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YOUNG
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ASSOCIATION**

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

NEWSLETTER №46
July, 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) has been implementing the project "Free, Fair and Equal Election" throughout Georgia, covering the electoral political cycle from 2019 to 2022. One of the project's goals is to promote the improvement of the election environment through monitoring and evidence-based advocacy. To achieve this, the organization will monitor ongoing policy processes and develop recommendations that will be communicated to the public and presented to decision-makers. Currently, we are presenting Newsletter #46, which describes the events of July that have had an impact on the political environment.

1. THE PARLIAMENT OF GEORGIA OVERCAME THE PRESIDENT'S VETO REGARDING THE CHANGE IN THE PROCEDURE FOR ELECTING THE CHAIRMAN AND MEMBERS OF THE CENTRAL ELECTION COMMISSION

At the extraordinary session held on July 3, the Parliament of Georgia successfully overturned the President's veto related to the alteration in the procedure for electing the chairman and members of the Central Election Commission.¹ The action of overcoming the veto received support from 78 deputies.²

After the session, according to Aleksandre Rakviashvili, a representative of the opposition party 'Girchi', there were not enough 'Georgian Dream' deputies present in the session hall during the voting to gather the required 76 votes needed to overcome the veto.³ Thus, according to the MP, the veto was overturned as a result of procedural violation.⁴

The President's administration responded to the aforementioned matter and formally requested detailed information from the Parliament of Georgia regarding the vote that took place on July 3rd.⁵

2. IRAKLI KOBAKHIDZE'S PRESS CONFERENCE ON THE FULFILLMENT OF 12 PRIORITIES

On July 4th, Irakli Kobakhidze, the chairman of 'Georgian Dream', delivered a report on the progress made in implementing the 12 recommendations put forth by the European Commission for achieving candidate status.⁶ The meeting was attended by the journalists of the TV companies.⁷ Kobakhidze reviewed the recommendations separately and spoke about the legislative changes, which, in his opinion, were steps taken to fulfill a specific priority.⁸ In the direction of election reform, Irakli Kobakhidze identified the electronic voting procedure as the main achievement.⁹ He also addressed the issue of overcoming the President's veto concerning the Central Election Commission (CEC) staffing procedure. He emphasized that it is crucial for the ruling party to prevent an institutional crisis. He mentioned that further consultations with the European Commission will be conducted on this

¹ "Parliament Overcame the President's Veto on Amendments to the Election Code", Civil.ge information portal, July 3, 2023, available at: <https://civil.ge/ka/archives/550516>, updated: 22.08.2023.

² Ibid.

³ "On Monday, July 3, Georgian Dream overcame the President's veto regarding the procedure for electing the Chairman of the Central Committee", the official Facebook page of the "Girchi" political party, July 6, 2023, available at: <https://cutt.ly/BwdnAPH6>, updated: 22.08.2023.

⁴ Ibid.

⁵ "President requests information from Parliament on veto-overriding vote", Radio Freedom news platform, July 7, 2023, available at: <https://www.radiotavisupleba.ge/a/32493709.html>, updated: 22.08.2023.

⁶ "Irakli Kobakhidze's press conference - report on the implementation of the 12 priorities of the European Union" official YouTube page of "Imedi" TV company, July 4, 2023, available at: https://www.youtube.com/watch?v=5r_IjgED6Nw&t=665s, updated: 22.08.2023.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

matter.¹⁰ In relation to the matter of de-oligarchization, Kobakhidze stated that for effective de-oligarchization, European entities should provide more detailed content in their recommendations. If the objective is not centered on an individual approach, then it becomes imperative to outline specific measures that the Georgian government needs to undertake.¹¹

As per Irakli Kobakhidze, the government has, in principle, fulfilled all 12 priorities, and ongoing consultations will focus on the gradual translation of the enacted legislation into practical implementation within the remaining timeframe.¹²

The representatives of the opposition responded to the briefing.¹³ Beka Liluashvili, a member of the “For Georgia” party, believes that the government perceives the candidate status process as being undermined and considers Irakli Kobakhidze’s press conference as an effort to establish an “alibi.”¹⁴

