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**GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION**

Free, Fair and Equal Electoral-Political 2019-2022 Cycle in Georgia

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INTRODUCTION

In August 2019 Georgian Young Lawyers' Association (GYLA) started the implementation of the project Free, Fair and Equal Election electoral political cycle during 2019-2022 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.

TERMINATION OF MANDATES FOR OPPOSITION MPS

Parliament of Georgia discussed the issue of termination of 51 opposition MPs at a plenary session on February 2nd, which was not supported by any of the sitting MPs.¹ Irakli Kobakhidze, