

ELECTORAL DISPLACEMENT IN THE CAUCASUS

Georgia and Azerbaijan

Participatory Elections Project (PEP)

Action Plan II

Project Team

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IOM International Organization for Migration



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OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

ACTION PLAN MISSION # 2
ELECTORAL DISPLACEMENT IN THE CAUCASUS
Georgia and Azerbaijan
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Executive Summary

The Participatory Elections Project (PEP) is an initiative of the International Organization for Migration (IOM) developed to address issues associated with the electoral rights of conflict-forced migrants (CFMs). Under funding from the United States Agency for International Development (USAID) and its Democracy and Governance Office, PEP has three programmatic components: 1) desk research on existing laws and practices regarding the electoral rights of migrants;¹ 2) development of a framework for international standards and guidelines for migrant's electoral rights; and 3) the drafting of country-specific Action Plans to identify the requisite steps needed to enhance enfranchisement opportunities for CFMs in upcoming elections. The first Action Plan was completed for Angola;² this document is the second Action Plan in the series.

The objective of the Electoral Displacement in the Caucasus Project is to draft a political and operational framework to promote the enfranchisement of conflict-forced migrants in the political processes of Azerbaijan and Georgia. Although this field mission combined visits to both Azerbaijan and Georgia, it is also recognized that the causes of conflict and the nature of displacement are unique to each country. The rationale for a "twinned" approach is to explore the impact of sovereignty and proximity on the opportunities for bilateral and regional consensus regarding the enfranchisement of CFMs.

In Georgia, following independence from the Soviet Union (USSR) in 1990, fighting broke out between Georgian forces and two separate secessionist regions - Southern Ossetia and Abkhazia. Intermittent fighting has continued between Georgian forces and Abkhazian separatists since 1992, although both sides have largely observed a 1998 ceasefire brokered by the United Nations (UN) and Commonwealth of Independent

¹ See www.iom.int/pep

² See "Angolan Elections: Promoting Reconciliation through Participation by Conflict-Forced Migrants," IOM/PEP Action Plan I, January 31, 2003. Available at www.iom.int/pep.

States (CIS).³ IDP movements came in different waves beginning with an exodus from Southern Ossetia in 1992 followed by the Abkhazia displacement of 1993.

There are approximately 264,000 IDPs within Georgia, out of which 252,200 are ethnic Georgians from Abkhazia. About 12,000 ethnic Georgians have been displaced from Southern Ossetia.⁴ The largest concentrations of IDPs are in Tbilisi and the Samgrelo Region, particularly the Zugdidi district.⁵ There is also a concentration of around 60,000 displaced ethnic Georgians in the Gali region, an area located within the borders of Abkhazia. IDPs are not housed in camps or tent cities. Groups of IDPs are settled into compact facilities such as vacant hotels, auditoriums, and stores.

Under Georgian law, people displaced from Abkhazia and Southern Ossetia are considered “persecuted persons,” a status that differentiates them from those who may be displaced, for example, by an earthquake. In a legal respect, this distinction in status is tantamount to a classification of someone as a “conflict-forced migrant” and is reflected in the benefit package received from the government by these displaced people. The standard of living for IDPs remains low, particularly in the rural areas. Prolonged exposure to poor living conditions has resulted in the appearance of tuberculosis within IDP communities and rates of growth for the children of IDPs that are lower than those of other Georgian children.

Georgia has faced international concern in both the Organization for Security and Cooperation in Europe (OSCE) and the United Nations Human Rights Commission (UNHRC) for provisions of its electoral code that prevented IDPs from full participation in elections. Until 2001, several laws and administrative provisions prohibited IDPs from voting for the representative of the majoritarian district in which they are temporarily residing. Furthermore, the IDP vote does not appear to be a bloc for any particular political party. In discussions with several party representatives, the accepted political logic is that the key to the IDP vote is not through advocacy of improvements in their living conditions, but rather an advocacy for their return to Abkhazia. This lack of a coalition of political and humanitarian advocates to press for improvement in IDP living conditions has left the IDPs without an effective political voice to advocate these issues effectively for themselves.

The Action Plan identifies other issues that are specific to IDPs and elections in Georgia. First, problems of accuracy with the voter registry in general were cited in many discussions. In fact, the Central Election Commission’s (CEC’s) management of the public presentation of the preliminary electronic voter registry will be a key confidence-building factor in this election. Second, in every parliamentary election cycle since 1992,

³ Two peacekeeping forces are present in the region—UNOMIG (UN Observer Mission in Georgia) and CISPKF (A Russian-dominated peacekeeping force), both created in 1993. While Southern Ossetia has observed the ceasefire since 1993, the ceasefire was broken between Abkhazia and Georgia in 1998.

⁴ United States Committee for Refugees (USCR), *World Refugee Survey 2002*, p.212-213.

⁵ Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights, (OSCE/ODIHR), “Republic of Georgia Presidential Election 9 April 2000, Final Report.” Warsaw: 9 June 2000, Available from: http://www.osce.org/odihr/documents/reports/election_reports/ge/geo00-1-final.pdf p. 12. [ODIHR Final Report 2000]

the Members of Parliament (MPs) representing districts in Abkhazia who were elected that year have had their mandates extended by the parliament and without a popular vote. For those who favored extending their mandates without an election, the motivation was a practical one that poses how an election in Abkhazia could be conducted under current conditions.

In addition to the issues cited above, many electoral actors voiced concern regarding the unknown impact of enfranchising the 1.2 million Georgians residing abroad. Under the current process, Georgians abroad are required to register and cast ballots at embassies and consulates, although only 38,000 Georgians are currently listed on the voting abroad registry. Two issues stand out: First, the voting abroad program raises issues of transparency as it is difficult to ensure that voter impersonation does not become common. Second, it pre-supposes that Georgians abroad are residing and working in full compliance with the local laws and it presumes that Georgians abroad regard their embassies as politically neutral ground.

The improvised and often transitional nature of the IDP communities does not support the development of a civil society component of everyday life. Neither do such circumstances promote the development of local political leaders or political organizations capable of promoting issue advocacy. There was a consensus of those interviewed that IDPs are unaware of many of their political rights. As a result, their community's ability to pursue improved conditions is compromised.

Azerbaijan, which surrounds the ethnic Armenian-populated enclave Nagorno-Karabakh, declared independence from the Former Soviet Union in August 1991. Nagorno-Karabakh proclaimed an unrecognized separation from Azerbaijan, organized parliamentary elections, and requested international recognition. Fighting broke out in 1992 between Azerbaijan and the Armenians of Nagorno-Karabakh, killing some 30,000 persons. Neighboring Armenia supported the Karabakhi separatists, resulting in a two-way flow of ethnic minorities to their respective home state. According to the United States Committee for Refugees, this complex set of movements has resulted in the following:

- 576,000 people remain internally displaced from the western regions of Azerbaijan that have been under Armenian occupation since 1993;
- Of this population, approximately 40,000 are ethnic Azeris from Nagorno-Karabakh, the balance are primarily ethnic Azeris from Armenian occupied areas;
- An additional 220,000 ethnic Azeris from Armenia live in refugee-like circumstances within Azerbaijan.⁶

In 1992, presidential elections were held resulting in the victory of the reformist Abulfaz Elcibay, who was ousted in 1993 as a result of a fight for power between armed factions

⁶ USCR, "Azerbaijan: World Refugee Survey 2003 Country Report." Available at: <http://www.uscr.org/world/countryrpt/europe/2003/azerbaijan.cfm>

that threatened to destroy the cohesion of the new country. The contest for power following the Republic's independence from the Soviet Union (USSR) and the turmoil surrounding the conflict in Nagorno-Karabakh prevented legislative elections from being held until 1995. As a result of the coup, Heydar Aliyev assumed power, proved capable to restore order and stability, and consolidated his position by winning the presidential election of 1998.

During the course of the discussions with Azeri counterparts, several issues recurred as topics of concern related to IDPs and elections. Most political parties expressed frustration in not being able to campaign in IDP communities. Exceptions were the New Azerbaijan Party (YAP) and the Popular Front – Traditionalist, with their representatives stating that the party does campaign in IDP communities. Campaigning aside, concerns were expressed about the inability of local actors to monitor and observe registration and voting in IDP communities and its consequent impact on election transparency and confidence. Concerns were expressed about the overall integrity of the voter registry and the obstacles that political parties faced in obtaining access to it. Since voter registration in IDP communities is not observed, many concerns were expressed about the accuracy of IDP camp registrations.

While political parties agree on the need to improve the community conditions for IDPs, the campaign rhetoric is directed more to advocate for returns of IDP to their homes. The victimization of the IDP is presented from the perspective of highlighting Armenian aggression rather than to dramatize the IDPs' plights and efforts to improve their conditions. Finally, the government of Azerbaijan is conducting a program to increase the use of the Latin alphabet in government, commercial, and personal transactions. When most of the current IDPs were thrust into displacement in the early 1990s, the Cyrillic alphabet was widely and officially used. In their current state of displacement, IDPs do not have the same access to this conversion process as others who are regularly receiving information and media.

IDPs in Georgia and Azerbaijan have been displaced for different reasons and reside in differing circumstances. Although each case must be approached independently, there are common regional security issues at stake and IDPs remain a visible reminder of the protracted and unresolved territorial disputes in the Caucasus. In neither case had the countries involved possessed any recent history or experience with IDPs. The governmental, societal, and political response to this emergency required the creation of a new system of laws, resources, and institutions to provide care and services. While Georgian IDPs have been displaced by an internal conflict, Azeri IDPs have been displaced by a conflict between two sovereign states. Nevertheless, in both cases, over the short-term there is little likelihood of returns by IDPs to their homes.

In both cases, political parties were reluctant to campaign as advocates for improved living conditions for IDPs. The common political logic being shared in the two situations concludes that advocating improvement in conditions is a tacit acceptance that the IDPs will remain displaced for the foreseeable future. Both electoral processes possess a similar softness in their voter registry involving economic migrants. In both cases, there

are millions of economic migrants, principally in Russia, but no government records on their actual residences. There is also a shared issue regarding the modalities by which these economic migrants may cast ballots. In both cases, the only registration and voting option is through the Georgia or Azerbaijan Embassies in the host country.

However, these two cases also possess some stark differences. In Georgia, the IDPs do not appear to be political captives of any party or government coalition. The general belief is that the IDP vote will be spilt among the opposition groups with some votes going to the government coalition. However, in Azerbaijan, the overall political strength of YAP throughout the country will probably be reflected in the voting by IDPs. The difference in expected voting patterns might also reflect that the IDPs in Georgia appear to have access to print and electronic media; whereas in Azerbaijan, opinions about the access of IDPs to media sources varied widely. Finally, the Action Plan Committees (APCs) organized in Azerbaijan by the International Rescue Committee introduced a civil society dimension to IDP camp life that does not appear in Georgia. Such a model could be examined for its potential as an indigenous advocacy and education instrument for other IDPs communities; and as an additional channel for assistance delivery to existing governmental, international, or nongovernmental partners.

Introduction

The Participatory Elections Project (PEP) is an initiative of the International Organization for Migration (IOM) developed to address issues associated with the electoral rights of conflict-forced migrants (CFMs). IOM considers the establishment of democratic electoral processes to be an essential component of peace building and vital to the creation of sustainable and credible post-conflict governance institutions. If properly organized, the enfranchisement of conflict forced migrants can support the broader process of reconstruction and reconciliation. An electoral process is an opportunity to establish communications among displaced populations so that there is visibility, transparency, and confidence as reconciliation continues. In addition, by participating in political life, displaced groups are reconnected with the home state or region, facilitating repatriation and bringing home their unique skills and capabilities. The enfranchisement of refugees and Internally Displaced Persons (IDPs) also encourages the widespread acceptance of electoral results and, hence, a durable peace. When implemented correctly, the electoral participation of conflict-forced migrants can moderate the effects of ethnic cleansing and empower disenfranchised people to elect preferred representatives.

Under funding from the United States Agency for International Development (USAID) and its Democracy and Governance Office, PEP has three programmatic components: 1) desk research on existing laws and practices regarding the electoral rights of migrants;⁷ 2) development of a framework for international standards and guidelines for migrant's electoral rights; and 3) the drafting of country-specific Action Plans to identify the requisite steps needed to enhance enfranchisement opportunities for CFMs in upcoming elections. The first Action Plan was completed for Angola;⁸ this document is the second Action Plan in the series.

The objective of the Electoral Displacement in the Caucasus Project is to draft a political and operational framework to promote the enfranchisement of conflict-forced migrants in the political processes of Azerbaijan and Georgia. This objective is fulfilled through diagnostic field missions to both countries and desk research on the nature and conditions of these populations.

Although this field mission combined visits to both Azerbaijan and Georgia, it is also recognized that the causes of conflict and the nature of displacement are unique to each country. The rationale for a "twinned" approach is to explore the impact of sovereignty and proximity on the opportunities for bilateral and regional consensus regarding the enfranchisement of CFMs. This Action Plan complements a recent study of a consortium of organizations on regional IDP issues.

