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

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INTRODUCTION

Since August 2019, the Georgian Young Lawyers' Association (GYLA) has been actively engaged in implementation of the “Free, Fair and Equal Election” projects across Georgia, which encompasses the electoral political cycle spanning from 2020 to 2025. Among the project's primary objectives is the advancement of the electoral landscape by means of monitoring and evidence-based advocacy. In pursuit of this goal, our organization diligently monitors ongoing policy processes and formulates recommendations that are disseminated to the public and presented to key decision-makers. Presently, we are pleased to introduce Newsletter №55, offering insights into the significant events of April 2024 that have notably shaped the political environment.

1. THE ABOLITION OF GENDER QUOTAS

On 22 April 2024, Faction “Girchi” registered a bill in the Parliament regarding the amendments to the Organic Law “On Political Associations of Citizens”. The mentioned draft law refers to abolition of so-called “Gender Quotas” prescribed by Article 39¹ of the said Law.¹ According to the gender quota, political parties must create electoral lists ensuring that at least one representative of a different gender is included in every three candidates. Parties complying with this rule receive additional state funding.²

The Parliament considered amendments through the accelerated procedure, which, according to the Explanatory Note, was motivated by the reason that it would be necessary to compile the party electoral lists for the current election year.³ On 4 April, the Parliament endorsed the draft law in the third reading.⁴

The decision follows an agreement between the factions “Girchi” and “Georgian Dream”, under which in exchange for the abolition of the gender quotas, “Girchi” would support “Georgian Dream” in selecting its preferred candidate for the CEC.⁵ The initiators of the bill described this bill as a good example of “political trade” with the “Georgian Dream” faction.⁶

According to opposition MP Teona Akubardia, the abolition of gender quotas in the elections “aims to favor wealthy majoritarian candidates”.⁷ As per the opinion of the Public Defender, the abolition of gender quotas “worsens the existing mechanisms for achieving equality.”⁸

¹ Draft Organic Law on Amendments to the Organic Law of Georgia “Election Code of Georgia”, Official Webpage of the Parliament of Georgia, 22.03.2024, available at: <https://shorturl.at/pTUV4>, updated: 13.05.2024.

² The Organic Law of Georgia on “Political Association of Citizens”, Article 39¹(1), The Parliament of Georgia Gazette 45, 31.10.1997.

³ Explanatory Note of the Draft Organic Law on Amendments to the Organic Law of Georgia “Election Code of Georgia”, Official Webpage of the Parliament of Georgia, 22.03.2024, available at: <https://shorturl.at/fhmMT>, updated: 13.05.2024.

⁴ “Parliament Endorsing Amendments to Election Code in III Reading on Gender Quotas”, Official Webpage of the Parliament of Georgia, 04.04.2024, available at: <https://shorturl.at/B66oS>, updated: 13.05.2024.

⁵ “Parliament Abolishes Quotas for Women MPs”, Information Portal “Civil.ge”, 04.04.2024, available at: <https://civil.ge/archives/590165>, updated: 13.05.2024.

⁶ “Parliament Abolished the Gender Quotas”, Information Portal “On.ge”, 04.04.2024, available at: <https://shorturl.at/eiE57>, updated: 13.05.2024.

⁷ Ibid.

⁸ “The Public Defender of Georgia Negatively Assesses the Draft Law on Abolition of Gender Quotas”, Information Portal “Radio Tavisupleba”, 02.04.2024, available at: <https://shorturl.at/otKOP>, updated: 13.05.2024.

