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# Free, Fair and Equal Electoral-Political 2022-2025 Cycle in Georgia

**NEWSLETTER №42**  
**March, 2023**

**Tbilisi, 2023**

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This newsletter was made possible by the generous support of the American People through the United States Agency for International Development (USAID). The contents of this newsletter are the sole responsibility of “Georgian Young Lawyers’ Association” (GYLA) and do not necessarily reflect the views of USAID or the United States Government.



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# INTRODUCTION

Since August 2019, the Georgian Young Lawyers' Association (GYLA) started implementation of the project Free, Fair and Equal Election electoral political cycle during the years of 2022-2025 throughout Georgia. One of the goals of the project is to promote the improvement of the election environment through monitoring and evidence-based advocacy. In order to achieve this, the organisation will monitor ongoing policy processes and develop recommendations that will be communicated to the public and presented to decision-makers. At the moment we present Newsletter #42, which describes the events of March, that have had an impact on the political environment.

## 1. 2023 MIDTERM AND SNAP ELECTIONS

On April 29, interim elections of the Georgian parliament and municipality Sakrebulo, as well as the snap elections of mayors will be held.<sup>1</sup> On April 29, voters will elect the following: the majority deputy of Poti - Senaki - Khobi, majority deputies of Gurjaani, Tianeti, Akhaltsikhe, Tkibuli, Kutaisi Sakrebulo, as well as the mayors of Tsageri and Terjola in the Parliament of Georgia.<sup>2</sup> The pre-election campaign for the elections started on February 28.<sup>3</sup> The first half of the campaign took place in March.

The registration of candidates ended on March 30.<sup>4</sup> Elections will be held in a non-competitive environment. Only one candidate will fight for the position of Tsageri Mayor, who represents the “Georgian Dream” party.<sup>5</sup> Two candidates for mayor are registered in Terjola, one of them is from the “Georgian Dream”, and the other is participating in the elections, representing an initiative group.<sup>6</sup> Two candidates are taking part in the majoritarian constituencies of Poti, Khobi and Senaki for the mid-term elections of the Parliament of Georgia.<sup>7</sup> One of them represents the “Georgian Dream”, the other - the political union “Free Georgia”.<sup>8</sup> Only one candidate representing “Georgian Dream” is participating in the mid-term elections of the Sakrebulo in the respective majoritarian constituencies of Gurjaani, Tianeti, Akhaltsikhe and Kutaisi.<sup>9</sup> Two candidates will fight for membership of the local assembly in the relevant majoritarian district of Tkibuli. One is presented by “Georgian Dream” and the other by the initiative group.<sup>10</sup>

## 2. EU-GEORGIA RELATIONS

### Debates held in the European Parliament

On March 14, after protests against the bills on “foreign agents” in Tbilisi, MEPs strongly criticised the Georgian government, during debate. They expressed their support and solidarity towards European aspirations of the

<sup>1</sup> Midterm/snap elections will be held on April 29, website of the Central Election Commission of Georgia (CEC), February 20, 2023, available: <https://bit.ly/41Qrj3M>, updated: 13.04.2023.

<sup>2</sup> Ibid.

<sup>3</sup> “The pre-election campaign for April 29 mid-term/snap elections has started from today”, CEC website, available: <https://bit.ly/415TH15>, updated: 18.04.2023.

<sup>4</sup> Elections 2023, the CEC website, available: <https://cesko.ge/ge/archevnebi/2023>, updated: 18.04.2023.

<sup>5</sup> Candidates nominated for the mayor positions for the April 29, 2023 snap elections of municipal mayors, CEC website, available: <https://bit.ly/3mokqXX>, updated: 13.04.2023.

<sup>6</sup> Ibid.

<sup>7</sup> Majority candidates nominated for the midterm elections of the Parliament of Georgia of April 29, 2023, CEC website, available: <https://bit.ly/41n2Z8H>, updated: 13.04.2023.

<sup>8</sup> Ibid.