⁷ See www.iomint/pep

⁸ See "Angolan Elections: Promoting Reconciliation through Participation by Conflict-Forced Migrants," IOM/PEP Action Plan I, January 31, 2003. Available at www.iom.int/pep.

The methodology for the field mission combined a pre-election technical assessment of both countries' electoral processes with an analytical approach devised by the Refugee Policy Group (RPG)⁹ that examined issues such as:

- The characteristics of the CFM populations, political alignments, and other demographics;
- The host country's role in refugee participation;
- Security;
- Harmonization of the electoral and peace processes with CFM movements, resettlement patterns, and other needs;
- Documentation issues; and
- Integration of an electoral perspective in the basic scope of humanitarian concerns for the international CFM support community.

The Action Plan identifies the CFMs' potential exposure to political manipulation and makes recommendations on how such manipulations can be avoided or minimized. Mission personnel met with CFMs, representatives of relevant home and host country migration agencies, international organizations, bilateral donors, international and local civil society organizations, humanitarian groups, political parties, election management bodies, media organizations, security officials, and others.

Complementing the field track of the project was a research component. This track was used to assemble and analyze the relevant peace agreements, treaties, constitutions, and electoral laws associated with the enfranchisement of CFMs in the region. In doing so, the Action Plan identifies the peace and electoral framework required to provide the legal underpinnings for a multilateral enfranchisement initiative. The research examines the sources of the conflict, the key actors and organizations involved, and the grievances that led to the use of human displacement as a political tactic.

The Action Plan proposes programs of assistance that can be developed by governments, international organizations, non-governmental organizations, political parties, election management bodies, and the displaced themselves to promote political participation by CFMs in the region. These courses of action will be both of a short-term nature, potentially affecting upcoming elections, and a long-term nature, for implementation in future elections.

⁹ See Refugee Policy Group, "Field Report: Refugee Repatriation and Electoral Participation in Liberia," (June 1997)

Part I - Georgia

IDPs and the Conflict

Following independence from the Soviet Union (USSR) in 1990, fighting broke out between Georgian forces and two separate secessionist regions - Southern Ossetia and Abkhazia. Intermittent fighting has continued between Georgian forces and Abkhazian separatists since 1992, although both sides have largely observed a 1998 ceasefire brokered by the United Nations (UN) and Commonwealth of Independent States (CIS).¹⁰ The *Global IDP Project* reports that "... war and ethnic violence with reports of murders, destruction, looting and evictions forced the entire ethnic Georgian population to leave Abkhazia and to settle in neighboring districts under Georgian control."¹¹

The Russian government provides strong support to the Abkhazian separatists. Both Southern Ossetia and Abkhazia are currently operating as *de facto* autonomous republics, controlled by separatist forces, although neither has been recognized as sovereign by any government. Talks on a permanent solution between Georgia and Abkhazia have reached a stalemate. Southern Ossetia appears more conciliatory than Abkhazia.¹²

IDP Statistics, Locations, and Conditions

IDP movements came in different waves beginning with an exodus from Southern Ossetia in 1992 followed by the Abkhazia displacement of 1993. In 1998, there was a return of ethnic Georgians to Gali in Abkhazia that is further discussed below.

The Russian Federation hosts roughly 14,800 refugees from Georgia. Most are ethnic Ossets, residing in the Russian Federation Republic of Northern Ossetia. Many of these refugees have received Russian citizenship and have no intention of returning to Georgia. Even facilitated repatriation initiatives by the United Nations High Commission for Refugees (UNHCR) have not succeeded at keeping returnees in Georgia and most returned to Russia. In addition, nearly 6,300 Georgian refugees have applied for asylum in Western nations.¹³

There are approximately 264,000 IDPs within Georgia, out of which 252,200 are ethnic Georgians from Abkhazia. About 12,000 ethnic Georgians have been displaced from Southern Ossetia.¹⁴ The largest concentrations of IDPs are in Tbilisi and the Samgrelo

¹⁰ Two peacekeeping forces are present in the region—UNOMIG (UN Observer Mission in Georgia) and CISPKF (A Russian-dominated peacekeeping force), both created in 1993. While Southern Ossetia has observed the ceasefire since 1993, the ceasefire was broken between Abkhazia and Georgia in 1998.

¹¹ Global IDP Report, p.10

¹² OSCE/ODIHR Georgia. Parliamentary Elections 31 October 1999, A Report Prepared by the Staff of the Commission on Security and Cooperation in Europe, Washington DC: 1999, p.11, Available from: <http://www.osce.org/odihr/documents/reports/electionreports/ge/>

¹³ United States Committee on Refugees (USCR) World Refugee Survey 2002, Washington DC: 2002. p.213.

¹⁴ USCR World Refugee Survey 2002, p.212-213.

Region, particularly the Zugdidi district.¹⁵ There is also a concentration of around 60,000 displaced ethnic Georgians in the Gali region, an area located within the borders of Abkhazia. IDPs are not housed in camps or tent cities. Groups of IDPs are settled into compact facilities such as vacant hotels, auditoriums, and stores.

Georgia is also a refugee host country. There are a reported 4,000 to 5,000 Chechens residing in the Pankisi Gorge area who receive Georgian government refugee services.

Under Georgian law, people displaced from Abkhazia and Southern Ossetia are considered “persecuted persons,” a status that differentiates them from those who may be displaced, for example, by an earthquake. In a legal respect, this distinction in status is tantamount to a classification of someone as a “conflict-forced migrant” and is reflected in the benefit package received from the government by these displaced people. Many of these individuals have been displaced for at least ten years. In electoral terms, that represents three parliamentary elections and three presidential elections. That kind of longevity in displacement was described in one interview as a form of “temporary reintegration” into the current community of residence.

As one official stated, the problems associated with IDPs are new ones for Georgia. Georgia did not have the laws, institutions, processes, and capacity to immediately respond to the displacement problems that emerged in the early 1990s. All of these components had to be established and developed. For example, the Law of Georgia on Internally Displaced Persons - Persecuted was enacted not enacted until 1996. The Law states, “a citizen of Georgia or a stateless person permanently residing in Georgia can be considered as an Internally Displaced Person, if he/she was forced to leave his/her place of residence and has been displaced (within the territory of Georgia) on the grounds of threat to life, health or freedom of his/her family members as a result of aggression from a foreign state, internal conflict or mass violation of human rights.”¹⁶

The standard of living for IDPs remains low, particularly in the rural areas. The Georgian Ministry of Refugees and Accommodations cites the provision of adequate housing and facilities for IDPs as the biggest problem faced by the agency. Although an inventory of repairs has been developed, government funding is not available to cover the cost. Prolonged exposure to poor living conditions has resulted in the appearance of tuberculosis within IDP communities and rates of growth for the children of IDPs that are lower than those of other Georgian children.

A UN assessment mission interviewed IDPs about relocating to better conditions; the mission found that IDPs consistently preferred to remain where they were until they

¹⁵ Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights, (OSCE/ODIHR), “Republic of Georgia Presidential Election 9 April 2000, Final Report.” Warsaw: 9 June 2000, Available from: <http://www.osce.org/odihr/documents/reports/election_reports/ge/geo00-1-final.pdf>(23 July, 2002), p. 12. [ODIHR Final Report 2000]

¹⁶ “Law of the Republic of Georgia Concerning Displaced People” June 1996. Available from: <<http://www.unhcr.ch/cgi-bin/texis/vtx/rsd/rsddocview.htm?CATEGORY=RSDLEGAL&id=3ae6b4e618&page=research>> (6 Aug., 2002).

could return home. Francis Deng, the Special Representative of the Secretary General for Internal Displacement, concludes this attitude is due to a widespread fear among IDPs that moving to a more comfortable location would somehow undermine their chances of return.¹⁷ Deng notes that: “For the displaced, who held fast to the hope of returning within...days or weeks, the move to alternative accommodation gave a certain permanence to their situation that proved very difficult to accept.”¹⁸ This reluctance to accept any solution other than return has influenced a wide variety of Georgian policies, including those related to the country’s electoral law.

In a recent opinion poll conducted by the International Republican Institute (IRI)¹⁹, Georgian voters express some pessimistic attitudes about the state of the country.

Relevant responses include the following:

- 48 percent of the respondents said that their economic situations had gotten worse since independence;
- 78 percent state that either the standard of living/living conditions or territorial integrity are the most important issues to them;
- 35 percent do not trust any political party and 26 percent cannot name a party; and
- 22 percent disbelieve vote counts.

However, the polling results also showed:

- 93 percent want to resolve the problem of Abkhazia; and
- 80 percent want to resolve it peacefully.

In addition, high levels of confidence are expressed in the institutions of the church (80 percent) and the media (73 percent).

IDPs and Elections

Between 1995 and 2001, Georgia’s elections were governed by:

- The Constitution of The Republic of Georgia of August 1995;

¹⁷ Francis Deng. Specific Groups and Individuals Mass Exoduses and Displaced Persons. Report of the Representative of the Secretary-General on Internally Displaced Persons. Mr. Francis Deng, submitted pursuant to the Commission on Human Rights Resolution 2000/53. Addendum. Profiles in Displacement: Georgia. ECOSOC: E/CN.4/2001/5/Add.4. 25 Jan., 2001. Available from: <<http://www.hri.ca/fortherecord2001/documentation/commission/e-cn4-2001-5-add4.htm>>(23 July, 2002).

¹⁸ Deng.

¹⁹ International Republican Institute, Baltic Surveys/Gallop, Institute of Polling and Marketing, Georgia National Voter Study, May 2003.

- The Organic Law²⁰ on Parliamentary Elections of September 1995, including five subsequent amendments (Parliamentary Electoral Law); and,
- The Organic Law on Presidential Election of September 1995, including three subsequent amendments (Presidential Electoral Law).

Other legislation impacting election modalities included the Administrative Code, the Law on Refugees, the Law on Internally Displaced Persons, the law on Political Parties, the Citizenship law, the law on Rallies, Meetings and Manifestations and the law on the Status of a Member of Parliament. However, the organic laws and the Constitution are of most importance as they supercede all other laws and are second only to the Constitution.

The Constitution establishes a bicameral legislature, consisting of the Supreme Council (*Umaghiesi Sabcho*, or Parliament), and the Senate. However, due to the conflict in Abkhazia and Southern Ossetia, the Senate has not been formed and the legislature remains unicameral.²¹ Of the 235 Parliamentary deputies (or representatives), 150 are elected through a Proportional Representative (PR) system with a closed party list and 7 percent threshold. Parties compete for these seats in a single nationwide constituency. The remaining 85 deputies are elected from 85 single mandate districts by a simple majority vote. IDPs have been prevented by law from voting for the single mandate districts, and are instead represented by those elected during the 1992 elections, whose mandates have been continued.

Parliamentary elections occurred in 1992, 1995, and 1999. Presidential elections were held in 1991, 1995, and 2000. The electoral code has undergone substantial revisions before each election and such is the case for the 2003 elections as well. The credibility of the Central Election Commission (CEC) and the accuracy of the voter registry are the predominant electoral concerns. Political participation by IDPs will not, in itself, be a confidence-building measure to help overcome the existing electoral credibility gap. However, by enfranchising the IDP community in a secure and transparent manner, it would be more difficult for electoral spoilers to misrepresent IDP participation as illegitimate, unfair, or fraudulent.

²⁰ Organic laws supercede ordinary laws, as stipulated by A66 of Georgia's Constitution. Organic laws are passed by the majority of *all existing* representatives entitled to vote. Ordinary laws are passed by a majority of the representatives *present* during the parliamentary voting. (ODIHR Report 2000, p. 3, footnote 2). Therefore, an organic law is a third, intermediary step in the traditional hierarchy of the Constitution and federal laws.

²¹ Article 4 of the Constitutions states: "When conditions are appropriate and self-government bodies have been established throughout the territory of Georgia, Parliament shall be formed with two chambers: the Council of the Republic and the Senate." The Constitution of Georgia, with subsequent 1999 and 2001 amendments." Available from: <http://www.parliament.ge/LEGAL_ACTS/CONSTITUTION/consten.html>(23 July, 2002). Also see ODIHR Final Report, 1999, p. 3.

Problems with the Voters List

The Ministry of Refugees and Accommodations reported that there are around 260,000 IDPs currently on their IDP registry. The CEC states that the voter registry contains around 3.5 million names. If two-thirds of the individuals on the IDP registry are of voting age, then almost five percent of the voting population is internally displaced.

A study by the United Nations Development Programme's (UNDP) entitled "Study on IDP Rights, June 2003," notes technical problems integrating the IDP and voter registration lists. Article 10, Point (3) of the *Unified Election Code of Georgia 2001* describes the procedure by which District Election Commissions (DECs) are to compile a supplementary list of IDP voters based on data from the Ministry of Refugees and Accommodations. As the UNDP report also states, "Unfortunately, there have been cases when lists were incomplete. Moreover, some polling stations were not provided with IDPs' lists at all. Apparently, proper attention had not been paid to the fulfillment of this politically significant decision [voting in majoritarian districts] involving IDPs' participation in elections."²²

It is also important to include the registration and balloting abroad of economic migrants in this mix of issues. The actual number of persons who are economic migrants is unknown; however, the figure of 1.2 million persons is often cited. It is also unknown how many of these economic migrants are listed on the voter registry. However, if one speculated that registered voters constituted only 25 percent of the total estimated economic migration (1.2 million/300,000 persons), then approximately 8.5 percent of the electorate could be currently abroad. Since 1999, Georgians living abroad have been eligible to vote via embassy voting. The concern expressed was that with such a large number of voters absent for long periods of time and during elections, there is an increased opportunity for voter impersonation to occur. Added to the internal displacement figures, at least 13 percent of the electorate can be estimated to be absent from their home voting locations.

