



Organization for Security and Co-operation in Europe Mission to Georgia

“Support for voter marking in the Georgian Presidential Elections 2004”

- Implementing partner: Central Election Commission of Georgia
- Duration: 2 months, December 2003 – January 2004
- Estimated starting date: December
- Thematic area: Elections
- Geographical location: Georgia
- Summary of objectives: Provide additional equipment and expertise to ensure voter marking in the presidential elections in Georgia in January 2004
- Contact information, Project Manager: Ekaterina Slavu, Election Expert, OSCE, Tel.: +995-32-24 42 01, Ekaterina.Slavu@osce.org

A. Project objectives:

The overall goal of this project is to ensure that no one will be able to vote more than once in the Presidential Elections, scheduled for 4 January 2004. To do so, the Mission proposes to implement project activities with the following objectives:

1. Enabling the Central Election Commission (CEC) to implement voter marking by provision of additional voter marking equipment;
2. Supporting the CEC to organize voter marking for these elections, that will take place, unexpectedly, in less than one month by providing technical expertise in planning, recovery and storage of the voter marking material;
3. Providing assistance to the CEC, lower level commissions and voter education programme implementers on the use of voter marking as an anti-fraud measure;
4. Reducing public hesitation to voter marking through the conduct of public information by producing and disseminating educational posters and the production and broadcast of voter marking Public Service Announcements (PSAs) on local and national television.

B. Background:

History of elections is such that public confidence in past elections

The events in the aftermath of the 2 November parliamentary elections lead to a sharp decrease of public confidence. It is essential for the public to gain trust in the electoral system if the results of the Presidential contest are to have the support of the public. In this context, the OSCE Mission to Georgia proposes to continue its support to the Georgian Government to implement voter marking.

The use of voter marking during the 2 November parliamentary elections was seriously undermined by the fact that Georgian legislation only allowed its implementation in 49% of election precincts. This problem was addressed by Parliament on 30 November, when it amended the Unified Election Code Article 52¹, by extending voter marking to all election precincts in Georgia. This new amendment, recommended by the Mission to the Government of Georgia and to a broad spectrum of political parties in the run up to the parliamentary elections, closes a loophole that allowed for multiple voting during the 2 November elections. The Final report of the project “Support for Voter Marking in Georgian Parliamentary Elections November 2003”, implemented by the Mission through financial support of the

Governments of Germany, Switzerland and the United States, indicates that most of the procedural violations on 2 November related to voter marking appear to be the result of a lack of understanding of election administration officials in voter marking procedures. The report also notes that in the aftermath of the parliamentary elections, a significant portion of voter marking materials was not recovered from DEC's by the CEC. Accordingly, in the run-up period of the presidential elections the existing stock of marking materials will require replenishment. As of 25 November, 50 out of 75 DEC's have returned their polling materials resulting in about 22 % return rate for UV Lamps and 31 % for invisible ink. The CEC technical staff is optimistic that the remaining DEC's will return additional polling materials, but even in the best case scenario, there will be substantial material shortages for these elections which will possibly require a second round in all 2,900 polling locations.

The International Society for Fair Elections and Democracy (ISFED) reported that “voter marking procedures were correctly followed” in 85% of PECs observed. ODIHR reported that voters were “always or often” checked for traces of invisible ink in 63% of PECs and that inking was “always or often” applied correctly (as mandated by the UEC) in 87% of PECs. In approximately 3% (16 cases) of PECs, the ink used did not show with the UV lamp—which suggests that *election officials replaced the contents of ink bottles with water* and is a major violation. Other violations commonly observed (but not quantified) were: a) voter marking was not done initially in PECs until observers complained to the Chair; b) voter marking was done by Observers and not PEC officials; c) voters were permitted to refuse to be marked and could still cast their ballots.

C: Concrete Outputs:

Based on the experience obtained through the voter marking project during the parliamentary elections, there remain following issues to be addressed in order to administer voter marking activities effectively:

1. Provision of Materials

- Invisible ink: 16 844 bottles will need to be procured to ensure that 4 bottles can be supplied to each of approx. 3000 PECs for a possible 2 rounds;
- UV Lamps: 1 697 UV lamps will need to be procured to ensure that 1 lamp will be supplied to each of approx. 3 000 PECs;
- Batteries: 16,040 additional batteries will be needed to add to the 32 960 batteries now remaining with the CEC to make up for the total amount of 48 000 units needed.

| | UV Lamps | Invisible Ink | Batteries |
|---|-----------------|----------------------|------------------|
| <i>Materials provided to CEC for 2 November</i> | 7,005 | 15,071 | 56,000 |
| <i>Materials provided to DEC's for 2 November</i> | 3,440 | 11,445 | 23,040 |
| <i>Materials recovered by CEC (as of Nov 25)</i> | 744 (22%) | 3,530 (31%) | 0 (0%) |
| <i>Materials remaining with CEC</i> | 4,303 | 7,156 | 32,960 |
| <i>Materials needed for 4 January Elections</i> | 6,000 | 24,000 | 48,000 |
| Shortages | 1,697 | 16,844 | 16,040 |

Note: If Parliamentary Elections are conducted on a different date, supplies of non-reusable materials (ink and batteries) will need to be significantly increased.