2. REVOCATION OF PARTY “CONSERVATIVE MOVEMENT – ALT-INFO”

On 8 April 2024, the National Agency of Public Registry revoked the registration of “Conservative Movement - Alt-info” party. The party documentation’s non-compliance with the law was named as a reason.⁹

“Conservative Movement – Alt-Info” was first registered as a party within the Public Registry in 2021.¹⁰ The registration application was not signed by the leaders, including Giorgi Kardava, who had been elected as the party’s general secretary. As a result, the registry suspended consideration of the application and requested corrections. On 6 December 2021, the party submitted the corrected documentation, including the charter signed by the congress chairman, Konstantine Morgoshia. Subsequently, the party was officially registered.¹¹

On 3 April 2024, the Anti-Corruption Bureau appealed to the National Agency for Public Registry regarding defects in the party’s documentation. Subsequently, on 8 April, the National Agency for Public Registry invalidated the party’s registration decision of 7 December 2021.¹²

According to the Minister of Justice, Rati Bregvadze, the registry initiated the proceedings based on the whistleblower’s statement and the appeal from the Anti-Corruption Bureau. Furthermore, “the Minister finds the revocation of the party permissible,” otherwise it would not have been stipulated by the law.¹³ As per the Facebook post, dated 4 April, by one of the party’s leaders, Konstantine Morgoshia, Alt-Info obtained the right to participate in the 2024 parliamentary elections.¹⁴ According to Zura Makharadze, the party’s second leader, the Public Registry revoked the party just as the CEC was supposed to sign the party’s registration for the elections.¹⁵

Following the revocation, members of the “Alt-Info” party staged a rally in front of the “Georgian Dream” party office, protesting the decision and the alleged restriction of freedom of expression. During the rally, participants burned Georgian Dream flags.¹⁶ It was also revealed during the rally that Levan Chachua gifted the registered party “Georgian Idea” to “Alt-Info”.¹⁷ Nevertheless, on 23 April, the public registry received a complaint regarding the compliance of “Georgian Idea” party’s documentation with Georgian legislation. Until a decision is reached on this complaint, the CEC is not authorized to proceed with the registration of the party for the 2024 parliamentary elections.¹⁸

Experts and politicians have offered various assessments. Zurab Girchi Japaridze, the leader of “Girchi - More Freedom”, believes that by revoking “Alt-Info”, “Georgian Dream” is “purging the pro-Russian sphere”, and he suggests that the motive behind the cancellation is political.¹⁹ According to political expert Irakli Melashvili, the state violated the law by canceling the party. If the party’s documentation was found to be inconsistent with the

⁹ “Public Registry Revoked the Registration of “Conservative Movement – Alt-Info”, Information Portal “1tv.ge“, 08.04.2024, available at: <https://shorturl.at/cixz0>, updated: 14.05.2024.

¹⁰ Ibid.

¹¹ “Alt-Info is Cancelled”, Information Portal “Radio Tavisupleba”, 08.04.2024, available at: <https://www.radiotavisupleba.ge/a/32896009.html>, updated: 14.05.2024.

¹² Ibid.

¹³ “The Disappeared Party of “Alt-Info” and “Dangerous Precedent for Others,” Information Portal “Radio Tavisupleba”, 10.04.2024, available at: <https://shorturl.at/emvzJ>, updated: 14.05.2024.

¹⁴ “The Public Registry Revoked the Party Registration of Alt-Info”, Information Portal “Tabula”, 08.04.2024, available at: <https://shorturl.at/rFOV7>, updated: 14.05.2024

¹⁵ “Alt-Info is Cancelled” Information Portal “Radio Tavisupleba”, 08.04.2024,

¹⁶ “Alt-info is Holding a Protest Rally near the Georgian Dream office - the Participants of the Rally are Burning Flags of the [Georgian] Dream”, Information Portal “On.ge”, 13.04.2024, available at: <https://shorturl.at/cezT2>, updated: 14.05.2024.

¹⁷ “Alt-Info was Gifted a Party – Is the “[Georgian] Dream” Losing Their Conservative Supporters”, Information Portal “Resonance”, 13.04.2024, available at: <https://shorturl.at/gyCDK>, updated: 14.05.2024.

¹⁸ “Alt-Info Announces that the Public Registry has Started the Process of Revoking their New Party, ‘Georgian Idea’, Information Portal “On.ge”, 26.04.2024, available at: <https://shorturl.at/hnrS2>, updated: 14.05.2024.

