



Evaluation of Majoritarian By-Elections of Self-Government in Zugdidi

On May 13, the International Society for Fair Elections and Democracy was monitoring the municipality Sakrebulo by-elections in Tsaishi local majoritarian electoral district of Zugdidi Electoral District no.67, through 3 precinct and 1 district electoral commission observers and 1 mobile group.

The main novelty introduced in the 13 May 2018 elections was piloting of machines for electronic counting of votes (e-counting). Notably results of e-counting were informational only and only results of counting by commission members had legal validity.

Further, to allow use of e-counting machines, the CEC adopted a new decree amending voting procedures provided in the Election Code of Georgia. More specifically, it abolished control sheet and registrar's signature on a ballot, changed position of a stamp on a ballot and in place of transparent ballot boxes it introduced voting through a nontransparent box which is part of the e-counting machine.

ISFED believes that the existing legislation does not allow such changes, which calls into question the legitimacy of changing the voting procedures by the CEC decree and bypassing the Election Code. Amending by the CEC degree procedures provided in the Election Code sets a negative precedent and may create the risk of circumventing electoral legislation in the future.

On the Election Day, based on reports of ISFED observers, the process of opening of polling stations, voting and counting of votes was mostly peaceful and free from any major violations. PEC members were well-prepared to handle the new technology. However, some voters found it hard to adapt to the new procedures and certain shortcomings were found.

ISFED filed one complaint with the DEC regarding polling station no.74 of Tsaishi over misuse of voters' personal information from the voters' list by a registrar and entered a verbal warning into the precinct logbook concerning a mistake made by the same registrar.

The process and evaluation of voting through electronic technologies

Within the monitoring at the polling stations, ISFED closely followed the process of voting through electronic technologies and CEC-established procedures. ISFED observers reported that commission members, voters and observers present at polling stations were generally interested in the new technologies. PEC members were rather well-prepared and they provided detailed and consistent explanations to voters about the new procedures. However, a number of problems and shortcomings were found in the process of using the new technologies and procedures on Election Day:

- 1) Elderly voters and voters with visual impairments often had trouble seeing the oval along the candidate's name which they had to color in using a special marker. They pointed at the candidate of their choice on the ballot and asked registrars how to mark their choice correctly, which violated ballot secrecy. Quite often voters in the voting booth asked for help to fill in their ballot. In such cases, commission members acted in abidance by the law and allowed only the following voter to go inside the booth and provide help.

- 2) Often voters incorrectly placed the ballot in the special envelope. They folded the ballot or placed it in the envelope all the way. Several voters placed their ballots in the special envelope in a way that revealed their choice of candidate, which violated ballot secrecy to a certain extent despite the fact that commission members asked voters to go back into the polling booth and fill in the ballot again.
- 3) Voters found it hard to place their envelopes correctly into the e-counting machine. In a number of cases, the machine did not accept a ballot and the spoiled ballot had to be replaced by a new one.
- 4) In some cases, voters did not fill in the circle along the name of a candidate of their choice and used different methods to mark their choice. Later during counting of votes it was found that the machine could not read such ballots and the results printed by the machine did not match the number of ballots inside the ballot box.
- 5) At the polling station #103, the machine for casting and counting of votes stopped working for several minutes, temporarily suspending the voting process.
- 6) At the polling station no.73, a voter was annoyed because he did not understand the instructions and left the precinct without casting a ballot, even though he had already placed his signature on the voter list.

The pilot project was carried out in three polling stations only, in presence of CEC and DEC representatives, who provided assistance to PEC members as needed. If the machines for electronic vote count are used on a larger scale, when such mobilization of representatives of the electoral administration in all polling stations is impossible, number of problematic cases and shortcomings enumerated above may grow.

ISFED believes that any attempt of the electoral administration to use electronic technologies in the future should be well thought-out, in order not to jeopardize validity and integrity of election process in the eyes of voters, electoral subjects or observers. In case of using technologies, voting procedures should be in conformity with the Election Code, which may require certain amendments in the legislation. Therefore, any attempt of the electoral administration to introduce new technologies in the voting process should be accompanied by analysis of possible risks and benefits of the new technologies and review of applicable regulations, based solely on a broad dialogue that engages all electoral stakeholders.



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