According to Tina Bokuchava, the most fundamental recommendations related to de-oligarchization, depolarization, judicial reform and media freedom are unfulfilled.¹⁵

3. MIKHEIL SAAKASHVILI’S CASE

On July 3, the imprisoned ex-president of Georgia, Mikheil Saakashvili, took part in the court proceedings remotely.¹⁶ The court session was held on the “November 7 case”. The former president addressed the authorities and expressed his desire to participate in open debates.¹⁷

On the same day, Volodymyr Zelinsky called on the Georgian authorities to hand over Saakashvili to Ukraine for treatment.¹⁸ According to the president of Ukraine: “Right now, Russia is killing Ukrainian citizen Mykhailo Saakashvili at the hands of the Georgian authorities.”¹⁹

President of Moldova, Maia Sandu, reacted to the situation via Twitter. She voiced her apprehension about Saakashvili’s health and urged Georgian authorities to arrange for Saakashvili’s transfer abroad for medical treatment.²⁰

MEPs also shared their thoughts on Twitter. Vlad Georg, a member of the “European Renewal Group” in the European Parliament, expressed that Saakashvili deserves “just treatment, not imprisonment reminiscent of the Soviet era!”²¹ As stated by Andrews Kubilius, a member of the “European People’s Party” (EPP) group, Saakashvili’s situation will serve as a testament to the definition of “torture” as outlined in the convention against torture.²² Petras Ostrevičius, a member of the European Parliament from the “European Renewal Group”, tweeted that the “severely ill” individual was denied a medical evaluation within the European Union. He conveyed “Georgia is losing its patriots and its aspirations”.²³

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ “Irakli Kobakhidze’s press conference - evaluations”, official website of the Georgian Public Broadcaster, July 4, 2023, available at: <https://1tv.ge/video/irakli-kobakhidzis-preskonferencia-shefasebebi/>, updated: 22.08.2023.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ “Saakashvili to Papuashvili: You should apologize for bringing me to this situation”, information portal “Radio Freedom”, July 3, 2023, available at: <https://www.radiotavisupleba.ge/a/32487181.html>, updated: 22.08.2023.

¹⁷ Ibid.

¹⁸ “Zelensky calls on the Georgian authorities to hand over Saakashvili to Ukraine”, information portal “Civil.ge”, July 3, 2023, updated: <https://civil.ge/ka/archives/550572>, updated: 22.08.2023.

¹⁹ Ibid.

²⁰ “Saakashvili’s remote appearance at the trial caused concern among international partners”, information portal “Civil.ge”, July 4, 2023, available at: <https://civil.ge/ka/archives/550714>, updated: 22.08.2023.

²¹ Ibid.

²² Ibid.

²³ Ibid.

On July 12, a letter written by 44 MEPs²⁴ was distributed²⁵. The addressees of the letter were the President of Georgia, the Chairman of the Parliament and the Prime Minister.²⁶ In the letter, the MEPs conveyed their worry regarding Saakashvili's significant visual deterioration observed during the trial. They asserted that the video evidence "clearly depicts the rapid and severe deterioration of the health" of the former president of Georgia, Mikheil Saakashvili.²⁷ The European parliamentarians are urging the Georgian authorities to arrange for Saakashvili's transfer to one of the EU countries for medical treatment.²⁸

After the statement made by Volodymyr Zelensky on July 3, on July 4, the Ministry of Foreign Affairs of Ukraine protested against Mikheil Saakashvili, the ambassador of Georgia to Ukraine,²⁹ and asked him to leave the country within 48 hours and hold consultations with Tbilisi.³⁰ On July 6, at the request of the President of Ukraine Volodymyr Zelensky and the Ministry of Foreign Affairs of Ukraine, the Ambassador of Georgia to Ukraine left Kyiv.³¹

The Minister of Foreign Affairs of Georgia, Ilia Darchiashvili, extended his gratitude to Ambassador Giorgi Zakarashvili, the Ambassador of Georgia to Ukraine, as well as to all the diplomats who are diligently serving in various embassies, for their valuable contributions and services.³² As per Darchiashvili, the presence of embassy personnel in Kyiv throughout the war serves as a demonstration of the solidarity and support extended by the Ukrainian people.³³ According to the minister: "Friends do not deserve such an attitude."³⁴ On July 12, for the purpose of medical examination of Mikheil Saakashvili, the medical mission of the European Union, staffed by Polish doctors, entered the "Vivamedi" clinic.³⁵