¹⁹ “Japaridze regarding the Alt-Info: Bidzina is purging the pro-Russian sphere, so that the votes are not distributed”, Information Portal “Tabula”, 08.04.2024, available at: <https://shorturl.at/rtOUV>, updated: 14.05.2024.

law, the registry should have still re-registered it. Melashvili emphasizes that only the Constitutional Court has the authority to revoke a party.²⁰ The Public Defender will study the issue of party revocation.²¹

3. RUSTAVI CITY ASSEMBLY CHAIRPERSON DISMISSED (OR IMPEACHMENT OF THE CHAIRPERSON OF RUSTAVI CITY ASSEMBLY)

On 24 April 2024, the Rustavi City Assembly (Sakrebulo) declared no-confidence on the Chairperson, Nodar Sherozia. Notably, the Rustavi City Assembly is one of the few city assemblies where the majority is composed of opposition parties (“For Georgia” party and “United National Movement” party). Therefore, following the 2021 local self-government elections, the opposition coalition elected Nodar Sherozia, a member of the “For Georgia” faction, as the chairman of the Rustavi City Assembly.²² The relationship between the municipal bodies was particularly tense, especially since the majority of the municipal Assembly and City Hall were represented by different political forces. Due to this, in October 2023, the mayor’s office filed a lawsuit against the assembly. The City Hall accuses the Assembly of “deliberate sabotage and violating the Local Self-Government Code”.²³ Furthermore, on 15 April 2024, three members of the “United National Movement” fraction left the latter.²⁴

After the coalition lost its majority, on 19 April 2024, the members of the “Georgian Dream” faction demanded the impeachment of the chairperson of the Sakrebulo, as well as the removal of his deputies and commission.²⁵ As for the reasons, the initiators of the impeachment again refer to the opposition’s attempts to obstruct the work of the self-governing body and deliberately block important projects for the city.²⁶

Eventually, on 24 April 2024, the “Georgian Dream” faction, with the support of former members of the “United National Movement” faction, secured the 18 votes needed for impeachment and dismissed the chairperson of the Assembly.²⁷ According to the “For Georgia” party, this incident clearly demonstrates cooperation between “Georgian Dream” and the “United National Movement”.²⁸ Following the City Assembly session, members and supporters of the “For Georgia” party held a rally, during which, as they claim, provocations occurred.²⁹

4. THE RE-INTRODUCTION OF THE LAW ON “TRANSPARENCY OF FOREIGN INFLUENCE” (A.K.A. “THE RUSSIAN LAW”)

On 3 April 2024, the Faction “Georgian Dream“ re-initiated so-called “Foreign Agents Law“, which was withdrawn in March 2023 due to rallies.³⁰ The re-introduction of the bill occurred despite the ruling team’s promise in 2023 that they would not revisit the law. The content of law remains substantively the same, only the terminology

²⁰ “The Disappeared Party of “Alt-Info” and “Dangerous Precedent for Others”, Information Portal “Radio Tavisupleba”, 10.04.2024, available at: <https://shorturl.at/bdIC8>, updated: 14.05.2024.

²¹ “The Ombudsman will Study the Decision on Alt-Info Party Revocation”, Information Portal “Radio Tavisupleba”, 09.04.2024, available at: <https://www.radiotavisupleba.ge/a/32897252.html>, updated: 14.05.2024

²² “Opposition Elects Chair in Hung Rustavi Sakrebulo”, Information Portal “Civil.ge“, 31.03.2022, available at: <https://civil.ge/archives/469808>, updated: 15.05.2024.

²³ “Rustavi Hall against the Assembly”, Information Portal “1tv.ge“, 30.10.2023, available at: <https://shorturl.at/ehxBP>, updated: 15.05.2024.

²⁴ “The Members of Rustavi Assembly left the ‘United National Movement’”, Information Portal “1tv.ge“, 15.04.2024, available at: <https://shorturl.at/nANT2>, updated: 15.05.2024.

²⁵ “The Impeachment Procedure of Rustavi Assembly Chairperson”, Information Portal “1tv.ge“, 19.04.2024, available at: <https://shorturl.at/ostAY>, updated: 15.05.2024.

²⁶ Ibid.

²⁷ “The Chairperson of Rustavi Assembly, the member of the party “For Georgia”, Dismissed”, Information Portal “Tabula”, 24.04.2024, available at: <https://shorturl.at/cABS9>, updated: 15.05.2024.

²⁸ Ibid.

²⁹ “Party “For Georgia” – Today, people in Rustavi clearly saw a vivid example of open cooperation between the “Georgian Dream” and the “United National Movement”, Information Portal “1tv.ge“, available at: <https://shorturl.at/dgAKV>, updated: 15.05.2024.

³⁰ “GD Reintroduces the Draft law on Foreign Agents”, Information Portal “Civil.ge“, 03.04.2024, available at: <https://civil.ge/archives/589747>, updated: 15.05.2024.

is different, particularly, “agents of foreign influence” has been altered to “organisation pursuing the interests of a foreign power”.³¹ The aim of proposing the law is the same: non-governmental organizations “remain the most non-transparent sector in Georgia”.³² The purpose of the aforementioned law is to guarantee transparency within the civil sector.

According to the “Foreign Agents Law”, if non-governmental (non-commercial) legal persons receive more than 20% of their total income from a foreign organization, donor, or fund,³³ they shall register within the Registry of an “organisation pursuing the interests of a foreign power” and submit annual financial declaration in January.³⁴ Afterwards, they will be automatically considered as an organization pursuing foreign interests. Additionally, Article 8 of the mentioned law is significantly threatening, as it authorizes relevant state agencies to initiate monitoring of the organization, including based on a written application submitted to the Ministry of Justice.³⁵

The reintroduction of the law sparked large-scale protests not only in Tbilisi but also in other cities across Georgia. The Civil Society Organizations Network, consisting of around 200 organizations, has suspended the Memorandum of Cooperation with the Parliament in response to the ruling party’s decision to reintroduce the draft law on Foreign Agents.³⁶ According to them, the law “is incompatible with the state interests, culture and Georgian traditions”.³⁷

On 4 April, 7 opposition parties issued a statement regarding the “Foreign Agents Law”³⁸ – according to them, the Law on “Transparency of Foreign Influence” is a “betrayal of Georgia’s European path.”³⁹ In response to this, the opposition party “For Georgia” and MP Teona Akubardia introduced a bill “On Protection from the Influence of the Occupying Country – the Russian Federation”.⁴⁰ The mentioned draft law entails criminal prosecution for all those organizations or individuals who represent the interests of the occupying country – Russia, and, by doing so, try to alter the foreign policy established by the Constitution or interfere in the country’s internal affairs.⁴¹

The reintroduction of the “Foreign Agents Law” has raised concerns among the country’s foreign partners. Officials from the European Union, NATO, the Council of Europe, and other international organizations, as well as from the United States of America and individual states, have directly expressed their negative attitude towards the law. They emphasized that adopting the “Russian law” would hinder the country’s Euro-Atlantic aspirations. Under the existence of the law, opening accession negotiations between Georgia and the European Union is ruled out.⁴² 12 Ministers of the Foreign Affairs of European Countries considered the law in their joint statement as a “hostile step against the European aspirations of the Georgian people and their future”.⁴³ The United States’ Commission on Security and Cooperation in Europe (Helsinki Commission) stated that the Law on “Transparency of Foreign Influence” is “a self-sabotage of Georgia’s Candidacy”.⁴⁴

In addition to this, on 8 April, over 400 civil society organizations issued a joint statement, calling on the Govern-

³¹ Ibid.

³² Ibid.

