

**Briefing on “Democratization in the Caucasus: Elections in Armenia,
Azerbaijan, and Georgia”**

**Commission on Security and Cooperation in Europe
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**Testimony
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Opening Statement

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Thank you to the Helsinki Commission for convening this briefing. I appreciate the opportunity to join this distinguished group of panelists.

I want to first make some observations relevant to all three states, and will then address some issues specific to Armenia’s parliamentary elections earlier this month and Georgia’s upcoming parliamentary elections in October. I will conclude with a brief comment on Azerbaijan.

- My first point is that, leaving out the earliest years of transition from Soviet power, elections in the Caucasus have yet to serve their basic democratic function of transferring power from one political party to another. Where an incumbent team has lost power—which really only happened in Georgia’s Rose Revolution—it did so outside a normal electoral process.
- Second, in all three states, elections have still not produced a viable multiparty democratic system, in which opposition political parties have enough of a presence in parliament to serve as a check on authorities, or to realistically position themselves as governments-in-waiting. All three states still operate within the paradigm of a “party *of* power” rather than a modern democratic paradigm of parties that alternate power.
- Third, problems with the electoral process, at this point, are less related to the mechanics of voting day—the casting, counting, and recording of ballots—than to the overwhelming power advantages with which authorities are able to control or at least greatly influence the country’s overall political climate, including campaign and election processes, legal and judicial contexts, and public expectations and opinion—in other words, the gamut of so-called “administrative resources,” the broad and frequently illegal use of government finances and officials for political purposes.
- Fourth, governments in all three states have utilized particular electoral systems to shore up their rule. A long-running debate focuses on the benefits and drawbacks of proportional vs. majoritarian electoral systems for constructing multiparty democracy. In the Caucasus, the conclusion is clear: The more majoritarian seats there have been in

parliament, the better it has been for the party in power. Particularly in Armenia and Georgia, mixed systems with a majoritarian component repeatedly lead to substantially greater ruling party representation in parliament than there would be in a strictly party-list system.

As a result of these considerations (and others), elections in Armenia, Georgia, and Azerbaijan have tended to reinforce—or at least not weaken—the power of those *in* power in ways that fall short of normal democratic practice.

This is inherently problematic. But the hesitation to fully embrace democracy also constitutes the main domestic barrier to these states' closer identification with the Euro-Atlantic community to which they all, to varying degrees, aspire. Bureaucratic modernization and security cooperation may be necessary conditions for continued integration with the West, but so too is multiparty democracy, in which political transition is a normal and expected feature of politics.

I will now make a few specific remarks on Armenia and Georgia.

Armenia

Of the three states in the Caucasus, Armenia has had the most complex electoral evolution. One distinctive characteristic has been the relatively low popularity of the ruling Republican Party, which has maintained power through shifting coalitions with a handful of other parties.

The main difference in this last round of elections is that two out of three of the government's past coalition partners could not be relied upon to join the government.

A second difference is that one of these two—Prosperous Armenia, led by oligarch Gagik Tsarukian—emerged as a full-blooded contender to the ruling Republican Party, ultimately winning 30 percent of the vote to the ruling party's 44 percent. This is the largest second-place electoral finish in Armenian history.

Whether this outcome constitutes grounds for optimism about Armenian democracy, however, is open for question. Some see the rise of a division in the ruling elite into politically and economically autonomous factions as a positive precondition for democracy.

There are, however, a number of reasons for caution:

- First, let us keep in mind that the official election results handed the ruling Republican Party its most successful election ever. Its share of the party-list vote went from 24

percent in 2003 to 34 percent in 2007 to 44 percent today. The ruling party also increased its total seat count, including via a greater number of victories in majoritarian races.

- Second, it is highly likely that Prosperous Armenia will again join the ruling coalition and again support the incumbent president, when he campaigns for reelection next year.
- Third, even if Prosperous Armenia enters opposition, the ruling party will have more than sufficient numbers to govern without it.
- Fourth, if Tsarukian himself were to run for president next year and win, it is not clear whether or how he would govern any differently or preside over the transformation of Armenia's political system into a multiparty democracy.
- Fifth, parties considered to be more committed to democracy building (the Armenian National Congress and Heritage) came in third and fourth place in the popular vote, but with only a combined count of 13 percent, and without any majoritarian deputies.