Exclusion of IDPs from Voting for Majoritarian Districts

Georgia has faced international concern in both the OSCE and the United Nations Human Rights Commission (UNHRC) for provisions of its electoral code that prevented IDPs from full participation in elections. Until 2001, several laws and administrative provisions prohibited IDPs from voting for the representative of the majoritarian district in which they are temporarily residing. Article 33(1) of the Parliamentary Electoral law stated: "Forcefully displaced persons shall be included in the voter's lists according to their present places of residence. A separate list shall be compiled for displaced persons and they shall not participate in the majority elections held in single-mandate districts." Thus, as parliamentary elections in 1999 did not include balloting for representatives

²² Study on IDP Rights, United Nations Development Programme, Tbilisi, June 2003, page 8. Available at http://www.undp.org.ge/News/study_on_IDP_Rights_Georgia.pdf

from the single mandate districts in Abkhazia and Southern Ossetia, IDPs could vote for nationwide or proportional list elections only.²³

The government maintained that this language complied with the wishes of the IDPs. According to Simon Bagshaw, “there are genuine concerns among some of the internally displaced that by voting for the local candidate they would be accepting the *de facto* territorial situation and would thereby relinquish their right to return to their homes ...”²⁴ The Georgian government seems to have been largely motivated by this point. According to a 2002 report of the Council of Europe, “For a long time, the Georgian authorities were reluctant to facilitate the durable integration of the displaced in Georgia and considered return as the only solution ... The question of integration has been highly politicized for a long time and the displaced persons have been systematically discouraged from any serious attempts to normalize their status under the pretext that such normalization would allegedly endanger their right to return.”²⁵

On November 25, 1998, an IDP group appealed to the Constitutional Court of Georgia, claiming that legislative provisions denying IDPs the right to vote for majoritarian district representatives were unconstitutional. The Appeal was based on Articles 5.1, 5.2, and 28 of Georgia’s Constitution, Articles 21.1 and 23.1 of the Universal Declaration of Human Rights, and Article 25(a) and (b) of the International Covenant on Civil and Political Rights (ICCPR).²⁶ The plaintiffs specifically challenged the following Georgian statutes:

1. Article 36(1) of *The Law of Georgia on “Elections of Local Representation Bodies-Sakrebulo”* which denies Georgian citizens, displaced due to conflicts in Abkhazia and Southern Ossetia, to elect local representatives;

²³ A provision is made instead to extend the mandates of the eight deputies from Abkhazia until elections are held there. The two seats from Southern Ossetia remain vacant.

²⁴ Simon Bagshaw, “Internally Displaced Persons and Political Participation: the OSCE Region.” An Occasional Paper. The Brooking Institute Project on Internal Displacement: Sept. 2000. Available at: <http://www.brook.edu/fp/projects/idp/articles/200009.htm>

²⁵ <<http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FWorkingDocs%2FDoc02%2FEEDOC9480.htm>> (5 Aug., 2002).

²⁶ Articles 5.1 and 5.2 of the Constitution of Georgia states: “In Georgia, people are the source of the State authority. The state authority is exercised within the framework established by the Constitution... People exercise its power through referenda, other forms of direct democracy, and its representatives.”

Article 28 of the Constitution of Georgia states: “Every national of Georgia aged 18 has the right to take part in the government of his country, directly or through freely chosen representatives. A citizen is not entitled to participate in the elections and referenda if he/she is declared to be incapable by the court or is serving his/her sentence in a institution under a trial court decision”

Articles 21.1 and 23.1 of the Universal Declaration of Human Rights states: “Everyone has their right to take part in the government of his country, directly or through freely chosen representation. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which willing by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”

Article 25(a) and (b) of the International Covenant on Civil and Political Rights states: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions, to take part in the conduct of public affairs, directly or through freely chosen representatives. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.”

2. Article 33(1) of *The Organic Law of Georgia on "Elections of Parliament of Georgia,"* which states: "a separate list shall be made for [IDPs] and they shall not participate in the elections of one -mandate districts under majority system";

The Court ruled against the Appeal on December 21, 2000.

As to *The Law of Georgia on "Elections of Local Representation Bodies-Sakrebulo,"* the Court refused to rule on as Article 36(1) and (2) as they specifically referred to the 1998 elections and did not apply to future elections of local representative bodies. Furthermore, the Appeal was submitted 10 days after *Sakrebulo* elections were held, and thus the action was null and void.²⁷

Regarding Article 33(1) of *The Organic Law of Georgia on "Elections of Parliament of Georgia,"* the Court rejected the appeal for four primary reasons:

1. First, the Constitution and Organic Law allows enactment of special electoral provisions during extraordinary situations, (i.e., the conflict which caused Georgia to lose effective control over a part of its territory), so preventing IDPs from voting was not unconstitutional;
2. Second, the displaced already had representation in the form of deputies from Abkhazia, whose mandates were extended since 1992;
3. Third, the Court reasoned that: a) the law established single-mandate districts only for those persons residing in the district; b) IDPs had a formal-legal claim to displaced status and therefore did not reside in the mandated districts; and c) therefore, they had no claim to participate in electing single-mandate representatives from districts where they did not reside;²⁸
4. Finally, the Court found that the "special lists" were not discriminatory because the same rules applied to everyone.²⁹

Nonetheless, Zaur Zjinjolava, one member of the Court panel, wrote in a dissenting opinion, arguing that Article 28 of the Constitution allows only three restrictions on the right to vote in Georgia: 1) age, 2) Georgian citizenship, and 3) a formal declaration of

²⁷ This ruling was based on Article 31(3) and Article 46(2) of the Law of Georgia on "Normative Acts", and Article 13(2) of Georgia Law of Georgia on "Constitutional Court Proceedings."

²⁸ The only English-language source of this apparently tautological argument is an unofficial translation that is difficult to decipher. The exact wording reads: "...Article 15 of the *Organic Law on 'Elections of Parliament of Georgia'* prescribes setting up of one-mandate districts according to administrative and territorial division what means that only the persons dwelling on a certain territory are entitled to participate in the elections of this territory. The fact that persons forcibly displaced from Abkhazia enjoy the IDP status (and they have not made their status disputable) and receive assistance from the State acknowledges once again that Abkhazia shall be deemed as their place of residence which is beyond jurisdiction of Georgia; it means that it is not possible to hold elections under majority system with the participation of IDPs. Otherwise, the very concept of the majority system would lose its meaning because it implies holding of election on particular places."

²⁹ The Court concluded: "The legislation prescribes the same compulsory rule of registration for everyone without any discrimination against IDPs who are registered under special rules by the Ministry of Refugees and Accommodations, until the possibility of return is created, but they are not restricted to undergo regular registration in the Interior bodies."

inability to vote by the court, or serving a sentence in a prison facility under a trial court decision. “Consequently, it is clear that [limiting the] participation of Georgian citizens displaced from Abkhazia ... is not provided for by Article 28 of the Constitution...”³⁰

This explicit denial of voting rights to IDPs on the part of Georgia was raised in the UNHCR and the UN Human Rights Commission in 2000. The Commission demanded that Georgia clarify the political rights of IDPs as per Article 25 of the International Covenant on Civil and Political Rights (ICCPR).

In 2001, the Georgian Parliament passed *The Organic Law of Georgia: Unified Election Code of Georgia*, (“Unified Electoral Law” amended in 2002)³¹ which removed the explicit prohibition on IDP voting for the majoritarian districts. According to the new UEC, the registration and voting scenario for an IDP should unfold as follows: The Ministry of Refugees and Accommodations transfers data from the IDP electronic registry to the relevant District Election Commission (DEC). The IDPs are then placed on a supplementary voters list. They are registered from their address of actual residence. As voters, they are issued “voting licenses” or invitations to vote. The IDP then takes part in both the majoritarian and proportional legislative elections.

Unfortunately, the UEC now appears inconsistent with the Law of Georgia on Internally Displaced Persons -- Persecuted. For example, the UEC has no language to suspend or otherwise deprive IDPs of their status if they participate in majoritarian elections. However, Article 6(2)(c) of the IDP law specifies that IDP status is lost if the IDP “... settles and registers in a region of Georgia [where the conditions for definition as an IDP do not pertain].” It is unclear whether the IDP law includes the act of registering to vote. According an opinion issued by the European Commission Democracy through Law (Venice Commission), while the new election code makes some improvements, it still requires major revision.³²

The lack of clarity regarding whether IDPs lose their status if they register to vote in their current district further discriminates this population’s political rights.³³ Aside from the

³⁰ *Citizens Besarion Pantsulaia, Elgudja Guledani, Djemal Mikeladze, Murman Zaqaraia and Manguli Khubua v. Parliament of Georgia*, no Page numbers.

³¹ The Organic Law of Georgia: Unified Election Code of Georgia, 11 September 2001. Available from: <http://www.legislationline.org/get.php?id=1561&dots=4.0.0.&country=18&intst=0&topic=1&subtopic=0&subsubtopic=0> Note that the Unified law does not explicitly grant the right to vote for single-district representatives, but it no longer explicitly prohibits them from voting either, and some analyses conclude that it trumps the previous prohibition.

³² European Commission Democracy Through Law (Venice Commission), Opinion on the Unified Election Code of Georgia on the Basis of Comments by on the basis of comments by Mr. Hjörtur Torfason (Member, Iceland), Mr. Florian Grotz (Expert, Germany) Mr. Richard Rose (Expert, United Kingdom) Opinion no. 182/2001_geo Strasbourg, 24 May 2002, Available from: <http://venice.coe.int/site/interface/english.htm> (7Aug., 2002). [*hereinafter*, Venice Commission]

³³ In interpreting the International Covenant of Civil and Political Right, the Human Rights Committee of the United Nations has state that: “Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence, or descent, or by reason of political affiliation. No person should suffer discrimination or disadvantage of any kind because of the person’s candidacy.” Human Rights Committee, General Comment 25, “General Comment under

right to vote, registration is a requirement to stand as a candidate at the local or regional levels. The UNDP describes two categories of voting by IDPs: Active votes – the right of a Georgian citizen to elect the President of Georgia, member of the Parliament, members of a representative body of local self-governance – Sakrebulo, Gangebeli or Mayor; and passive votes – the right of a Georgia citizen to be elected President of Georgia, a member of the Parliament, or a member of a representative body of local governance – Sakrebulo, Gangebeli or Mayor. However, the vagueness in the current legislation “often causes flagrant violation of IDPs’ political rights.”³⁴ In particular, an IDP’s right to contest for public office is compromised by inconsistencies between the Law of Georgia on Internally Displaced Persons, which holds that IDP status is lost if the displaced person acquires a permanent place of registration and the 2001 UEC, which requires that candidates for elected office must demonstrate their “place of registration.” As a consequence IDPs must make a choice between contesting elected office and maintaining their IDP status and benefits.

UNDP has assisted the CEC in assembling an electoral calendar based upon the statutory dates described in the law. The “red letter” dates on the calendar that are of interest to the IDP and migrant communities are shown in the table below:

Electoral Event Calendar 2003
IDP/Migrant Dates and Activities of Interest

Date	Activity of Interest	Relevant Election Code
June 5	Data from Ministry of Refugees to CEC	128.1
August 19	Deadline for any changes to data	128.4
August 29	CEC establishes election districts (committees)	128.1
September 1	Transfer of registration data from abroad	128.1
September 2	CEC establishes election precincts (committees)	16.2, 16.7
September 13	CEC separates voters unified lists and transfers to DEC's	128.2, 128.8
September 15	DEC's transfer to Precinct Election Committees (PECs)/PECs display lists	128.8
October 13	Deadline to submit appeals of voters list	77.16, 77.17
October 18	Official publication on candidates and parties	75.1
October 23	PECs publish corrected lists	---

Article 40, paragraph 4, of the International Covenant on Civil and Political Rights,” U.N. Doc CCPR/C/21/Rev.1/Add.7 (1996).

³⁴ Study on IDP Rights, United Nations Development Programme, Tbilisi, June 2003, page 8.

October 26	Relevant election commissions accredit observers	69.6
October 31	PECs distribute voting invitations	22.13
November 2	Between 1300 and 1900 – mobile voting boxes	56.3-7
November 3	Appeals to DEC's	61.6, 77.22
November 5	Appeals decided by DEC's	62.1
November 7	Appeals of decisions by DEC's	62.2
November 10	Adjudicate appeals on counting	---

IDP-Specific Election Issues

Voter Registry

Problems of accuracy with the voter registry in general were cited in many discussions. In fact, the CEC's management of the public presentation of the preliminary electronic voter registry will be a key confidence-building factor in this election. At least two political parties have compiled their own voter registries for comparative purposes. News organizations indicated that the voter registry would be the subject of investigative journalism.

The IDP and migrant issues relate to the registry in the following fashion. First, IDPs are currently placed on a supplemental list. This kind of official separation of names is inconsistent with other efforts to promote equality of all citizens, including those displaced. Concern was also expressed that the use of the supplemental list opened an opportunity for manipulation of voter identity and confusion over how the supplemental list will be factored into the turnout figures. A turnout of one third of the voters is required for an election in Georgia to be valid. Concerns were expressed that the supplemental list could be used to either make the threshold or not.

The second area of concern relates to economic migration. The figure of 1.2 million economic migrants was frequently mentioned. It was also admitted that the CEC did not know how many of these migrants' names are on the voter registry. The concern is that if individuals are known to be gone for extended periods of time, their impersonation could occur at the polls. The more people who are absent, the more pervasive the practice can become.

Extension of the Abkhazia Deputies' Mandates

For every parliamentary election cycle since 1992, the Members of Parliament (MPs) representing districts in Abkhazia who were elected that year have had their mandates extended by the parliament and without a popular vote. The extension of mandates was

discussed in many meetings. For those who favored extending their mandates without an election, the motivation was a practical one that poses how an election in Abkhazia could be conducted under current conditions. Some contend that the extension is unconstitutional while recognizing that the modalities of organizing an election in the area affected have not been identified. Many of the interviewed expressed criticism about the incumbents because this extension has shielded them from constituent accountability and that those displaced from those districts may not be receiving adequate representation in the parliament.

Voting in Majoritarian Districts by IDPs

As described elsewhere, Georgian IDPs have experienced an evolving and expanding set of electoral rights during their decade of displacement. Although many of those interviewed agreed that IDPs should be able to participate in the majoritarian elections, the concern expressed was that IDPs in certain key districts would overwhelm the traditional local vote.

Out-of-Country Registration and Voting

In addition to the issue cited above concerning the unknown impact of the absence of 1.2 million citizens on the potential for voter impersonation, the modalities of voting abroad were also cited as concerns. Under the current process, Georgians abroad are required to register and cast ballots at embassies and consulates. There are only around 38,000 Georgians on the voting abroad registry. This process was cited as a concern because it pre-supposes that Georgians abroad are residing and working in full compliance with the local laws; it presumes that Georgians abroad regard their embassies as politically neutral ground; and it assigns only one to three locations in each country for registration and balloting.

Political Party Advocacy

Political parties have chosen to emphasize an advocacy for IDPs to return to Abkhazia over an advocacy for the government to improve IDPs' living conditions. This political calculation presumes that an advocacy for returns will hold more public appeal than an advocacy for improved conditions for IDPs. By advocating that IDPs need improved residences, health care, and education, there is a tacit policy surrender that the IDPs will be displaced for the foreseeable future.

UNDP representatives also observed that the IDP vote does not appear to be a bloc for any particular political party. In discussions with several party representatives, the accepted political logic is that the key to the IDP vote is not through advocacy of improvements in their living conditions, but rather an advocacy for their return to Abkhazia. This lack of a coalition of political and humanitarian advocates to press for improvement in IDP living conditions has left the IDPs without an effective political voice to advocate these issues effectively for themselves.

IDP Political Advocacy

The improvised and often transitional nature of the IDP communities does not support the development of a civil society component of everyday life. Neither do such circumstances promote the development of local political leaders or political organizations capable of promoting issue advocacy. As a result, the IDP communities are lacking the community representatives who could serve as public advocates for the IDP community.

IDP Awareness of their Political Rights

There was a consensus of those interviewed that IDPs are unaware of many of their political rights. As a result, their community's ability to pursue improved conditions is compromised. Compounding this difficulty is a general lack of awareness by government officials and the public on what entitlements IDPs possess under the law.

Identity Documents

Under the procedures established by the Ministry of Refugees and Accommodations, IDPs have undergone a multi-step documentation process. Because of the record keeping of this Ministry and the CECs access to it, the potential for widespread or systematic voter impersonation in IDP communities is reduced. However, many of those interviewed expressed concern about identity document forgery in general and its impact on the voting process. When these concerns about document forgery are coupled with the absence of an unknown number of voters who are economic migrants, the potential exists for widespread and systematic voter impersonation.

IDPs and Media

Although the crowded living conditions of the IDPs create a form of societal segregation for them, there appears to be numerous media channels through which they can consume news and information. Representatives of news organizations and humanitarian groups, such as the Norwegian Refugee Council (NCR), that provide IDPs with public information, report that the literacy rate is high among IDPs and printed materials resonate well within these communities. In addition, media organizations, for the most part, contended that they give adequate coverage to IDP issues.

The newspaper *24 Saati* purports to have IDP coverage several times a week in its main edition and it supports the publication of regional editions that also contain IDP-focused reporting. However, the editor-in-chief considers IDP readership low and has attempted to bolster readership through a program of small grants to assist in distributing regional newspapers to IDPs at no cost. UNDP also described a similar distribution program that it supports. The newspaper anticipates special stories and features on the elections beginning in September.

The editor-in-chief of *Mtavari Gazeti* also stated that the newspaper carried daily stories about IDPs. She also indicated that IDPs offer unsolicited letters and articles to the publication, implying that the readership may be more robust than that cited by *24 Saati*. However, no circulation figures for IDP communities are available. She also observed that letters from the Gali region are often sent in anonymously.

Television organizations contacted included a new, private station and Georgia State Television. *Imedi TV* was only two months old when contacted and did not currently include either the elections or IDPs in their programming. However, its head of information services indicated that as the elections draw closer, there will be a regular election feature hosted by Mr. Giori Targamadze, a well-known Georgian journalist. The station was also open to the development of spots to better inform IDPs of their electoral rights. *Imedi TV* is a for-profit enterprise that will solicit advertising from political parties.

The Deputy Director of State Television networks indicated that the network provides IDP news programming to both inform IDPs about news events as well as to cover their conditions and situations. State Channel 1 covers 90 percent of Georgia and Channel 2 covers 60 percent. TV Abkhazia covers 55 percent of Georgia, but all of Abkhazia with Georgian and Russian language programming. During the electoral campaign, political parties are given equal access to present their platforms three hours per day on Channel 1. In addition to the three hours requirement, the station programs talk shows and debates on electoral issues.

For refugees and economic migrants, the Ministry of Foreign Affairs reports that there are Georgian language television stations in most major Western European cities. However, there are no cross-border broadcasts from Georgia to Russia for refugee and migrant audiences in Russia. Georgian language print media is also available in Russia and Western Europe. In Moscow, the Georgian embassy publishes a small newspaper for local readership.

IDPs and Political Parties

The views of political parties on IDPs and elections were solicited from representatives of the main opposition and government groups. In each case, parties reported that they conducted political campaigning within IDP communities and generally saw the IDP vote as divided between opposition and government loyalists.

Labour Party of Georgia (LPG)

The LPG was first registered in 1995 and considers itself in opposition to the current government. Its economic policies tilt to the left in land and agricultural reform. Its current Chair, Shalva Natelashvili, is a lawyer and former Chair of the Juridical Commission of Parliament.

The LPG supports the voting of IDPs in majoritarian districts and ending the extension of the Abkhazia deputy mandates. The LPG representative also expressed concern about the integrity of the voter registry, indicating that the supplemental list presented a management difficulty. He also expressed concern about vote buying from the displaced and other forms of coercion such as police at polling stations. He noted the office of the Ombudsman had been compromised by involvement in the electoral process by joining an election-monitoring mission. An electronic version of the voter registry was also cited as a necessity for these elections to be credible.

Coalition for New Georgia

At the time of the interview, the Coalition had not yet become a *bone fide* political party under Georgian law, but that was the intent of its organizers. The Coalition was described as a bloc of several parties and nongovernmental organizations.

With regard to political advocacy on behalf of IDPs, most of the other political parties that were interviewed echoed the Coalition representative's policy position. When asked how the Coalition would advocate for better conditions for IDPs, the representative stated that their advocacy focus was on return to Abkhazia and not on improvement of conditions. He indicated that it would be a "political mistake" to emphasize conditions over returns as a vote generating issue. The logic in this position is that if a party would advocate for better conditions, it would be interpreted as a tacit admission that the IDP status was more than temporary and that the likelihood of returns was somehow diminished. In any case, he indicated that the Coalition would not do much campaigning in the IDP communities.

He also echoed the common opinion that the IDPs' political loyalties are probably divided among at least four parties – LPG, Abkhazia Liberation Party, New Georgia Party, and Union of Democratic Revival. The coalition did not support IDP voting in majoritarian districts because of the impact that it would have in such areas as Zugdidi. The representative cited concern about vote buying in IDP communities, the so-called "Russian Carousel," a typical "chain voting" operation. For the electoral process to have credibility, an electronic voter registry was necessary.

United Democratic Party (UDP)

The UDP theorizes that most of the IDP votes would go to opposition parties while acknowledging that the government will receive a portion of the IDP votes. The party also objects to the voting of IDPs in majoritarian districts. Campaigning in IDP areas was admitted to be difficult and parties use various approaches to obtain IDP votes, including humanitarian and financial incentives. However, the UDP campaigns for IDP votes on the issue of returns to Abkhazia. The party supports an electronic voter registry.

New Rights Party (NRP)

The NRP is a newly registered entity and has been described as representative of business and commercial interests. The party spokespeople emphasized that they did not support the extension of the current mandates of the deputies from Abkhazia. Although they have not yet formulated a tangible alternative, the party is proposing to explore other modalities of representation. However, forms of absentee balloting are not supported because of potential exposure to fraud and manipulation.

This party spoke more to the issue of IDP conditions than other parties interviewed. On June 27, the party made a presentation of some new proposals concerning IDPs. The new initiatives in their party platform include micro-business and street vendor incentives. They are also concerned about IDP/police relations. The NRP claims to have assembled its own voter registration list for comparison to that of the official CEC list.

Union of Democratic Revival (UDR)

The UDR was originally founded in 1992 under the name Ajaria Revival Union of Georgia. It registered under its current name in 1998. Its founder is Aslan Abashidze.

The representative stated that the CEC had lost credibility in 2002 because of blatant fraud. This credibility gap led to the deadlock in 2003 over the membership of the CEC. At the time of the interview, the parliament was discussing the composition of the CEC. This debate has stalled preparations for elections.

The representative expressed concern about the voting by IDP in some areas because the number of IDPs would overwhelm the traditional resident population. Absentee ballot options for IDPs were summarily ruled out because of the potential for fraudulent use. The representative stated that the social protection for IDPs is low. It is difficult for parties to work with IDP communities. Overall, it is a divided community with political loyalties to many parties. He observed that the Southern Ossetians in Northern Ossetia would probably not return. The representative indicated that there were three priorities for this coalition: 1) establishment of the new CEC; 2) approval of the amendments to the election law; and 3) participation by IDPs. He also noted that the Ombudsman was supporting the voting by IDPs in majoritarian districts. The necessity for an electronic voter registry was also cited.

IDPs, Domestic Observers and Non-Governmental Organizations

International Society for Free and Fair Elections (ISFED)

ISFED is a national election monitoring organization established in 1995. In recent elections, it has fielded a national network of 3,000 monitors. ISFED also conducts parallel vote counts. Its principal concerns are with the integrity of the voter registry, fraudulent identity documents, and the uncertainty of how many economic migrants remain on the registry but are not resident at an official address in Georgia or are outside

of the country. ISFED estimates that one million people are currently residing at locations other than that of their registration inside Georgia.

They intend to monitor the vote in IDP communities and to recruit IDPs as election monitors. ISFED expressed concerns about the effectiveness of the Ombudsman in addressing either electoral or IDP issues. ISFED observed that IDPs do not appear to be the captive bloc vote of any particular political party.

Liberty Institute

The mission statement of the Liberty Institute reads in part, “The top priority of our activism is defence of civil rights and liberties, freedom of speech, freedom of religion, property rights, freedom of association and fair elections for Georgia.” During the interview, the Institute’s representative said that their mission covers everyone’s human rights and that certainly includes IDPs. The Institute is establishing a rapid response program to monitor and address violations of human rights.

The Institute intends to conduct a public awareness campaign to explain electoral rights and stated that IDPs are reluctant to complain about their rights being violated because they do not understand their rights. The Institute supported allowing IDPs to vote for single mandate representatives in their current place of residence. The Institute is not planning to monitor the electoral process; however, it maintains alliances with monitoring groups for information and insights about the elections. The Institute representative indicated disappointment with the Ombudsman’s performance regarding elections and IDPs, but said that it is an improvement over past practices. The Institute will implement its programming through a network of NGO partners such as Article 42 and the Georgia Young Lawyers Association.

Former Political Prisoners for Human Rights

The Former Political Prisoners has established a coalition of election monitors including the office of the Ombudsman and five other NGOs. This organization intends to have a two-person monitoring team in every IDP polling station. The team will include one displaced and one non-displaced observer in IDP communities.

The organization has taken issue with the political positioning of ISFED and the Liberty Institute. Its representative stated that they had become too closely associated with opposition political parties, in particular the National Party and New Democrats.