³³ Draft Law “on Transparency of Foreign Influence”, Article 2(1(a)), Official Webpage of the Parliament of Georgia, 03.04.2024, available at: <https://shorturl.at/ABEJN>, updated: 15.05.2024.

³⁴ Ibid, Article 4(3).

³⁵ Ibid, Article 8(1), (2).

³⁶ “Key CSO Network Halts Cooperation with Parliament over Draft Law”, Information Portal “Civil.ge”, 04.04.2024, available at: <https://civil.ge/archives/590011>, updated: 15.05.2024.

³⁷ Ibid.

³⁸ “Ahali”, “Girchi-More Freedom”, “Droa”, “the United National Movement”, “Lelo for Georgia”, “the Republican Party”, and “the Strategy Aghmashenebeli”.

³⁹ “Seven Opposition Parties Condemn the Georgian Dream for Re-Tabling Foreign Agents Law”, Information Portal “Civil.ge”, 05.04.2024, available at: <https://civil.ge/archives/590283>, updated: 15.05.2024.

⁴⁰ “Opposition MPs Draft the Bill on Russian Influence”, Information Portal “Civil.ge”, 05.04.2024, available at: <https://civil.ge/archives/590353>, updated: 15.05.2024.

⁴¹ Ibid.

⁴² “EU: “Seriously Concerned” over Reintroduction of Foreign Agents Law”, Information Portal “Civil.ge”, 04.04.2024, available at: <https://civil.ge/archives/590018>, updated: 29.05.2024.

⁴³ “Twelve European Foreign Affairs Committee Chairs: Foreign Agents Bill a ‘Hostile Step’”, Information Portal “Civil.ge”, 06.04.2024, available at: <https://civil.ge/archives/590503>, updated: 15.05.2024.

⁴⁴ “US Helsinki Commission: “Foreign Agent” Legislation – Self-Sabotage of Georgia’s EU Candidacy”, Information Portal “Civil.ge”, 06.04.2024, available at: <https://civil.ge/archives/590524>, updated: 15.05.2024.

ment to withdraw the draft law.⁴⁵ In their statement, they highlighted the severe domestic and foreign consequences that the adoption of the draft law would entail.⁴⁶ Furthermore, the representatives of the non-governmental organization reminded public officials that many of them had previously worked in various non-governmental or international organizations for many years.⁴⁷

Upon the initiation of the “Foreign Agents Law”, representatives of the civil society held systemic protests.⁴⁸ Alongside the protests, the first committee hearing of the draft law took place on 15 April, attended by the representatives of the ruling party, the opposition and the civil society. During the hearing, MP Aleko Elisashvili physically assaulted speaker Mamuka Mdinardze.⁴⁹ It is noteworthy that some opposition MPs were ejected from the committee hearing.⁵⁰ Eventually, on 15 April, the Committee endorsed the draft law in the first hearing.⁵¹ On the following day, on 17 April, during the Plenary Sitting the Parliament passed the law in the first reading.⁵²

According to GYLA, during the permanent protests against these developments, the Government without any factual basis and in violation of international standards resorted to special means, including pepper spray at close range, tear gas, as a result of which participants of the rally were injured.⁵³ Furthermore, participants of the rally were detained on administrative basis and, as it was disseminated, some detainees had been beaten.⁵⁴ The Public Defender of Georgia and non-governmental organizations called on the Government to adhere to international standards for freedom of assembly and demonstration while dispersing the rally.⁵⁵ Despite this, during the demonstrations, there were instances of physical violence, beatings, and harsh treatment of the rally participants by the special forces.⁵⁶

On April 28, the European March took place, where citizens of Georgia once again expressed their position against the Agents Law before the second committee hearing.⁵⁷ On 29 April, the Legal Issues Committee endorsed the law in the second hearing. However, the representatives of non-governmental organizations accuse the Chairperson of the Committee, Anri Okhanashvili, of abusing power “to silence the opposition”.⁵⁸

In response to the protests, on 29 April, the Georgian Dream organized a rally in support of the “Agents Law”, mobilizing participants from the regions.⁵⁹ During the rally, the politicians expressed conspiracy, anti-western and sovereignist rhetoric.⁶⁰

⁴⁵ “More than 400 CSOs Denounce Foreign Agents Bill”, Information Portal “Civil.ge“, 08.04.2024, available at: <https://civil.ge/archives/590168>, updated: 15.05.2024.

