative reform should be developed and enhanced, and the electoral system should be improved, in particular. Besides this, an effort should be made to increase the credibility of the electoral process, in order to eliminate the perceived threat of opposition parties financing. According to the recent statistical data of 2016, the ruling party has received about 2/3 of the total of private donations made to the parties. The same picture, more or less, can be seen during the elections. At the same time, it is important to replace the radical paradigm of political coexistence, based on mutual resentment, with the cooperative one.

New challenges – constitutional reform

Few months ago, based on the Resolution of the Georgian Parliament, a State Constitutional Commission was created, aiming to change the electoral system in place. The mixed system will be replaced with the proportional one. However, despite the positive developments, almost all parties, civil society organisations and the President treated the project with circumspection. It provides for elections under the proportional system in single-member electoral constituencies.

The specific problems concern:

- cancelling of electoral blocs;
- transferring of the undistributed votes to the winning party;
- retaining of 5% threshold.

Under these changes, the winning party obtains major advantage. In the last elections, the total of 19.19% of votes was not distributed. If these votes are transferred to the winning party, it will have a significant advantage. According to the ruling political force, the proposed system (supported by the majority of members of the Constitutional Commission) will ensure stability. While those against this option think that undistributed votes should be calculated based on the principle of proportionality, using the D'Hondt method, for instance. The electoral threshold should be lowered from 5% to 3%, as well. While the right to associate in electoral blocs should be preserved. According to the parliamentary majority, the system of blocs hinders the development of the party system and thus has to be abolished.

Certain alternative suggestions were made during the discussion, such as: the winning party should obtain the guaranteed 'comfortable majority' (i.e. 80 seats of 150) if it passes the 40% threshold. Besides, this option provided for the lowering of the electoral threshold to 3%. The problem is that during the general public hearing the representatives of the majority excluded the possibility of forming a coalition government with the existing political parties.

This process once again proved the necessity of making the domestic political discourse more constructive and of conducting a number of political reforms.

Electoral system of Armenia

Armen Grigoryan,

Elections Program Coordinator, Transparency International, Armenia

Following the constitutional referendum held in December 2015, a new electoral code was accepted in Armenia on May 28, 2016. Later a negotiation process had started with the government in 4+4+4 format where 4 representatives of government, 4 representatives of opposition and 4 representatives of civil society negotiated for the improvement of the electoral code. The electoral code finally was updated on October 20, 2016.

There are more than 70 parties registered in Armenia, but the party system in Armenia is very weak. Historically for parties and politicians the main post for which they struggled was president's post, and usually they didn't need a party to participate in election and mobilize masses. After constitutional change 2015 Armenia became a parliamentary republic, where parties become a major factor for election participation. The new system should give more opportunities for parties to strengthen their presence in the parliament and the regions of Armenia.

The new constitution of Armenia requires a stable majority which states: "The National Assembly shall be elected through proportional electoral system. The Electoral Code shall guarantee formation of stable parliamentary majority. Where stable parliamentary majority is not formed as a result of elections or through formation of a political coalition, a second round of election may be held. In case of holding a second round of elections, the formation of new alliances shall be permitted. The restrictions on, conditions and procedure for formation of political coalition shall be prescribed by the Electoral Code".

According to the electoral code parties must garner a minimum of 5 percent of the vote, and blocs 7 percent, to qualify for parliamentary representation. A party or bloc must poll a "stable majority," defined as 54 percent of the vote, in order to form a government. If no coalition can be formed within six days after the results are finalized, a runoff between the two parties or blocs that polled the largest number of votes will be held.

The new electoral system is abstruse and complex, for example there is no fixed number of MPs, the law states that there should be at least 101 lawmakers and maximum according to the experts there can be 184. The parliament previously numbered 131 lawmakers; in the previous two elections (2007 and 2012) 90 of them were elected under the proportional system and 41 in single-mandate constituencies.

Under the new system, deputies are elected under a two-tier proportional system, meaning that voters designate their preference from both a single nationwide list that comprises the five political parties and four electoral blocs that registered to participate, and for individual candidates in 13 regional electoral districts. In addition, four mandates are guaranteed for representatives of the country's four largest ethnic minorities (Yezidis, Russians, Assyrians, and Kurds).

According to the law there is a gender quota which is 20%. As a positive obligation, the State should be required to ensure not only de jure, but also de facto gender equality between the elected candidates with a view to securing women's fully-fledged participation and representation in the legislative power. The extant 20% quota prescribed by Article 108 of the Electoral Code does not meet the UN standards of having at least 30-40 percent representation of each sex in order to safeguard gender equality