The Former Political Prisoners does not support the extension of the mandate of the Abkhazian deputies. They intend to gather signatures to hold a referendum on the issue of the extensions. It is their plan to use IDPs in the process of collecting 200,000 signatures to support the referendum. It is their belief that this signature collection exercise will assist the CEC in the scrutiny and update of the voter registry.

Georgian Young Lawyers Association (GYLA)

GYLA believes that IDP participation is important to the election process although its representative stated that repatriation is the “durable solution.” GYLA has described the evolution of the IDPs’ right to vote as a legal precedent that could be further expanded. However, full electoral rights may also represent a problem for a future solution because people will become increasingly integrated into the local community and will choose not to repatriate, if that option becomes open.

GYLA has expressed concerns that the electoral process is exposed to manipulation resulting from the use of a supplemental voter list at the polls such as those used for IDP voters. From a constitutional standpoint, the representative contended that the extensions of the mandates of the Abkhazia deputies were not valid. However, the modalities of an election for these seats have not been developed.

Religious Organizations

The role of religious organizations in IDP communities is humanitarian in nature. These efforts are often conducted in partnership with a global association of similar denominations such as the United Methodists or the Salvation Army. In discussions, the outreach activities of religious organizations and IDP communities were considered modest and low key by comparison to the program of the government of Georgia and international organizations.

IDPs and International Organizations

The international community has organized a Technical Election Working Group meeting once every two weeks to provide coordination among the donors. The organizations participating in this Working Group include the OSCE as host, UNDP, OCHA, EC, CoE, USAID, and NGOs such as IFES, NDI and IRI, and the American Bar Association’s Central and Eastern European Law Initiative (CEELI). IOM was invited to participate in the working group during the course of the mission. Policy guidance from the Technical Election Working Group is passed upward to the Ambassadors’ Working Group, composed of representatives of interested governments with embassies in Tbilisi.

Additionally, such organizations as the UNHCR, United Nation Observation Mission in Georgia (UNOMIG) and other refugee support agencies, although not involved with elections, have insights about the IDP communities that may be relevant to the electoral process.

European Commission (EC) and Council of Europe (CoE)

The EC’s involvement in election assistance is through the European Initiative for Democracy and Human Rights, a broadly based democratization program. The Initiative intends to provide funding for a voter education program for the election. This program is

co-funded by UNDP. The EC also works with World Vision on health projects. The EC and CoE representatives described the IDP community as fluid, with around one million people in some state of movement around the country. They pointed out the critical role that the government of Russia plays in attempting to resolve the Abkhazia issue and, by extension, the IDP issue.

United Nations Development Programme (UNDP)/Office of the Coordinator for Humanitarian Assistance (OCHA)

The UNDP, in cooperation with OCHA and representatives of the Georgian government has initiated a “new approach” to addressing the needs of IDPs.³⁵ The objective is to assure that IDPs enjoy the same political rights as other Georgians. However, the UNDP study revealed a widespread ignorance among IDPs about their political rights. They do not know what laws pertain to them or how these laws are to be implemented. As a result, they may lose opportunities to secure benefits that are entitled to them by law. The UNDP project anticipates a voter education component in its program with messages disseminated in the Georgian, Russian, and Mingrelian languages.

The study also revealed that IDPs are vulnerable to coercion because of their precarious economic and residential circumstances. IDPs were described as residing in a sort of “limbo” with little progress made toward implementing either of the two options – reintegration or return. Their status was described as “temporary integration” in the current, and often changing, place of residence. The study revealed that there is no systematic method of monitoring IDP conditions and abuse of political rights.

The “new approach” rights study will be followed by a vulnerability study that will explicitly examine IDPs’ health, residential, social, legal, economic, and political exposures.

United Nations High Commission for Refugees (UNHCR) and Norwegian Refugee Council (NCR)

Those interviewed agreed that IDPs mistrust political institutions in general and that this impression may dampen their turnout to vote. Non-displaced citizens have economic difficulties and the problem is compounded for IDPs. Access to information by IDPs is also a problem. In fact, there is a suggestion of disinformation targeting IDPs and conveying the false impression that if an IDP registers to vote, their IDP status is eliminated.

The refugees from Southern Ossetia have largely been integrated into Russian society. Although UNHCR has sponsored programs of returns to Southern Ossetia from the north, there have been few participants. Many of those returnees who participated only stayed temporarily and returned to Russia.

³⁵ UNDP, “Study on IDP Rights.”

United Nations Observer Mission in Georgia (UNOMIG)

The involvement of UNOMIG in the IDP and elections issues concerns only election-related conflict and its impact on the ceasefire. Its mission is to monitor the ceasefire and obtain political agreement on the status of Abkhazia. The UNOMIG representative pointed out that OSCE and CoE had the leading positions on electoral issues, however, UNOMIG could monitor election-related conflict that has an impact on the ceasefire.

IDPs and Georgian Government Agencies

Central Election Commission (CEC)

The Ministry of Refugees and Accommodations provides the CEC with an electronic database of registration information on IDPs. The CEC considers the data it receives to be well organized and accurate. For voters outside of Georgia, there are polling stations established in Sochi, Moscow, and St. Petersburg. There is also border voting with polling stations established in locations contiguous to Abkhazia and Southern Ossetia. Ethnic Georgians from Gali cast ballots in the Abkhazia border locations.

The CEC reported that it has received government funds for voter education programs for the first time. Some of this funding will be used for programming in IDP communities. There has always been IDP Abkhazia representation on the CEC as well as a representative from Adjara.

Ministry of Refugees and Accommodations

This agency is responsible for the welfare of IDPs, in particular, the “persecuted persons” who were displaced from Abkhazia or Southern Ossetia. The agency maintains an electronic database of IDPs that is forwarded to the CEC for inclusion as a supplemental list to the voter registry. The agency estimates that perhaps three percent to four percent of the total displaced population has not registered for IDP entitlements.

The database contains 18 separate items of information on each individual collected through the completion of an initial identification form. IDP families are also asked to complete a form with familial data. This registration information was collected from IDPs in all 72 districts of the country. This agency has an office in each municipality. Identity documents for the IDPs are changed every year to deter fraud although the card is not used for any legal purpose other than IDP identification for entitlements. These two forms represent two steps in IDP registration. First, the spontaneous displacement that occurred meant that large numbers of people were forced to flee without documentation. Thus, individual identity had to be re-established. Next, the family group needed to be legally reconstituted and the family form completed.

The government established a special commission in the mid-1990s to facilitate re-establishment of official identities for IDPs. A form of social documentation was

employed that permitted three documented witness to testify supporting an identity claim. At that time, individuals received a unique identity number.

The single greatest concern of the agency is the poor quality of accommodations for IDPs. Many IDPs reside in deplorable conditions, as the Ministry has not received sufficient funding to conduct any maintenance of or repair to IDP residences for at least five years.

Interior Ministry

The Interior Ministry has recently implemented a series of steps to improve the identity and registration systems. This Ministry recently supported the electoral process by conducting a door-to-door canvass in partnership with local governments in order to obtain updated residential data that could eventually be used for the voter registry. This exercise also combined crosschecks for duplications with Justice Ministry prisoner records, military personnel, and those registered to vote abroad. As the canvass did not include all IDP areas, the Ministry used the database of IDPs from the Refugees and Accommodations Ministry to account for this segment of the population. These data have been forwarded to the CEC for development of an updated, electronic voter registry.

The door-to-door canvass involved 3,000 people and required two months to complete. Chairs of village councils also maintain copies of the canvass results. The Ministry claims an accuracy rate of 90 percent on the data that it has recorded. Those not appearing on the list include inhabitants of remote, mountainous areas and economic migrants who are outside of the country. For economic migrants, the exercise could amount to a kind of “negative registration.” If a canvasser discovered that residents were abroad but intended to retain their current residence, their absence on Election Day would be a matter of record known to the canvassers and their partner Ministries.

The migrants can be assumed to desire a level of privacy if that migrant did not register to vote with a Georgian embassy or consulate. However, that privacy factor is reduced through the door-to-door canvass because the migrant’s status may be revealed by his/her absence. If his/her names appear on the voter registry, their valid registration could be targets for voter impersonations on Election Day.

Ministry of Foreign Affairs (MFA)

The MFA is engaged in the IDP issue in several respects. First, it is working with the international community on resolution of the status issue for Abkhazia. The MFA representative cited positions that Russia has taken on the status issue that were obstacles to a settlement. Second, the MFA is working with governments in Western Europe on job creation programs for Georgian economic migrants. Third, the MFA is a partner with the CEC in the conduct of voting abroad. A special committee of the CEC and MFA oversees the migrant electoral process. The CEC is responsible for administering and certifying the out-of-country registration and balloting; however, MFA staff in embassies and consulates conducts the actual voting process. The basic problems with the process

that were cited include: 1) insufficient financial resources to conduct a broader electoral process; and 2) reluctance on the part of migrants to register at embassies.

Other Ministries

Meetings were also held with the Ministries of Justice and Special Affairs. However, both Ministries indicated that they did not have mandates that included issues concerning elections and IDPs.

Action Plan

The purpose of this Action Plan is to propose a course of assistance programming that can facilitate IDPs' participation in the electoral process and their achievement of political rights equal to those of other Georgians. The strategic approach to the Action Plan includes both a short-term (pre-election) and long-term (post-election) dimension. Over the short-term, the objectives are to create a political environment for IDPs that enables them to make free and informed voting choices and to reduce the opportunities of spoilers to use the IDP community as electoral scapegoats to cover other fraudulent practices. There are a variety of assistance initiatives that can be undertaken to support these short-term goals.

Over the long-term, the objective is to employ the electoral process as one of several tools to improve the conditions of IDPs and reform the "extended mandate" method of representation from Abkhazia. Scenarios on how such short and long-term initiatives can be organized are also discussed below.

The Action Plan can be implemented by inserting an IDP dimension into existing election programming and a political rights dimension into IDP programming. On the international levels, the principal actors in election assistance programming include the USAID-funded programs of IFES, IRI, and NDI; OSCE as the lead monitoring organization; CoE in support of monitoring and education programs; and the EC for election technical assistance. The actors in IDP programming include IOM, UNCHR, NRC, ABA-CEELI, and Human Rights Watch (HRW). Other UN institutions are in unique categories. UNDP has both a substantial IDP and an election assistance program. UNOMIG does not have a mandate that concerns elections and IDPs except in ceasefire line monitoring responsibilities and the potential for Gali voter crossing to become electoral hot spots. Domestic assistance partners include the CEC, Ministry of Refugees and Accommodations, political parties, civil society monitoring organizations and media.

The Technical Election Working Group can guide the implementation process during the pre-election phase as well as in post-election issues related to IDPs and political rights.

The Action Plan divides the programming that can be developed into four categories of assistance: 1) Elections and Political Process; 2) Civil Society; 3) Humanitarian; and 4) Monitoring.

Elections and Political Process

This section covers action points associated with assistance to the governmental actors, political parties, and media.

The CEC should assure that the procedure it uses to calculate turnout and the use of the supplemental voters list is consistently done throughout its jurisdiction. Dependence upon the supplemental list for IDPs should be reduced. Since the IDP data is already in electronic form, there are few technical reasons preventing that list from being merged with the larger electronic voter registry.

Extra steps at election conflict prevention and security planning may be required for the border voting in Gali and Southern Ossetia, in Georgian villages in Southern Ossetia, and in locations such as Zugdidi, where the IDP population will be voting in majoritarian district candidates in numbers that rival or exceed the traditional residential population.

Between now and the election, there are few technical actions that can be taken to close the voter registry integrity gap opened by the absence of economic migrant voters and the potential impact on voter impersonation attempts. Potential sources of information on identifying absent voters may be obtained from the data collected by the Ministry of Interior and their local authority partners. There would not be sufficient time or due process to review this data for possible list changes. However, the CEC can organize a post-election audit comparing the names of people that the Interior Ministry data describe as absent with the list of those who cast ballots. Election workers can receive a special short course in document forgery in order to increase awareness of potential voter impersonations and create a potential yet limited deterrent.

Over the long-term, the Parliament of Georgia should also consider reforming the voting abroad program to expand the enfranchisement opportunities for economic migrants. These reform measures should include offering voter registration and balloting at locations others than in embassies.

While recognizing the logic employed for political parties in stressing the issue of IDP returns over IDP conditions, some guidance and facilitation can be given to the parties in the current campaign to advocate on behalf of improving IDP conditions and as long-term parliamentary objectives. There needs to be a de-linking of the returns and conditions issues so that IDP's lives can be improved while the Abkhazia status question continues to be negotiated.

Political parties should also be aware that the election observer community has flagged vote buying and chain-voting practices perpetrated within the IDP communities as a priority concern. With the heightened awareness and visibility that these irregularities will receive in observation reporting, the likelihood of legal or political consequences will be increased over more permissive attitudes that prevailed in previous elections.

