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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in co-operation with the
CENTRAL ELECTION COMMISSION OF GEORGIA

**FOURTH EASTERN PARTNERSHIP
FACILITY SEMINAR
ON THE “USE OF ADMINISTRATIVE RESOURCES
DURING ELECTORAL CAMPAIGNS”**

**Radisson Blu Iveria Hotel
Rose Revolution Square
Meeting Room #6**

**Tbilisi, Georgia
17-18 April 2013**

SYNOPSIS

This document will not be distributed at the meeting. Please bring this copy.
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The fourth Eastern Partnership Facility Seminar on the “use of administrative resources during electoral campaigns” was organised by the Venice Commission in co-operation with the Central Election Commission of Georgia on 17-18 April 2013 in Tbilisi. The issues which were addressed during the Seminar included the presentation of the preliminary Report on the use of administrative resources during electoral campaigns; the framework of the administrative resources and relevant practice in Georgia, Armenia, Azerbaijan, Ukraine and Moldova as well as in France and Latin America.

Around 25 participants from the national electoral management bodies of the following countries attended the conference: Armenia, Azerbaijan, Georgia, Moldova as well as four rapporteurs on behalf of the Venice Commission and representatives of various Georgian and international institutions.

The Seminar:

1. *Took note* of the importance of guaranteeing the principle of equality of opportunity for political parties and candidates. This entails a neutral and ethical attitude by state authorities, in particular with regard to:
 - a. the pre-electoral period;
 - b. the coverage by the media, in particular by publicly owned media;
 - c. the public funding of political parties and electoral campaigns;
2. *Underlined* that the implementation of this principle requires tackling the misuse of administrative resources;
3. *Was of the opinion* that tackling the misuse of administrative resources should take place during electoral campaigns;
4. *Underlined* that preventive measures should be set up in order to tackle the misuse of administrative resources in an efficient manner.
5. *Pointed out* that electoral legislation has to provide efficient and sufficient means for tackling the misuse of administrative resources during electoral campaigns;
6. *Noted* that such regulation must be proportional, clear and foreseeable for all contestants (including incumbents) as well as implemented in good faith;
7. *Underlined* that public authorities should act based on those principles when specific limitations are missing or not efficient;
8. *Was of the opinion* that the principle of neutrality should also apply to civil servants as individuals. For this purpose:
 - a. Civil servants have to be impartial during the whole electoral process while performing their official duties in accordance with the law;
 - b. Effective measures have to be ensured to avoid illegitimate participation of civil servants in electoral campaigns, especially in support of the incumbent, provided that such measures do not impede the exercise of their right for freedom of expression when not performing their official duties in accordance with the law;
 - c. Only some persons working in administrations in contact with political parties and political activities according to their duties, as ruled by law, may be involved in relevant activity within the limits established by the law;
 - d. Such positions should be clearly distinguished from the others;
9. *Pointed out* that during electoral campaigns, incumbents and officials in public positions that are running for office, have to avoid representing themselves as representatives of the government or office;
10. *Noted* that an independent body should be in charge of tackling against the misuse of administrative resources during electoral campaigns.