<sup>9</sup> Majority candidates nominated for the interim elections of the local assembly on April 29, 2023, CEC website, available: <https://bit.ly/3KVF2Qs>, updated: 13.04.2023.

<sup>10</sup> Ibid.

Georgian people.<sup>11</sup>

European Commissioner for Neighbourhood Policy and Enlargement Olivér Várhelyi welcomed the expression of the will of the Georgian people, who exercised their right to peaceful demonstration.<sup>12</sup> According to him, Georgia's future lies in the European Union, however, fundamental reforms are necessary in order to achieve that.<sup>13</sup>

The European Parliament's permanent rapporteur on Georgia, Sven Mikser, noted that the Georgian government's attempt to adopt a law on foreign agents is just one of the examples of a long list of problems that exist with the rule of law in the country.<sup>14</sup> According to his statement, those in power only verbally support European aspirations of the Georgian people.<sup>15</sup>

According to European parliamentarian Viola von Cramon (Green Party), the Georgian government is determined to sabotage the country's European path.<sup>16</sup>

According to MEP Reinhard Bütikofer (Green Party), Georgian citizens know that the so-called "Georgian dream" turned into a "Georgian nightmare".<sup>17</sup>

### **An ambassadorial event was held in Tbilisi organized by EU representatives**

On March 14-15, Tbilisi hosted a regional ambassadorial event organized by the EU Representation in Georgia,<sup>18</sup> where high-ranking officials of the EU External Action Service and the European Commission, including heads of the Eastern Partnership and Central Asian countries, as well as heads of the EU delegation in Turkey and Austria, participated.<sup>19</sup> According to Katarina Mathernova, one of the participants of the ambassadorship, the deputy assistant director of the Eastern neighbourhood of the European Commission, a very thorough assessment of all countries with a European perspective will be prepared at the end of this year.<sup>20</sup> She expressed hope that there will be enough progress in the period before the fall in order to get the status of a candidate.<sup>21</sup>

### **Visit of the Minister of Foreign Affairs of Germany**

On March 24, the Minister of Foreign Affairs of Germany, Annalena Baerbock, visited Georgia.<sup>22</sup> The first official visit to Georgia began with meetings with civil society representatives, after which she met her Georgian counterpart, Minister of Foreign Affairs, Iliá Darchiashvili, then President Salome Zourabichvili, and after that she visited the Tskhinvali occupation line.<sup>23</sup> Annalena Baerbock also met Prime Minister Irakli Gharibashvili, opposition politicians and students.<sup>24</sup> At the press conference, she emphasized the importance of fulfilling the 12 priorities of the European Union,<sup>25</sup> especially on such issues as: the rule of law, freedom of speech, strong civil society and depolarization.<sup>26</sup> She also noted that the EU path means taking further steps.<sup>27</sup> According to the Minister of Foreign

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<sup>11</sup> "Georgian Government Slammed in European Parliament Debate", news portal "Civil.ge", March 15, 2023, available: <https://civil.ge/archives/531726>, updated: 13.04.2023;

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> "EU Holds its Regional Ambassadorial in Tbilisi", information portal „Civil.ge”, March 15, 2023, available: <https://civil.ge/archives/531567>, updated: 19.04.2023;

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> "The Minister of Foreign Affairs of Germany visits Georgia", information portal „Civil.ge”, March 24, 2023, available: <https://civil.ge/ka/archives/533327>, updated: 19.04.2023;

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

Affairs of Germany, the German government wants to see Georgia in the European Union.<sup>28</sup> According to her, the Georgian government cannot become a member of the European Union without civil society, and Georgian civil society cannot become a member of the European Union without the Georgian government.<sup>29</sup> Annalena Baerbock noted that everyone should work together to achieve the goal of joining the European Union.<sup>30</sup>

## Statement of non-governmental organizations

On March 23, 15 non-governmental organizations working in Georgia sent a public letter to the European Commissioner for Neighbourhood Policy and Enlargement, Olivér Várhelyi.<sup>31</sup> In the letter, NGOs welcomed the European Commission's decision to prepare an interim assessment regarding Georgia's fulfilment of 12 priorities for candidate status in the spring and request that the assessment be public and accessible to stakeholders, including Georgian civil society.