On July 14, the Special Penitentiary Service issued a statement accompanied by video footage, alleging that a

²⁴ Petras Auštrevičius (European Renewal Group), Jerzy Buzek (European People's Party, Christian Democrats), Raphael Glucksmann (Group of the Progressive Alliance of Socialists and Democrats), Reinhard Hans Bütikofer (Greens/Free Alliance of Europeans), Witold Jan Waszczykowski (European Conservatives and Reformists Group), Guy Verhofstadt (European Renewal Group), Bert-Jan Ruissen (European Conservatives and Reformists Group), Urmas Paet (European Renewal Group), Marian-Jean Marinescu (European People's Party, Christian Democrats), Beata Kempa (European Conservatives and Reformists Group), Nicolae Ștefănuță (Greens/Free Alliance of Europeans) Nathalie Loiseau (European Renewal Group), Sandra Kalniete (European People's Party, Christian Democrats), Frédérique Ries (European Renewal Group), Viktor Uspaskich (European People's Party, Christian Democrats), Inese Vaidere (European People's Party, Christian Democrats), Vladimir Bilcik (European People's Party, Christian Democrats), Juozas Olekas (Group of the Progressive Alliance of Socialists and Democrats), Christian-Sylvia Bussy (European People's Party, Christian Democrats), Michael Gahler (European People's Party, Christian Democrats), Peter Pollák (European People's Party, Christian Democrats), Giorgos Kyrtos (European Renewal Group), Antonio Lopez (European People's Party, Christian Democrats), Karen Melchior (Group for European Renewal), Fabio Massimo Castaldo (European People's Party, Christian Democrats), Javier Marti (Group for European Renewal), Attila Ara-Kovacs (Group of the Progressive Alliance of Socialists and Democrats), Sergey Lagodinsky (Greens/Free Alliance of Europeans), Andrius Kubilius (European People's Party, Christian Democrats), Thijs Reuten (Group of the Progressive Alliance of Socialists and Democrats), Martin Hojsik (Group of European Renewal), Antony Komin (European People's Party, Christian Democrats), Waldemar Tomaszewski (Group of European Conservatives and Reformists), Carles Puigdemont (European People's Party, Christian Democrats), Alexandr Vondra (European Conservatives and Reformists Group), Bart Groothuis (European Renewal Group), Andrzej Halicki (European People's Party, Christian Democrats), Adam Bielan (European Conservatives and Reformists Group), Karin Karlsbro (European Renewal Group), Rasa Juknevičienė (European People's Party, Christian Democrats), Evgeny Druzyaka (Group of European Conservatives and Reformists), Sven Mikser (Group of the Progressive Alliance of Socialists and Democrats), Andrey Kovatchev (European People's Party, Christian Democrats), Ivan Štefanec (European People's Party, Christian Democrats), Michele Rivas (Greens/European Free Alliance), Miriam Lexmann (European People's Party, Christian Democrats), Radosław Sikorski (European People's Party, Christian Democrats).

²⁵ "European parliamentarians call on the authorities to take Saakashvili abroad for treatment", information portal "Civil.ge", July 14, 2023, available at: <https://civil.ge/ka/archives/552207>, updated: 22.08.2023.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ "The Ministry of Foreign Affairs of Ukraine "resolutely protested" to the Ambassador of Georgia because of Saakashvili", information portal "Radio Tavisupleba", July 4, 2023, available at: <https://www.radiotavisupleba.ge/a/32488714.html>, updated: 22.08.2023.

³⁰ "Ukraine offers Georgian ambassador to leave the country in 48 hours", information portal Radio Tavisupleba, July 3, 2023, available at: <https://www.radiotavisupleba.ge/a/32487579.html>, updated: 22.08.2023.

³¹ "Georgia's ambassador to Ukraine has left Kyiv", Radio Liberty news portal, July 6, 2023, available at: <https://www.radiotavisupleba.ge/a/32491971.html>, updated: 22.08.2023.

