



TI GEORGIA MONITORED VOTING BY PRELIMINARY DETAINEES THROUGHOUT THE COUNTRY

- On voting day all prisons were again transferred under the strict regime
- In contrast to the snap presidential election, the majority of preliminary detainees had IDs or passports with them and thus were able to vote in the 2008 parliamentary election

Tbilisi, Georgia - On 21 May 2008 Transparency International Georgia (TI Georgia) deployed its monitors to six preliminary detention facilities throughout the country to monitor voting by preliminary detainees registered in these facilities. According to Georgia's legislation, preliminary detainees (as opposed to convicts) have the right to vote.

TI Georgia's monitors conducted monitoring in six prisons, which had preliminary detainees. These were: Prison No. 1 in Krtsanisi District (Tbilisi), Prison No. 8 in Gldani District (Tbilisi), the Women's Colony in Isani District (Tbilisi), Prison No. 4 in Zugdidi District (Samegrelo region), Prison No. 3 in Khelvachauri District (Ajara region), and Prison No. 2 in Kutaisi District (Imereti region).

The total number of registered preliminary detainees in four prisons was 518. In two prisons the list of preliminary detainees was combined with the list of prison personnel. These two stations had a total of 1123 voters (including both detainees and personnel).

During the 2008 snap presidential election, TI Georgia identified two major obstructions in relation to voting in prisons. These were: (1) transforming of all prisons under the strict regime and (2) inability of 93% of preliminary detainees to cast votes due to not being able to present ID cards or passports as required by Georgia's legislation to receive ballot papers. In the 2008 parliamentary election the Georgian government corrected one of the two highlighted problems. With the exception of two prisons, the Women's Colony in Isani and Prison No. 1 in Krtasini District, the Ministry of Justice had taken care of providing ID cards to the vast majority of preliminary detainees. Thus, this time they had an opportunity to exercise their constitutional right to vote. In Prison No. 1 in Krtsanisi District and the Women's Colony in Isani, however, only 26 out of 79 and 17 out of 78 detainees had ID cards respectively and thus only they were able to vote.

As for the strict regime, all prisons were again transformed under the strict regime on 21 May 2008. Thus, all prison employees were registered to vote at their places of employment and not at their residences. Because Georgian legislation does provide for transforming of specific institutions under the strict regime in specific circumstances, it remains unclear why prison personnel need to be on duty on election day.

TI Georgia did not observe any major procedural violations in the preliminary detentions, except for in Prison No. 4 in Zugdidi, where only 10 out of 139 registered preliminary detainees were able to vote due to a delay in providing the mobile ballot box.

Monitoring Findings by Prisons

Prison No. 1, Krtsanisi District, Tbilisi: Out of 79 preliminary detainees, only 26 had ID cards with them. Out of this 26, two refused to vote and two were not included in the list. Others voted in full compliance with the law.





Women's Colony in Isani District, Tbilisi: Out of 85 preliminary detainees, only 17 had ID cards, thus only 17 were able to vote. Voting took place in full compliance with the law.

Prison No. 8 in Gldani District, Tbilisi: 896 voters were registered in this prison. Among them were preliminary detainees and prison personnel. The two lists were combined (names were listed in alphabetical order). The prison administration refused to give TI Georgia's monitor the number of preliminary detainees claiming that the information was confidential. There was no problem with the existence of ID cards in this prison.

Prison No. 4 in Zugdidi District (Samegrelo region): Out of 139 preliminary detainees only 10 were able to vote due to the reason that the mobile ballot box was taken to preliminary detainees after all prison personnel cast their votes and not enough time remained for all detainees to vote.

Prison No. 3 in Khelvachauri District (Ajara region): 227 voters were registered in this prison. Among them were preliminary detainees and prison personnel. The two lists were combined (names were listed in alphabetical order). The prison administration refused to give TI Georgia's monitor the number of preliminary detainees claiming that the information was confidential. Out of 227 registered voters, 196 voted.

Prison No. 2 in Kutaisi District (Imereti region): 222 preliminary detainees were registered in this prison. By election day 44 of them had already been convicted, thus they were not allowed to vote. Two had been released. Out of 176 remaining detainees, all had ID cards. 50 of them refused to vote. 96 voted in full compliance with the law.