### 2.1. Implementation of the 12-point recommendations of the European Union

On March 13, the European Commission published an interim opinion on the draft law on de-oligarchization in order to protect democracy (Venice Commission) through law.<sup>32</sup> The draft law was developed by the governing team in response to one of the 12 recommendations for EU candidate status.<sup>33</sup> According to the commission, the analysis of the measures provided for in the draft law reveals that it may lead to the violation of fundamental human rights protected by the European Convention and that the draft law gives government excessive influence over the process.<sup>34</sup> The Venice Commission considers that the personal approach adopted in the draft law, which defines and stigmatizes individuals based on unclear criteria, carries a high risk and may lead to human rights violations instead of achieving intended goals.<sup>35</sup> According to the Chairman of Parliament, Shalva Papuashvili, there is no objection from the Venice Commission for Georgia to adopt the submitted law on de-oligarchization, although it has recommendations, which will be discussed and a corresponding decision will be made.<sup>36</sup>

The Venice Commission evaluated the legislative changes proposed by the Georgian authorities within the framework of the ongoing reform of the judicial system and stated that they are of "limited scope" and "do not take into account the fundamental reform of the judicial system".<sup>37</sup> Shalva Papuashvili, the chairman of the Parliament of Georgia, requested an assessment from the commission in November 2022. These legislative amendments are based on the 12 point recommendations, given by the European Union to Georgia for obtaining candidate status.<sup>38</sup>

### 2.2. The Draft Law on "Foreign Influence"

On February 23, the "People's Power" group, which is part of the parliamentary majority, initiated a draft law.<sup>39</sup> Registration of the draft law was met with concern at the international level.<sup>40</sup> Large-scale demonstrations were

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<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> "German FM Annalena Baerbock Visits Georgia", information portal „Civil.ge“, March 23, 2023, available: <https://civil.ge/archives/533309>, updated: 18.04.2023.

<sup>32</sup> "Venice Commission Issues Interim Opinion on the Draft law on De-oligarchization", information portal „Civil.ge“, March 14, 2023, available: <https://civil.ge/archives/531482>, updated: 13.04.2023.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> "Shalva Papuashvili - there is no objection from the Venice Commission for Georgia to adopt the submitted law on de-oligarchization, although there are recommendations, which we will consider and make an appropriate decision", the website of the Parliament of Georgia, March 14, 2023, available: <https://bit.ly/415TH15>, updated: 13.04.2023.

<sup>37</sup> "<https://civil.ge/archives/531482>", information portal "Civil.ge", 14 March 2023, available: <https://civil.ge/archives/531482>, updated: 13.04.2023.

<sup>38</sup> Ibid.

<sup>39</sup> "Georgian Dream Will Vote for the "Foreign Agent" Law", information portal "Civil.ge", February 21, 2023, available: <https://civil.ge/archives/526385>, updated: 16.03.2023.

<sup>40</sup> "EU Member States Criticize Georgia's "Foreign Agent" Draft Law", information portal Civil.ge, 27 February 2023, available: <https://civil.ge/archives/527586>, updated: 16.03.2023.

organized in front of the parliament against it.<sup>41</sup>

The ruling majority, in a joint statement released on behalf of the political council of the Georgian Dream, “People’s Power” and the parliamentary majority, noted that as a result of internal consultations, they made a decision to withdraw the draft law on “agents of foreign influence” from parliament.<sup>42</sup> Against the background of public protest, the ruling majority, as pledged, revoked the Russian-style draft law, initiated by themselves “for the transparency of foreign influence”, during the second hearing. 35 deputies voted against it with only 1 supporter.<sup>43</sup>