³² Darchiashvili on the decision of the Ukrainian authorities - "Friends do not deserve such an attitude", information portal "Radio Tavisupleba", July 5, 2023, available at: <https://www.radiotavisupleba.ge/a/32490533.html>, updated: 22.08.2023.

³³ Ibid.

³⁴ Ibid.

³⁵ "Polish doctors examine Saakashvili's health", information portal "Civil.ge", July 12, 2023, available at: <https://civil.ge/ka/archives/551927>, updated: 22.08.2023.

Polish doctor attempted to conceal a sample taken from Mikheil Saakashvili within a piece of paper and smuggle it out by hiding it in his shoe.³⁶ The Penitentiary Service’s statement highlighted that the doctor’s actions were “contrary to medical ethics and legal standards”, and this was further complicated by the fact that they had already been granted official authorization by the service to collect the sample in a legitimate manner.³⁷

On the same day, Minister of Justice Rati Bregadze conducted a briefing during which he urged the Georgian Ministry of Foreign Affairs to formally seek clarification regarding the incident from the Polish Embassy. This action was prompted by the fact that the Polish Embassy had been involved in recommending the Polish doctor in question.³⁸

In a statement issued on July 19 by the Ministry of Foreign Affairs of Poland, it was conveyed that the incident at the clinic was unforeseen and did not suggest any intention that contradicted the agreement.³⁹ The Polish side expressed appreciation for the opportunity granted to Polish doctors to visit and assess Saakashvili’s condition. Nevertheless, they noted that the release of video footage and the “numerous emotional statements by representatives of Georgian state entities” were inconsistent with the principles of constructive cooperation, from their perspective.⁴⁰

4. UNITED NATIONAL MOVEMENT AND STRATEGY AGMASHENEBELI CREATED A NEW POLITICAL PLATFORM

The “United National Movement” and “Strategy Agmashenebeli” have come to an agreement and established a new political platform.⁴¹ At the event held on July 20, the leaders of the parties officially introduced this information to the public.⁴² It is important to highlight that according to the Constitution of Georgia, parliamentary elections are scheduled for October 2024. These elections will be conducted using a fully proportional system, subject to a 5 percent electoral threshold.

Politicians responded to the pre-election agreement of the National Movement and Strategy Builder.⁴³ The former president of Georgia, Mikheil Saakashvili welcomed the creation of the “Victory Platform”. According to Saakashvili, Giorgi Vashadze was one of the most effective reformers in the “Rose Revolution Government” and he will continue to play an important role in the new union as well as in Georgian politics in general.⁴⁴

Irakli Kupradze, the General Secretary of the “Lelo Georgia” party, expresses that such a coalition is not appealing. He believes that aligning with the “National Movement” does not align with the aspirations of Georgian society. Kupradze asserts that the formation of a distinct third alternative center is an inevitable development.⁴⁵

³⁶ “Announcement of the Special Penitentiary Service”, Official Facebook page of the Special Penitentiary Service, 14 July 2023, available at: <https://www.facebook.com/moc.gov.ge/videos/992342251799708/>, updated: 22.08.2023.

³⁷ Ibid.

³⁸ “After the incident at the Vivamed clinic, the foreign ministry summoned the acting ambassador of Poland” news portal “Civil.ge”, July 17, 2023, available at: <https://civil.ge/ka/archives/552424>, updated: 22.08.2023.

³⁹ “The Ministry of Foreign Affairs of Poland issues a statement regarding the incident in Vivamed”, information portal “Civil.ge”, July 19, 2023, available at: <https://civil.ge/ka/archives/552698>, updated: 22.08.2023.

⁴⁰ Ibid.

⁴¹ “The National Movement and Strategy Builder reached a pre-election agreement”, information portal “Civil.ge”, July 21, 2023, available at: <https://civil.ge/ka/archives/552959>, updated: 22.08.2023.

⁴² Ibid.

⁴³ “Politicians evaluate the pre-election agreement of the National Movement and Strategy Agmashenebeli”, information portal “Civil.ge”, July 21, 2023, available at: <https://civil.ge/ka/archives/552989> updated: 22.08.2023.

⁴⁴ Ibid.

⁴⁵ Ibid.