⁴⁶ Ibid.

⁴⁷ “CSOs Make Statement Reminding GD Leaders of their Past Work with International Organizations”, Information Portal “Civil.ge“, 08.04.2024, available at: <https://civil.ge/archives/590611>, updated: 15.05.2024.

⁴⁸ “Photo Story: ‘Yes to Europe, No to Russian Law’ – Rally Against Foreign Agents Bill”, Information Portal “Civil.ge“, 10.04.2024, available at: <https://civil.ge/archives/591021>, updated: 29.05.2024.

⁴⁹ “Scuffle at Parliamentary Committee Hearing on Foreign Agents Law”, Information Portal “Civil.ge“, 15.04.2024, available at: <https://civil.ge/archives/592030>, updated: 15.05.2024.

⁵⁰ “Legal Issues Committee Endorses Russian Law Amid Massive Popular Protest”, Information Portal “Civil.ge“, 15.04.2024, available at: <https://civil.ge/archives/592112>, updated: 15.05.2024.

⁵¹ Ibid.

⁵² “Majority Votes for ‘Foreign Agents’ Bill 83-0 in First Reading”, Information Portal “Civil.ge“, 17.04.2024, available at: <https://civil.ge/archives/599495>, updated: 15.05.2024.

⁵³ “The Georgian Authorities Continue Their Repressive Efforts to Disrupt the Peaceful Demonstration against the Russian Law, with the Aim of Undermining Freedom of Expression and Assembly”, The Georgian Young Lawyers’ Association, 16.04.2024, available at: <https://shorturl.at/drmwR>, updated: 29.05.2024.

⁵⁴ Ibid.

⁵⁵ “Public Defender’s Statement on Forms of Alleged Ill-Treatment at Rally”, The Public Defender of Georgia, 14.04.2024, available at: <https://shorturl.at/u2wGW>, updated: 29.05.2024.

⁵⁶ Ibid.

⁵⁷ “Photo Story | European March against Russian Law“, Information Portal “Civil.ge“, 28.04.2024, available at: <https://civil.ge/archives/601911>, updated: 15.05.2024.

⁵⁸ “CSOs Accuses Legal Issues Committee Chair of Abusing Power to Silence Opposition”, Information Portal “Civil.ge“, 29.04.2024, available at: <https://civil.ge/archives/602218>, updated: 15.05.2024.

⁵⁹ “GD Leaders Double Down on Anti-Western, Sovereignist, Conspiracy Rhetoric”, Information Portal “Civil.ge“, 30.04.2024, available at: <https://civil.ge/archives/602343>, updated: 15.05.2024.

⁶⁰ Ibid.

5. WRITING OFF THE TAX DEBTS PRIOR TO THE ELECTIONS

On 8 April, Prime Minister Kobakhidze announced to write off tax debts.⁶¹ As clarified by the Minister of Finance, this will affect approximately 145 000 people, whose debts until 2021 would be written off. In total, this amounts to 590 million GEL.⁶² The reason for this benefit was mentioned to be the period of limitation.⁶³

⁶¹ “PM Announces Large Tax Debt Relief Ahead of Elections”, Information Portal “Civil.ge“, 08.04.2024, available at: <https://civil.ge/archives/590679>, updated: 15.05.2024.

⁶² “As stated by the Minister of Finance, writing off debts would cover 145 000 people, amounting to 590 million GEL debt”, Information Portal “Interpressnews”, 08.04.2024, available at: <https://shorturl.at/ILS01>, updated: 15.05.2024.

⁶³ Ibid.