2. Training

There is a need for a retraining in voter marking procedures and in how to use materials provided. This should be incorporated into the larger training program of the CEC. Observer reports indicate that Voter Marking materials were often used incorrectly due to the lack of training and adequate supervision by PEC chairperson. According to the current UEC, PEC members checking for the presence of invisible ink and applying the invisible ink do not receive any technical training until the morning of Election Day itself. Therefore, it is important that the PEC Chairman is well trained. To support the Chairperson, it is proposed that a simple 2 page “user guide” be distributed to the polling staff conducting the marking.

D. Connection to overall objectives of the presence of the OSCE in the specific country/region

The OSCE is committed to address violations of human rights, including electoral fraud, that continue and endanger stability in the OSCE region. OSCE supports the conduct of democratic elections, with OSCE/ODIHR assisting participating States in developing and implementing electoral legislation. In Georgia, the OSCE Mission is mandated to support the development of democratic institutions.

E. Added value of OSCE’s involvement

The OSCE has the experience of administering the voter marking project for the Parliamentary Elections 2003 for the first time in Georgia’s electoral practice. Through this programme, the Mission has played a leading role in raising the public awareness regarding the voter marking procedures and has provided a critical expertise to the CEC on managing the distribution and recovery of voter marking materials.

F. Analysis of the main needs in the sector (including the stakeholders’ perspectives and possible complementary activities already or to be undertaken by other actors)

It is critical that the election commissions undergo substantial training on voter marking procedures and that there is a functioning tracking system for the distribution and recovery of all election related materials. In the 2 November elections the distribution of materials and the signing of hand-over protocols between the CEC and DEC was done quite effectively. However, the same level of administrative efficiency was not repeated at the level of DEC/PEC. Furthermore, since the payment of PEC salaries is typically delayed by many months, there was little incentive for PEC staff to return election assets. It is imperative that all reusable election materials, including ink, lamps and unused batteries be returned to the DEC and finally to the CEC. Ideally, materials would be checked off upon receipt at the DEC on election night. This requires considerable planning and organization. It is recommended that all unjustified losses of election materials be deducted from final payments to the respective PEC and DEC Chairs and that these funds be accounted for and dedicated towards the costs of replacement purchases. This responsibility must be clearly explained to PEC and DEC staff and should be mentioned both in their contracts and in the hand-over protocols that they sign.

G. Analysis of the stakeholders (target groups, beneficiaries, partners.

The target group of the project are members of district election commissions and polling station commissions. Beneficiaries are Georgian voters, as the procedure would help to limit voting fraud through voters voting several times. Partners in the project are the Central Election Commission, UNDP and IFES.

H. Indicators and sources of verification of the achievement of project objectives and results

Indicators of the achievement of project objectives and results include:

- a) delivery of the equipment to all polling stations and the training of trainers
- b) accurate utilization of the equipment and the acquired knowledge by the polling station commissions ensuring that voters only vote once

The project objectives and results would be verified through the international and domestic observation mission reports.

I. Assumptions and risks (eventually necessary adaptations, flexibility)

Assumptions and risks include the delivery of an adequate number of lamps and ink bottles on time and to all polling stations across Georgia, the recovery by the CEC of marking materials for future elections and the willingness of Georgian voters to be marked. Ensuring delivery to all polling stations and training of polling station personnel will be done through the CEC and through monitoring by the consultant offering the trainings. The last risk will also be dealt with through the public information campaign ensuring that both voters and polling station personnel understand how this relatively simple technology works and why it is necessary.

J. Implementation arrangements

Provision of Materials

Delivery of the necessary equipment will be done through a direct contract between the OSCE Mission to Georgia and the Danish Camp Supply. The DCS has been identified as the most suitable supplier of voter marking equipment through the OSCE tender for the parliamentary elections.

Provision of Expertise

Provision of technical expertise and advice on the use, distribution, recovery and storage, as well as media outreach and public education campaign to the CEC and other programme implementers will be commissioned to an international expert of voter marking to be employed through the project funds for approx. 40 days of in-country assignment with additional technical and logistical support provided by the assistant as well as the Mission staff.

The expert will undertake the following tasks:

- Work closely with the CEC training and management staff to assist in the development of a use/distribution/recovery plans for voter marking equipment; to develop an effective return/recovery mechanism to be used by the CEC to ensure the maximum recovery rate of the equipment.
- Assist the Press Office of the CEC to develop a pro-active public information strategy on voter marking issues addressing outstanding public concerns on the use and impact of voter marking;
- Work with various training and voter education outreach programmes to ensure the effective mainstreaming of the voter marking component in all training curricula.

Public Awareness Outreach

Public Service Announcements (already produced in the framework of the project for the Parliamentary elections) will be broadcast on a number of national (Channel 1 and Rustavi 2) and local television stations (see the detailed broadcast plan).