Media, elections, and IDPs converge on three issues: 1) access; 2) coverage; and 3) participation. Newspaper distribution programs should be expanded as the Election Day approaches and there is more campaign activity. In turn, both the print and electronic media should increase the coverage of IDP issues as a campaign concern. Journalists should query candidates and parties about how they will improve conditions for IDPs. Finally, IDPs should be encouraged to write letters to the editor and articles for publication about their perspective on the issues. IDPs can also conduct television and radio interviews commenting on the electoral campaign from their perspectives.

Civil Society

An indigenous civil society dimension to IDP life is difficult to identify. For reasons discussed above, the indigenous civil society functions of education, advocacy, conflict prevention, and supplemental services is lacking in IDP communities. As a result, the civil society dimension in the pre-election phase should be largely an educational one conducted through international assistance and local NGOs. Although enhancing awareness of political rights is a long-term educational objective, the pre-election goals should be focused on voting-specific education (where and how) and information on candidates and platforms. By adding an IDP-specific component to existing election education programs, printed voter educational materials can be distributed through local NGO networks, political parties, or international organizations.

Humanitarian

For electoral purposes, humanitarian programs provide opportunities for the distribution of educational materials. Humanitarian groups can be approached to distribute voter education materials and newspapers while they are also providing food, health care, or other services. These civic education materials could also supplement other public information programs that the humanitarian organizations may be undertaking.

Monitoring

IDP participation in these elections should be the subject of a special domestic and international monitoring effort. The reason for this focus is that IDPs are an exposed and almost defenseless population easily subject to electoral coercion. As a result, if they are the subjects of electoral scapegoating for bogus claims of fraud, they will be powerless to respond as a community. As a result, the electoral process needs a third party validation of the integrity of their participation. Special efforts should be undertaken to observe the balloting in IDP communities. International observation groups should request CEC reporting on the out-of-country participation so that this dimension of Georgian elections is fully integrated into the observation process. Monitoring the cross boundary traffic between Gali and section of Georgia outside of Abkhazia should be conducted and recognized as a potential "hot spot" for electoral conflict.

Representation in Abkhazia

One additional category to consider is the issue of representation for Abkhazia provides an opportunity to examine the value elections as a tool for political reintegration. The representational problem can be framed in this fashion. There are several parliamentary districts in Abkhazia, a region recognized to be within the borders of Georgia but whose status has been contested since a 1993 revolt. Parliamentary deputies were elected from these districts in 1992. Because the status of Abkhazia fell into dispute shortly after their election, their mandates have been extended by parliament for each election cycle without any direct popular voting. A new election cannot be held because Georgian authorities cannot conduct an election in Abkhazia. The result has been to limit the accountability of the extended mandate deputies to their constituents and to stall political process development in Abkhazia.

Several political parties interviewed expressed interest in developing new approaches to achieving representation from Abkhazia. These initiatives can be discussed in an all-party colloquium. The conclusions of the colloquium can guide parliamentary reform initiative and the peace negotiations.

Part II - Azerbaijan

IDPs and the Conflict

Azerbaijan, which surrounds the enclave Nagorno-Karabakh, declared independence in August 1991. Nagorno-Karabakh proclaimed an unrecognized separation from Azerbaijan, organized parliamentary elections, and requested international recognition. Fighting broke out in 1992 between Azerbaijan and the Armenians of Nagorno-Karabakh, killing some 30,000 persons. 150,000 to 200,000 Azerbaijanis fled Armenia because of the conflict. A cease-fire agreement signed in May 1994 has been more or less observed, although Armenia used the conflict to occupy Nagorno-Karabakh and six Azerbaijani provinces along the Armenian border and occasional shelling along the front lines continues. Efforts by the UN and the OSCE are ongoing to reach an agreement acceptable to both Armenia and Azerbaijan. The UN has adopted three resolutions in the Security Council to guide a solution to the conflict, but otherwise does not have a mediation role. The task has been delegated to the OSCE-Minsk group.

IDP Statistics, Locations, and Conditions

In Azerbaijan, approximately 272,000 non-citizens were living in “refugee-like conditions” at the end of 2001. The vast majority, some 200,000 persons, are ethnic Azerbaijanis displaced from Armenia. Others included approximately 50,000 ethnic Turks who had been deported from Georgia during the 1940s and were more recently displaced from Uzbekistan in 1988, and approximately 7,000 Chechens. According to the United States Committee for Refugees (USCR), “The roughly 200,000 ethnic Azeris and

51,649 ‘formerly deported’ Meskhetians, sometimes referred to as Meskhetian Turks have largely integrated into Azerbaijan, are eligible for citizenship under the 1998 Citizenship Law, and face no threat of forced repatriation or expulsion from Azerbaijan.”³⁶

At the end of 2002, nearly 570,000 Azerbaijanis were internally displaced. This figure includes roughly 40,000 persons directly displaced from Nagorno-Karabakh and at least 530,000 from regions just outside Nagorno-Karabakh, many currently occupied by Armenia. According to USCR, “about 55 percent settled in urban areas after being displaced, mostly in the capital, Baku, and Sumgait. More than half of the displaced persons still lived in ‘temporary’ accommodations at year’s end, such as public buildings (83,037), hostels (77,309), schools and day-care centers (40,586), abandoned railroad cars (6,512), partially constructed buildings (13,489), sanatoriums (25,740), camp settlements (46,889), and makeshift roadside settlements (14,332). The more fortunate (or well-to-do) lived with relatives or host families (117,303 persons), on farms (28,542), in houses built by humanitarian agencies (35,889), or houses built by the State Committee for Refugees and Internally Displaced Persons (7,848). Another 48,566 were living in apartments that they occupied illegally. The government restricted the movement and residence of displaced people through the continued use of the Soviet-era propiska system, which required the displaced to seek approval from local officials before changing their residences and to register their locations with the authorities.”³⁷

In a recent opinion poll conducted by the International Foundation for Election Systems³⁸ (IFES), Azeri voters expressed the following attitudes on questions relevant to this project.

- Fifty-two percent believe that the current economic situation is bad and additional 15 percent more think that it is very bad.
- Nagorno-Karabakh (66 percent) and unemployment (39 percent) are noted as the biggest problems facing Azerbaijan. However, only five percent believe that refugees are the biggest problems.
- Twenty-five percent of Azeris are not too interested in politics and fifteen percent are not interested at all.
- Seventy-two percent of Azeris believe that they have little influence over governance in Azerbaijan

³⁶ USCR, “Azerbaijan: World Refugee Survey 2003 Country Report.” Available at: <http://www.uscr.org/world/countryrpt/europe/2003/azerbaijan.cfm>

³⁷ [Ibid](#)

³⁸ *Public Opinion in Azerbaijan 2003*, International Foundation for Election Systems

IDP Colloquium

In order to obtain a first-hand observation of IDP residences, a discussion about elections was organized at an IDP camp located in Sabirabad, about three hours outside of Baku. About 40 men attended the discussion. A representative of the local Executive Authority (EA) served as a facilitator for the meeting. The EA representative said that there were around 17,800 people in residence at that camp, organized into three major settlements with 24 villages established within those settlements. The local Executive Authority nominates the main representatives for the entire camp. While the IDPs in residence had fled from all 10 regions around Nagorno-Karabakh, the camp also contains refugees from Uzbekistan and some ethnic Azeri-Armenians that emigrated in the late 1980s.

The IDPs reported no technical problems with voting and did not express concerns about voting in the upcoming presidential elections. Party representatives visited the camp to campaign. Voting occurred at 15 polling stations. International observers were reported to be present. The IDPs serve as members of the local Constituency and Polling Station Committees. Some individuals in the group could articulate detailed electoral procedures and timelines. They reported that the electoral committees are selected on a multi-partisan basis. For example, for Polling Station Committees, New Azerbaijan Party (YAP) nominates three workers, one nominee is nonpartisan, one nominee is from opposition in the National Assembly, and one nominee is from an opposition party not in National Assembly. Votes are counted at the polls under the supervision of the Polling Station Committee.

The IDPs indicated that they possess national identity documents, Soviet passports, or Form 9s. They said that they were part of the recent census exercise. Some said that they have access to radio, television, and newspapers, although none were in evidence during the two-hour visit. They reported receiving leaflets about the election. None of them felt qualified to be candidates for public office. Their principal concern is to be able to return to their homes.

IDPs and Elections

In 1992, presidential elections were held resulting in the victory of the reformist Abulfaz Elchibay, who was ousted in 1993 as a result of a fight for power between armed factions that threatened to destroy the cohesion of the new country. The contest for power following the Republic's independence from the Soviet Union (USSR) and the turmoil surrounding the conflict in Nagorno-Karabakh prevented legislative elections from being held until 1995. As a result of the coup, Heydar Aliyev assumed power, proved capable to restore order and stability, and consolidated his position by winning the presidential election of 1998, which were widely deemed unfair and boycotted by opposition candidates. The country's first legislative elections were held in 1995 under conditions that the OSCE labeled "blatantly fraudulent," and resulted in Aliyev's candidates taking most of the seats in the National Assembly. The most recent legislative elections occurred

in 2000 and 2001,³⁹ showed improvement of some areas of concern to the international community.

Suffrage in Azerbaijan is universal for all citizens who are 18 years or older and are of sound mind. Voting is compulsory. The National Assembly is composed of 125 members elected to five-year terms. 100 members are elected in single seat constituencies by plurality and 25 are elected by a Proportional Representation (PR) system based on closed lists in a single, nation-wide constituency. The allocation of seats is based upon a 6% threshold with the Hare quota and largest remainder mandate system used.

According to the OSCE/ODIHR report of the 2000 and 2001 legislative elections, “As a result of the armed conflict over Ngorno-Karabakh, Azerbaijan has a large number of internally displaced persons (IDPs) of whom 250,000 are registered to vote. They are entitled to vote in both the proportional ballot and the single-mandate constituency contests. Nine constituencies are partly or wholly in occupied [by Armenia] territory. In the case of districts wholly in occupied territories, constituency commissions ‘in exile’ were established. IDP voter lists were created based on information supplied by the Ministry for Refugees and Internally Displaced Persons and the local executive authorities ‘in exile’. The IDPs are dispersed throughout Azerbaijan, with some concentration in Baku. They voted in their places of temporary residence. However, their votes were accounted for in their original constituencies. While IDPs in Azerbaijan have equal rights, the CEC’s failure to issue specific instructions for IDP voting reduced the transparency of the process, led to an ad hoc administration of the process, and prevented observers from following the registration and voting process of IDPs.”⁴⁰

IDP-Specific Election Issues

During the course of the discussions with Azeri counterparts, several issues recurred as topics of concern related to IDPs and elections.

Electoral Access to IDP Communities

Most political parties expressed frustration in not being able to campaign in IDP communities. Exceptions were YAP and the Popular Front – Traditionalist, with their representatives stating that the party does campaign in IDP communities. Campaigning aside, concerns were expressed about the inability of local actors to monitor and observe registration and voting in IDP communities and its consequent impact on election transparency and confidence.

³⁹ Irregularities in the 2000 election resulted in the annulment of results in some districts and repeat balloting occurred in 2001.

⁴⁰ OSCE/ODIHR, “Republic of Azerbaijan: Parliamentary Elections November 5 2000 and 7 January 2001, Final Report.” P. 8. Available at:

http://www.osce.org/odihr/documents/reports/election_reports/az/aze2000fin.pdf

Voter Registry

Concerns were expressed about the overall integrity of the voter registry and the obstacles that political parties faced in obtaining access to it. Since voter registration in IDP communities is not observed, many concerns were expressed about the accuracy of IDP camp registration. Military, prisoner, and registration abroad were also cited as points of exposure for the integrity of the voter registry. The number of economic migrants whose names appear on the voter registry is not certain. If a measurable percentage of the electorate are abroad as economic migrants for extended period, opportunities for voter impersonation are opened.

Political Party Advocacy

While political parties agree on the need to improve the community conditions for IDPs, the campaign rhetoric is directed more to advocate for returns of IDP to their homes. The victimization of the IDP is presented from the perspective of highlighting Armenian aggression rather than to dramatize the IDPs' plights and efforts to improve their conditions.

Cyrillic to Latin Alphabet

The government of Azerbaijan is conducting a program to increase the use of the Latin alphabet in government, commercial, and personal transactions. When most of the current IDPs were thrust into displacement in the early 1990s, the Cyrillic alphabet was widely and officially used. In their current state of displacement, IDPs do not have the same access to this conversion process as others who are regularly receiving information and media. This disadvantage is felt particularly by the older generation and for women in general. As a result, many IDPs are linguistically disadvantaged because of their lack of Latin alphabet skills.

Electoral Dilemmas

Two issues with IDPs and elections remain dilemmas: 1) voter turnout in IDP communities; and 2) IDP access to the media. Opinions expressed in meetings widely diverged and a consensus or rational composite of the situation could not be assembled on one mission alone. With both issues, there was a wide disparity of opinions. In the cases of turnout, some of those interviewed believed that the turnout was traditionally high while others expressed disbelief about the officially reported turnout figures. Likewise, some of those interviewed believed that IDPs had adequate access to television, radio, and print media while others pointed to the lack of electricity in IDP camps alone as a factor that limits access to electronic media.