In the end, we are left with the unsatisfying need to rely on either an intra-elite power struggle or the ruling party's foresight as the basis for a future consolidation of democracy in Armenia.

Georgia

Of the three states, Georgia has gone the furthest to enable a pluralistic electoral environment. In particular, I wish to highlight the high level of public discussion and debate that led to improved laws on elections and campaign finance, as well as to profound constitutional changes that tilt Georgia toward a more parliamentary system of governance. Opposition parties and civil society organizations have been fully empowered to participate in the crafting of these institutional reforms, and many of them have done so.

I also wish to stress that of all three states, Georgia has moved the furthest toward a clean election-day environment. Election-day violations and fraud are not entirely a thing of the past, but the spring 2008 parliamentary elections were already an improvement upon the snap 2008 presidential election before them, and the 2010 local elections, despite returning an overwhelming majority of ruling party representatives to power, were also not so problematic from an election-day perspective.

I would also note the dramatic decline overall in reported levels of corruption, and the steady rise of independent broadcast media.

All this said, Georgia still faces a number of serious challenges in democratizing its electoral environment. These challenges less concern election day itself than the overall political context. They include the following:

- First, ownership of the two leading national private television channels—the main source of news for most of Georgia’s population—was long ago transferred to government loyalists. Until the end of last year, this fact was formally hidden by nontransparent ownership schemes, which have since been made illegal.
- Second, despite new legislation that bans the use of “administrative resources” for political purposes, reports of bribery, intimidation, and reprisal allegedly designed to affect citizens’ political behavior remain frequent, especially outside the capital city of Tbilisi.
- Third, laws continue to be selectively applied—and even created—for seemingly political purposes rather than to provide an objective context for the political process. For example, Georgia’s parliament did not see the need for more stringent campaign finance laws until there arose a political opposition, led by oligarch Bidzina Ivanishvili, that had the potential to outspend the ruling party. Another example is the application of Georgia’s citizenship law to Ivanishvili. His loss of citizenship, granted several years ago by presidential fiat, may have been legal, but nonetheless highly selective and curiously inflexible in its implementation.
- Fourth, government officials regularly cast Georgian domestic politics as an integral element of the heavily charged Russian-Georgian conflict. They appear to do this as an act of delegitimization, in particular accusing opposition figures (without foundation) of directly working for Russian interests to the detriment of Georgia’s own.
- Fifth and finally, I wish to highlight one major overlooked deficiency of Georgia’s transition to a more parliamentary system of governance. This is the incongruity of electing under one constitutional system a parliament that next year will form a government under a different constitutional system. The problem is that political parties appear to be under no obligation to tell voters who they intend to nominate next year as prime minister, who will be Georgia’s lead executive and a powerful one at that. Georgian citizens are thus being called to vote in October without knowing, for example, who the ruling National Movement intends to nominate as its prime minister—whether it be outgoing president Mikheil Saakashvili or anyone else. If political parties are under no obligation to announce their prime ministerial candidate, Georgian voters will have little say in the formation of the country’s new government.

As with Armenia, we are thus most likely left in Georgia with the need to rely on “managed democratization” by the ruling party or an eventual intra-elite power struggle as the basis for the consolidation of democracy.

Azerbaijan

Finally, let me briefly mention Azerbaijan. Despite commonalities among the three states’ political systems, it is clear that Azerbaijan occupies a different position on the political spectrum. The government and ruling party dominate political life to a far greater degree than they do in Armenia and Georgia. The Azerbaijani government is still reluctant to abide by basic principles of freedom of expression necessary for normal democratic life, whether via strict laws on public demonstrations, the absence of independent broadcast media, or the imprisonment of young people who speak out in opposition to the government. It has also preempted potential splits among the political elite through a variety of measures, including the long-term imprisonment of former government officials. Azerbaijan’s political context is different enough from Armenia or Georgia to warrant separate consideration.

Thank you, and I look forward to discussion.