At the rally organized by the ultra-right and ultra-conservative party “Conservative Movement”, the removal and burning of the European Union flag near the parliament building was followed by severe criticism of the government from the opposition.<sup>44</sup> In their speech to the legislature, leaders of the conservative party made anti-Western statements and put forward demands for the government.<sup>45</sup> The release of those arrested for homophobic violence against journalists on July 5-6, 2021;<sup>46</sup> On March 7-9, during demonstrations against draft laws on “foreign agents”, “exemplary punishment” of the organizers of the “coup d’état” and holding a referendum on the law on “foreign agents” and “foreign slaves”.<sup>47</sup>

### 3. THE IMPRISONMENT OF MIKHEIL SAAKASHVILI

On March 14, an event was held in Strasbourg, which involved three people: Vladimir Kara-Murza, Alexey Goryunov and the former president of Georgia, Mikheil Saakashvili.<sup>48</sup> The event was hosted by MEP Petras Auštrevičius (European Renewal) and co-hosted by William Browder, lawyer and human rights activist, author of the Magnitsky Act. The purpose of the event was to once again evaluate the steps taken to support the mentioned “political prisoners” and outline effective ways for their release.<sup>49</sup>

Saakashvili’s mother - Giuli Alasania, son - Eduard Saakashvili and lawyer - Giorgi Chaladze talked about the past and current condition of the ex-president and noted that he was given 47 different diagnoses.<sup>50</sup> They appealed to the European Union and the international community to help with Saakashvili’s release.<sup>51</sup>

The General Secretary of “United National Movement” (UNM), Petre Tsiskarishvili, came out with the same appeal.<sup>52</sup> He called on the relevant executive branches of European States to increase pressure on the Georgian government.<sup>53</sup>

The representative of the “Georgian Dream”, Mamuka Mdinardze, linked the statements made in favour of Mikheil Saakashvili to the lobbying campaign and called them harmful for Georgia.<sup>54</sup> According to the representative of the “Georgian Dream”, Givi Mikanadze, authors of the positive messages addressed to Mikheil Saakashvili are MEPs with certain “obligations”, are not neutral and evaluate the events subjectively.<sup>55</sup>

<sup>41</sup> “What happened on the night of the March 8-9 rally - chronology” information portal “Netgazeti.ge”, March 9, 2023, available: <https://netgazeti.ge/life/659398/>, updated: 13.04.2023.

<sup>42</sup> “UPDATE: Majority Pledges to Withdraw the “Foreign Agent” Bill, But Questions Loom”, news portal “Civil.ge”, March 9, 2023, available: <https://civil.ge/archives/530265>, updated: 13.04.2023;

<sup>43</sup> “Majority Drops the Bill on “Foreign Agents” in the Second Reading”, information portal „Civil.ge”, March 10, 2023, available: <https://civil.ge/archives/530648>, updated: 13.04.2023

<sup>44</sup> “Representatives of the ‘Conservative Movement’ Burn EU Flag in Front of Parliament”, information portal “Civil.ge”, March 14, 2023, available: <https://civil.ge/archives/531546>, updated: 13.04.2023;

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> “Saakashvili Case Discussed at the Event in EU Parliament Dedicated to Political Prisoners”, information portal “Civil.ge”, March 15, 2023, available: <https://civil.ge/archives/531433>, updated: 13.04.2023;

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> „Georgian Politicians Respond to the Debate on Georgia in the European Parliament”, information portal “Civil.ge”, March 15, 2023, available: <https://civil.ge/archives/531929>, updated: 13.04.2023;

<sup>55</sup> Ibid.