IDPs and Media

A group meeting of media organizations was convened at the IOM offices. Although media organizations were invited to participate representing both the government and

independent ownerships, only government media representatives attended the meeting. These representatives included Azerbaijan International Radio *Freedom*, Radio and Television Azerbaijan (State broadcasting), and the Azerbaijan Newspaper. While the media representative admitted that access to sources of news was difficult for IDPs, each representative contended that some media reached IDPs. There was general agreement that radio provided the most effective reach and delivery of news to these communities. IDPs participate in talk show formats and these programs are often used to provide an oral recounting of the life in Nagorno-Karabakh and the IDP experience.

For print media, there is no existing survey of readership levels; however, the print news representative stated that over 500 newspapers exist in Azerbaijan. It was contended that with such an array of publications in circulation, the opportunities for IDPs to have access to some print media is high.

IDPs and Political Parties

Meetings were held with representatives of political parties in order to gain their perspectives on campaigning, interaction, and policies on IDPs and their political activities and strategies. Individual meetings were held with party representatives at their headquarters. The current parties were registered during the Popular Front government period (1992-1993). Few parties have branch offices outside of Baku, with the exceptions being the YAP, Popular Front, Musavat, and Azerbaijan's National Independence Party. YAP is the majority party in parliament and that of President Heydar Aliyev. Around forty parties have officially registered to contest in elections.

Azerbaijan Democratic Party (ADP)

ADP is an opposition party that was founded in 1992 in Nakhichevan. Its influence was enhanced in 1998 after Rasul Guliyev, a former Speaker of the Parliament under President Aliyev and presently in exile, became a co-Chair. The other party co-Chair is Ilyas Ismayilov. The party was unable to register and participate in the 1995 parliamentary election. However, by 1999, the party had six MPs, the largest opposition in parliament at the time. The party benefited from defections from YAP.

During the interview, the ADP representative claimed that it was difficult for his party to campaign in IDP communities. At the same time, it was also noted that campaigning is difficult because the IDPs are dispersed throughout the country making it difficult to identify groups of individuals from particular occupied constituencies and difficult to monitor the electoral process in those areas.

New Azerbaijan Party – Yeni Azərbaycan Partiyası (YAP)

YAP was created as the organizational underpinning for the political career of President Heydar Aliyev. It has an overwhelming majority in parliament and provides many of the government's bureaucrats at all levels. The President, his son, brothers, nephew, and sister's son-in-law all have leadership positions in YAP. It took a majority of seats in the

1995 elections. Since that time, it has not been difficult for the president's office to have legislation approved or defeated. YAP has six seats on the CEC and controls the Chair.

The YAP representative stated that they campaign in the IDP communities. They have local offices in areas where the IDPs temporarily reside. Some of their candidates are IDPs from the occupied districts. The YAP representative claimed that IDPs have widespread access to television and radio.

Azerbaijan National Independence Party – Azerbaijan Milli Istiglal Partiyasi (AMIP)

AMIP was founded in 1992 in opposition to the Popular Front government of the time. Its founder, Etibar Mamedov, supported the ascension to power by Heydar Aliyev, but declined to join the government. Its position was that of “loyal opposition” distinguished from the government as different from the “radical opposition” of such parties as APFP and Musavat. Mr. Mamedov ran a credible campaign against Mr. Aliyev in 1998 and his party was subsequently penalized for this strong showing. Many of its commercial and financial backers faced government scrutiny. AMIP remains independent of almost all alliances with other parties.

Its representative believes that IDPs generally do not vote. He indicated that their party is prohibited from campaigning in IDP communities. However, he also noted that IDPs have a high literacy rate and that printed materials are often useful. He believes that IDP voting rights are restricted. IDP voting can be observed in Baku, however, not in the camps. He is concerned about vote buying in the IDP communities.

Musavat

The roots of Musavat extend back to a previous period of Azerbaijan independence, 1918-1920, however most if its current leaders were previously members of the Popular Front. Musavat reconstituted itself and registered as a party in 1993. Musavat is one of the two major opposition parties in Azerbaijan. Its leader, Isa Gambar, is regarded by many as the leader of the democratic opposition. Musavat was the first party in Azerbaijan to use a primary election to select its candidates for the proportional list elections.

The representative indicated that it is impossible to campaign in the IDP communities. He also used the analogy with penal institutions. However, for those IDPs who live in Baku, one can observe their electoral participation.

He is concerned about the falsification of the turnouts and results particularly in voting by IDPs, in prisons, and with the military. He indicated that a parallel count is not permitted. IDPs are probably as well informed as others, but the problem is a lack of electricity for electronic media access.

The representative cited the voting from outside of Azerbaijan as a problem. There are two to three million people residing outside of Azerbaijan as economic migrants and their absence on Election Day could result in systematic voter impersonations.

Azerbaijan Popular Front – Traditionalist – Azerbaijan Xalq Cabhasi (APFP)

Formed in 1989, the APFP - Traditionalist took the lead in the country's national independence movement. It remained a loose coalition even after its formal registration as a party in 1995. Its late Chair, Abulfaz Elchibey, was Azerbaijan first democratically elected president in 1992. The Popular Front government was unseated by a coup d'état in 1993 that brought Heydar Aliyev to power.

The party representative indicated that they do campaign in IDP communities. His party also recognized that for IDPs, uniquely, the issues of everyday life are of greater concern than that of returns. He contended that the IDPs have access to television, radio, and newspapers, although there is little electricity. His party intends to field political party agents in alliance with other parties.

Azerbaijan Popular Front - Reformers– Azerbaijan Xalq Cabhasi (APFP)

After the death of Abulfaz Elchibey in 2000, the APFP splintered into Elchibey loyalists on one side and reformers of Ali Kerimov on the other. The CEC recognizes the APFP – Reformers, led by Kerimov, however both parties are factions and assemble alliances and coalitions on different issues.

The representative believes that IDP participation can directly influence the results of the election. IDPs depend upon the government for their pensions, but their participation may be influenced by other specific problems of day-to-day living. The representative contended that the government could use an IDP pension as a coercive tool to ensure a vote. He also indicated that campaigning in IDP areas could only be conducted with difficulty. He asserted that more international observation in the IDP camps is needed. He contended that parties effectively observe in these areas.

He expressed concern over the lack of knowledge about how many Azeris were economic migrants but whose names remained on the voter registry. He indicated that if the voting were fair, the IDP vote would be split. He believes that the turnout and election results are falsified. He believes that IDPs and armed forces are sources of fraud.

IDPs, Domestic Observers, and Nongovernmental Organizations

A group meeting with several local NGOs was organized at the IOM Baku offices. During this meeting, each group made a brief presentation on its IDP and elections related programming. These presentations were followed by a general discussion. The issues raised in this discussion included an expression of concern that IDPs do not have

sufficient access to radio and television election-specific programming. The general agreement was that turnout in IDP communities would be low.

The National NGO Forum was cited as a potential partner in an IDP education initiative. The Forum is composed of 500 domestic NGOs organized into fifteen divisions. One division is devoted to refugees and IDPs. Another division is focused on elections. The belief was expressed that the Forum could serve as a conduit between these two divisions to provide timely and accurate election information to IDP communities. Using the Forum as a distribution network can also help assure that accurate and consistent election information is reaching the public in general.

Azeri Citizens Union

The Azeri Citizens Union was established in 1990 as a civil society organization to provide IDPs with information about their legal rights.

Solidarity Among Women

Established in 1997, Solidarity has conducted a number of civic education programs in IDP communities. In 2001, through support from Oxfam and International Rescue Committee (IRC), Solidarity conducted a number of rights awareness sessions for IDPs. This program included an issues roundtable held in January 2003 involving traditionally marginalized groups such as women and IDPs. Solidarity has developed six proposals for the CEC to consider that include electoral reform for more IDP inclusion, voter registration among IDP communities, and raising awareness of IDP rights among government actors.

The Solidarity representative described the limitations on international fundraising as the reason that the organization will not serve as election observers. However, she also pointed out that individuals can serve as observers and are exempt from the financial restrictions. Its civic education focus would be on voting rights, candidates programs, and how to get on the voter registry.

Republican Refugee Association

The Association was established in 1988 as a human rights protection organization. The Association representatives stated that there were no problems with registration and voting for IDPs. They were concerned that some individuals sought to be divisive in their manner of raising awareness of the IDP situation. They also expressed their frustration with the inability of the international community to resolve the standoff in Ngorno-Karabakh despite four UN Security Council resolutions on the issue.

Center for Legal Assistance to Migrants

As its name implies, the organization provides legal assistance to migrant, for the most part, to refugees and asylum seekers who have arrived in Azerbaijan as a country of

asylum. This organization has worked closely with the ethnic Azeris who emigrated from Armenia in the late 1980s. In the election, this organization will focus on civic education and awareness projects. Since it receives more than 30% of the funding from international sources, it cannot serve as an election monitoring organization.

IDPs and the International Community

International Rescue Committee (IRC)

The IRC began operations in Azerbaijan in 1994 with a war-related emergency relief program. In 1998, their objectives shifted to community development programming. For IDP communities, one program facilitates the development of projects through an Action Plan concept. In this program, IDP communities elect nine to twelve Action Plan Committee (APC) members from among 20 to 30 nominees. The APC members undergo a three to four day training session on community history, natural resources, potential donors, and a vocation program on economic development assistance. The APCs are independent of government control and empowered to create their own agendas for action. In many ways, APCs represent a unique civil society component for IDP communities. A total of 69 APCs have been established in IDP communities.

Organization for Security and Cooperation in Europe (OSCE), Council of Europe (CoE), European Union (EU)

A meeting was held at the office of IOM with representatives of three inter-governmental organizations, OSCE, CoE, and EU. Of the three organizations, OSCE and CoE are planning the most active involvement in the electoral process; however, IDPs are not an area of focus for them. The OSCE's Office of Democratic Institutions and Human Rights (ODIHR) conducted a pre-election assessment in July 2003 in advance of the deployment of their election monitors. CoE monitors will join those of the OSCE and, in total, the monitors from the two organizations could number as many as 500 persons. The OSCE will field a small group of long-term observers. The OSCE's primary interest is in promoting stability. As IDPs may affect the stability of the country, the OSCE wants to take pre-emptive actions.

The CoE's focus on election assistance has involved media, journalist training, election officials training, and political dialogue mentoring. The EU has neither plans for observing these elections nor any immediate electoral or IDP-related programming.

IDPs and Government Agencies

Central Election Commission (CEC)

The representative of the CEC surmised that around one million people are displaced. Of this number, 400,000 to 500,000 are projected to turn out and vote. Based on the voter registry containing 4.3 million names, that figure represents almost 12 percent of the

electorate. Further, of the 4.3 million on the registry, how many of these individuals are out of the country as economic migrants remain unknown.

Of the 125 constituencies for the National Assembly, 12 of them are in occupied territories, requiring the use of an absentee ballot. In order for IDPs to cast their ballots in parliamentary contest, the CEC must match up their current residence with their occupied residence so that the proper ballots can reach them. The representative believes that the IDP turnout is about the same as the rest of the voting public. The CEC conducts some voter education seminars in IDP camps.

State Department for Refugees, IDPs, and Migration

The Department has been operational since 1996 providing management of IDP communities and humanitarian services. The Deputy Prime Minister believes that the IDPs will vote for YAP because the opposition was in power when they were thrown into displacement.

Ministry of Foreign Affairs (MFA)

The MFA is involved in elections and displacement from two perspectives: 1) attracting resources from international sources for humanitarian assistance; and 2) facilitating the voting abroad program at embassies. The MFA representative also used the figure of one million to describe the number of people in displacement internally because of the Nagorno-Karabakh conflict and the 250,000 ethnic Azeris who came from Armenia in the late 1980s. However, this second group has largely assimilated. Nevertheless, their status remains unique because under Article 5 of the 1998 law on citizenship, these individual obtained full Azeri citizenship. However, in contradiction of that law, an August 2001 decree declared these individuals to be refugees, but residents with all the rights and privileges of other Azeri citizens. As a result, they are both refugees and citizens at the same time.

Voting abroad is conducted solely in the embassies of Azerbaijan. Advance voter registration is required. The voted ballots are dispatched by diplomatic pouch to the CEC in Baku for counting. Voting occurs on the same day at embassies as in the country. The estimated number of Azeri nationals living abroad is between 1.5 million and 2 million persons, of whom around 130,000 are officially registered to reside outside of the country. The CEC is currently considering the options of voting at consulates. It has been approved that on vessels under Azeri flag in Russian territorial waters, the crews can cast ballots.

Ombudsman

The Ombudsman has been in office since July 2, 2003. She indicated a willingness to advocate on behalf of IDPs, but has no relationship with the CEC. She believes that it is more effective to meet with IDP and convey information than simply providing them with written materials. She wants to establish a partnership with NGOs to serve the IDP

communities and has appointed a committee of experts to identify way that she can help the displaced community. The Ombudsman's mandate extends to include Azeri citizens abroad. She has worked with the State Commission on Refugees, UNHCR, and IOM. However, she will not serve as an arbiter of disputes between political parties. The Ombudsman office has a current staff of about 50 people and operates in seven to eight districts.

