



Transparency International Georgia Monitoring Voting by Persons in Preliminary Detention



30 May 2010

Tbilisi, Georgia: On 30 May 2010, Transparency International Georgia is monitoring voting by persons held in preliminary detention in five institutions located in different parts of the country: Gldani Prison #8 (where polling stations #113 and #114 are located), Isani Prison #5, Kutaisi Prison #2, Zugdidi Prison #4 and Khelvachauri Prison #3. Polling stations have been set up in four of these institutions, while the inmates of Zugdidi Prison are voting through a mobile ballot box. According to the information provided by the Central Electoral Commission (CEC), a total of 2,659 persons are to vote in these institutions. The total number of persons held in preliminary detention in these five prisons is over 1,500.

Under the Georgian law, the persons in preliminary detention are to vote both in the majoritarian and the proportional elections if they are relocated within the same electoral district (the Georgian Electoral Code does not contain any relevant provisions for the Tbilisi mayoral election. Consequently, according to the general rule, the residents of Tbilisi are to vote in the city mayor's election and the proportional election without any restrictions). Like all other voters, they must present an identification document (an ID or a Georgian citizen's passport) to the relevant members of the electoral commission in order to receive ballot papers.

Along with monitoring the voting by persons in preliminary detention, the TI Georgia observers are also monitoring the voting by the employees of these penitentiary institutions. The monitoring has shown that, as was the case during the 2008 presidential and parliamentary elections, the employees of penitentiary institutions are voting in these institutions rather than in their places of residence. It has to be noted that, unlike the persons in preliminary detention, the employees of prisons can vote both in the majoritarian and the proportional elections without any restrictions regardless their place of residence.

According to the information available by 3 p.m., only **one** person held in preliminary detention has voted in the election because he was the only one with an identification document on the election day. Observers are not allowed to use their mobile phones at detention facilities, which makes it difficult to receive information from these polling stations.

Transparency International Georgia has, at this point, recorded the following procedural violations in voting by persons in preliminary detention:



- Voting instructions were not displayed at the polling station of Khelvachauri prison #3. After a Transparency International Georgia observer pointed this out, the document was displayed at the polling station;
- According to the reports received from the same prison, none of the 31 people held in preliminary detention there have been brought to the polling station to vote yet. The prison administration has offered no explanation, which hampers the participation of these individuals in the elections;
- In Ozurgeti Detention Facility #4, there are 64 people in preliminary detention registered. The Precinct Electoral Commission that the prison has been assigned to accepted the list of these individuals without personal identification numbers. None of the persons held in preliminary detention managed to vote because they had no identification papers. However, even if they had the documents, they would not have been able to participate in the vote since it would be impossible to identify them without personal identification numbers.

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