On March 24, Salome Zourabichvili evaluated the ongoing processes in the country in an extensive interview with “TV Pirveli”.<sup>56</sup> Speaking about the health condition of the imprisoned ex-president Mikheil Saakashvili, the president noted that her advisers on health issues receive reports on a daily basis.<sup>57</sup> According to Zourabichvili, the condition of the ex-president is a matter of the country’s reputation.<sup>58</sup> She disagrees with the humiliating actions towards Saakashvili and thinks that a solution can be found.<sup>59</sup>

On March 14, a debate was held in the European Parliament, where the issue of ex-president Saakashvili’s imprisonment was also brought up.<sup>60</sup> According to Olivér Várhelyi, European Commissioner for Neighborhood Policy and Enlargement, the legal responsibility of the Georgian authorities is to fully ensure the rights of Mikheil Saakashvili, both detainee and defendant, in accordance with international obligations.<sup>61</sup> According to the MEP, Petras Auštrevičius (European renewal), Mikheil Saakashvili’s good health and life are an integral part of the EU’s requirements.<sup>62</sup> According to European parliamentarian Anna Fotyga (European conservatives and reformists), leaving the 3rd president of Georgia, Mikheil Saakashvili, as a “hostage of Putin” in prison means the deterioration of Georgia’s future.<sup>63</sup>

A rally was planned in Tbilisi on April 9 to demand that Saakashvili be transferred abroad for treatment and to fulfil the 12-point recommendations of the European Union.<sup>64</sup> Before that, protests began in the regions.<sup>65</sup> On March 25, a rally organized by “UNM” was held in Zugdidi.<sup>66</sup>

## 4. CHANGES IN POLITICAL PARTIES

After the victory of Levan Khabeishvili in the election for chairmanship of the UNM Party, several leaders announced their resignation from party positions.<sup>67</sup> On day after party chairmanship elections, Khatia Dekanoidze announced that she is leaving the position of the chairman of the “UNM” faction in parliament<sup>68</sup> and subsequently, on March 24, left the party.<sup>69</sup> As a member of parliament, she continues her parliamentary activity as an independent deputy.<sup>70</sup>

On March 24, the members of the “Georgian Dream”: Irakli Kovzanadze, Giorgi Amilakhvari, Nino Iobashvili, Giorgi Khelashvili and Vladimer Chachibaia applied to parliament to terminate the mandate of a member of the parliament before the term.<sup>71</sup> According to presented information, Vladimer Chachibaia and Nino Iobashvili will become advisors of the Prime Minister.<sup>72</sup> Giorgi Khelashvili will be an advisor to the Speaker of Parliament.<sup>73</sup> And Giorgi Amilakhvari was appointed as the Minister of Education and Science of Georgia.<sup>74</sup>

<sup>56</sup> “President Zurabishvili Talks with TV Pirveli about the Current Processes in the Country”, information portal “Civil.ge”, March 25, 2023, available: <https://civil.ge/archives/533686>, updated: 13.04.2023.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> “The Government of Georgia was criticized during the debate in the European Parliament”, information portal “Civil.ge”.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> “Levan Khabeishvili announced a rally on April 9”, information portal “Publica”, March 14, 2023, available: <https://publika.ge/levan-khabeishvilma/>, updated: 18.04.2023.

<sup>65</sup> “An action organized by the “National Movement” took place in Zugdidi”, information portal, “Rustavi2”, March 25, 2023, available: <https://rustavi2.ge/ka/news/251967>, updated: 18.04.2023.

<sup>66</sup> Ibid.

<sup>67</sup> “Leadership Shuffle at UNM as New Leader Takes Charge”, information portal „Civil.ge”, February 4, 2023, available: <https://civil.ge/archives/524027>, updated: 13.04.2023.

<sup>68</sup> Ibid.

<sup>69</sup> “Khatia Dekanoidze Leaves the United National Movement”, information portal „Civil.ge”, March 24, 2023, available: <https://civil.ge/archives/533359>, updated: 10.03.2023.

<sup>70</sup> Ibid.

<sup>71</sup> The website of the Parliament of Georgia, available: <https://info.parliament.ge/#law-drafting>, updated: 13.04.2023.

<sup>72</sup> “Parliament terminated the powers of five MPs”, information portal „1tv.ge”, March 24, 2023, available: <https://1tv.ge/news/khut-deputats-uffebamosileba-sheuwyda/>, updated: 13.04.2023.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.