Action Plan

The purpose of this Action Plan is to propose a course of assistance programming that can facilitate IDPs' participation in the electoral process and achievement of political rights equal to those of other Azeris. The strategic approach to this Action Plan includes both a short-term (pre-election) and long-term (post-election) dimension. The short-term objectives should be to enhance the transparency of the IDP balloting and tabulation process; to increase ballot secrecy; and to strengthen public confidence in the voting at IDP communities.

Over the long-term, the objective should be to employ in the electoral process one of several means to create the political will and identify the resources to improve the conditions of IDPs while in displaced residence. A scenario on how such initiatives can be organized is discussed below.

The Action Plan divides the steps that can be taken into four categories of assistance: 1) Elections and Political Process; 2) Civil Society; 3) Humanitarian; and 4) Monitoring.

Elections and Political Process

This section covers action points associated with assistance to the CEC, political parties, and media. Concerns about the voter registry, in general, have been exacerbated by the limited transparency of IDP electoral processes. Political parties could be granted access to IDP communities through some organized procedure. The local executive authority could organize time for each requesting party to hold meetings in settlements and villages.

Political parties should be encouraged to recognize that a platform advocating improved conditions for IDPs does not imply a conceding to Armenian aggression or legitimating forcible population movements. Coalitions and blocs of parties such as the Consultative Council, Democratic Alliance, Amerde, Democratic Congress, and Movement for Democracy should receive guidance to include advocacy for improvements in IDPs conditions as a parliamentary issues and priorities.

Media, elections, and IDPs converge on three issues: 1) access; 2) coverage; and 3) participation. Newspaper distribution programs should be expanded as Election Day approaches and there is more campaign activity. In turn, both the print and electronic media should increase their coverage of IDP issues. Journalists should query candidates and parties about how they will improve conditions for IDPs.

Civil Society

The existing sixty-nine Action Plan Committees (APCs) established under the International Rescue Committee (IRC) program can be provided with voter education materials for distribution through their camp networks. The APC concept should be examined over the long-term as an indigenous civil society instrument for IDPs.

The National NGO Forum is organized as a national body for civil society coordination and programming. The structure of the Forum involves a series of “specialty committees” that focus on particular issues. The issue of IDPs should be placed on the agendas of both the elections and IDP agendas of the specialty committees of the National NGO Forum.

Domestic civil society organizations such as those listed above should be engaged as indigenous distribution networks to reach the IDP communities with election information in Cyrillic where appropriate.

Humanitarian

Humanitarian organizations providing food, health care or other services directly to IDPs can be asked to deliver voter information leaflets and other non-partisan election information such as a public information function.

Monitoring

The monitoring of IDP registration and voting is almost exclusively in the hands of international observers. The financial prohibitions placed on domestic NGOs and the limited access to IDP settlements for political parties makes their ability to monitor severely constrained.

International and bilateral monitoring teams should schedule visits to IDP settlements as integral components of their overall observation mission. International observer organizations should also request reporting on the out-of-country voting so that this component of the electoral process is incorporated into the scope of routine observation missions. IOM is a member of an IDP working group that include NCR, IFRC, OSCE, IRC, and UNHCR. This working group consults on a wide array of IDP issues and is an instrument for the implementation of the Action Plan.

Part III – Comparative Observations

IDPs in Georgia and Azerbaijan have been displaced for different reasons and reside in differing circumstances. Although each case must be approached independently, there are common regional security issues at stake and IDPs remain a visible reminder of the

protracted and unresolved territorial disputes in the Caucasus. In neither case had the countries involved possessed any recent history or experience with IDPs. The governmental, societal, and political response to this emergency required the creation of a new system of laws, resources, and institutions to provide care and services.

While Georgian IDPs have been displaced by an internal conflict, Azeri IDPs have been displaced by a conflict between two sovereign states. Nevertheless, in both cases, over the short-term there is little likelihood of returns by IDPs to their homes. The representational solution has been to either extend the mandates of the deputies elected in 1992 (Georgia) or elect deputies representing but not residing in the occupied districts (Azerbaijan). With either process, there is a phantom quality to representation being provided.

In both cases, political parties were reluctant to campaign as advocates for improved living conditions for IDPs. The common political logic being shared in the two situations concludes that that advocating improvement in conditions is a tacit acceptance that the IDPs will remain displaced for the foreseeable future. Parties believe that the more attractive vote getting position is to advocate for IDPs to be able to return home rather than to call attention to the current plight of the IDPs. While many IDPs also hesitate to relinquish their right to reside in their original homes and territories, improved living conditions are surely in their interest.

Both electoral processes possess a similar softness in their voter registry involving to economic migrants. In both cases, there are millions of economic migrants, principally in Russia, but no government records on their actual residences. Both CECs stated that the number of economic migrants whose names appeared on the voter registry is an unknown. This translates into a concern in both elections about the potential for voter impersonation when large numbers of people are known to be absent for extended periods.

There is also a shared issue regarding the modalities by which these economic migrants may cast ballots. In both cases, the only registration and voting option is through the Georgia or Azerbaijan Embassies in the host country. For Georgians in Russia, there are three locations to register and vote; for Azeris, there is one. In both cases, the registration figures are very low compared with the speculated number of migrants. Some speculate that many potential migrant voters do not regard embassies as politically neutral ground and choose not to participate, perhaps for ballot secrecy concerns. Others may simply shun registration in order to avoid any encounter with the Georgian government abroad. On the other hand, in both cases, IDPs appeared to be well documented and accounted for by the government agencies serving them.

However, these two cases also possess some stark differences. In Georgia, the IDPs do not appear to be political captives of any party or government coalition. The general belief is that the IDP vote will be spilt among the opposition groups with some votes going to the government coalition. However, in Azerbaijan, the overall political strength of YAP throughout the country will probably be reflected in the voting by IDPs. These

different voting patterns may reflect the fact that IDPs in Georgia are residing in spontaneous and transient communities that vary widely in size. In Azerbaijan, the IDPs are housed in government managed settlements and villages.

The difference in expected voting patterns might also reflect that the IDPs in Georgia appear to have access to print and electronic media; whereas in Azerbaijan, opinions about the access of IDPs to media sources varied widely. Although there were issues concerning the integrity of the voter registry in both cases, the opposition parties in Georgia appear to be more inclined to create a “showstopper” issue from the registry deficiencies than do any opposition parties in Azerbaijan.

Finally, the APCs in Azerbaijan introduced a civil society dimension to IDP camp life that does not appear in Georgia. Such a model could be examined for its potential as an indigenous advocacy and education instrument for other IDPs communities; and as an additional channel for assistance delivery to existing governmental, international, or nongovernmental partners.

Annex 1 – Meetings and Contacts

Georgia (Chronological Meeting Order)

Mr. Thomas Legge, Task Manager (Elections) European Commission

Ms. Natia Japaridze, Director - Information Office Council of Europe

Mr. Gigi Tsereteli, Vice Spokesmen of the Parliament of Georgia (UDR)

Mr. Shalva Natelashvili, Leader, Labour Party of Georgia

Mr. Gia Zesashvili, Central Election Commission

Mr. Shota Dogonadze, Deputy Minister of Foreign Affairs

Ms. Nana Gibradze, Ms. Tamuna Tsivtsivadze, Ms. Nino Zhvania, IDP programs, UNDP and OCHA

Mr. David Avery elections Consultant, UNDP

Mr. Giorgi Tskrialashvili, Deputy Minister of Justice

Mr. Otar Keinashvili, Ministry of Refugees and Accommodation

Mr. Irakli Gogava, Coalition “For New Georgia”

Mr. Mamuka Pachuashvili, editor in Chief “24 saati”

Mr. Dima Shashkin, IRI

Ms. Carolyn Clark Campbell, Country Director ABA-CEELI

Ms. Tamar Karosanidze, Civic Program Coordinator, NDI

Ms. Pikria Chikhradze, “Akahali Memarjvneebi”

Mr. Zorbas Chiaberashvili, leader “samartliani archevnebi” ISFED

Mr. Davit Todua, Deputy Minister of Internal Affairs

Mr. David Glonti, International Legal Department, Ministry of Internal Affairs

Mr. Merab Pachulia, Director, Georgian Opinion Research Business International (GORBI)

Mr. Levan Ramishvili, Director, Liberty Institute

Ms. Nana Kakabadze, Nana Kakbadze, Former Political Prisoners for Human Rights

Mr. Goka Gabashvili, United Democrats

Mr. Giorgi Chkheidze, Rule of Law Program, GYLA

Ms. Tea Kentchadze, International Secretary, New Rights Party

Mr. Patric Tezier , Deputy Representative, UNHCR

Ms. Ulla Backlund, Resident Representative, Norwegian Refugee Council

Mr. Malkhaz Kakabadze, Minister of Special Affairs

Ms. Maja Tabagari, Head of Information Services, “Imedi TV”

Ms. Marina Salukvadze, Editor in Chief of “Mtavari Gazeti”

Ms. Silvana Puizina, Program Manager, IFES

Mr. Ednar Giorgobiani , Deputy Director of the State TV – 1st Channel

Mr. Atanas Baltov, Senior Political Officer, UNOMIG

Dr. Cate Johnson, Democracy Officer, USAID

Azerbaijan (Chronological Meeting Order)

Ms. Hasanova Malahat, Chair, Women’s Union and MP

Mr. Ilgar Mammadov, Deputy Chair for Party Policy, AMIP

Mr. Arif Hajili, Vice-Chairman, Musavat Party

Mr. Ali Karimli, Chairman, APFP (reformers) and MP

Mr. Sadigov Gurban, Deputy Prime Minister and Acting Chief of Department, Problems of Refugees, IDPs and Migration

Mr. Mazahir M. Panahov, Chair, Central Election Commission

Mr. Sardar Jalaloglu, General Secretary, ADP

Mr. Jeff Greene, Assistant Program Officer, IRI

Mr. Ali J. Akhmedoc, Executive Secretary, YAP

Mr. Seymour G. Mardaliyev, Attache, Ministry of Foreign Affairs

Ms. Elmira Suleymanova, Ombudsman, Parliament of Azerbaijan

Mr. Mirmahmud Fattayev, APFP (traditional)

Ms. Ruhangiz Huseynova, President, Solidarity Among Women Social Society

Ms. Janny Boscher, Coordinator, Europa House

Ms. Inkeri Aarnio-Lwoff, Special Representative of the Secretary General, CoE

Mr. Robin Seaward, Deputy Head of Office, OSCE Office in Baku

Representative, International Rescue Committee

Mr. Charles Lasham, Program Manager, IFES

Ms. Kelley D. Strickland, Civil Society Advisor, USAID

Ms. Valerie Ibaan, Humanitarian Response Program Specialist, USAID

Representatives of the domestic civil society organizations the Azeri Citizens Union, Republican Refugee Association, and Legal Assistance to Migrants Society

Representatives of the media organizations Free Azerbaijan International Radio, Azerbaijan Newspaper, and Azerbaijan State Broadcasting Co (TV)

Annex 2 – Organizations and Acronyms

Introduction

CFM	Conflict-Forced Migrant
IDP	Internally Displaced Person
IOM	International Organization for Migration
PEP	Participatory Elections Project
RPG	Refugee Policy Group
USAID	United States Agency for International Development

Georgia

ABA-CEELI	American Bar Association-Central/Eastern European Law Initiative
CEC	Central Election Commission
CIS	Commonwealth of Independent States
CoE	Council of Europe
DEC	District Election Commission
EC	European Commission
GORBI	Georgian Opinion Research Business International
GYLA	Georgia Young Lawyers Association
ICCPR	International Covenant on Civil and Political Rights
IFES	International Foundation for Election Systems
IRI	International Republican Institute
ISFED	International Society for Fair Elections and Democracy
LPG	Labour Party of Georgia
MFA	Ministry of Foreign Affairs
MP	Member of Parliament
NRC	Norwegian Refugee Council
NDI	National Democratic Institute
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
PEC	Precinct Election Committee
PR	Proportional Representation
UDP	United Democratic Party
UDR	Union for Democratic Revival
UEC	Unified Election Code
UN	United Nations
UNCHR	United Nations Commission on Human Rights
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
UNOMIG	United Nations Observer Mission in Georgia
(UN) OCHA	UN Office for Coordination of Humanitarian Assistance
USCR	United States Committee for Refugees
USSR	Soviet Union

Azerbaijan

ADP	Azerbaijan Democratic Party
AMIP	Azerbaijan National Independence Party
APFP	Popular Front Party – Reformers and Traditionalists
APC	Action Plan Committee
CEC	Central Election Commission
CoE	Council of Europe
DEC	District Election Commissions
IFES	International Foundation for Election Systems
IRI	International Republican Institute
MFA	Ministry of Foreign Affairs
MP	Member of Parliament
NDI	National Democratic Institute
NRC	Norwegian Refugee Council
ODIHR	Office of Democratic Institutions and Human Rights (ODIHR)
OSCE	Organization for Security and Cooperation in Europe
UN	United Nations
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
(UN) OCHA	United Nations Office for Coordination of Humanitarian Affairs
USCR	United States Committee for Refugees
YAP	New Azerbaijan Party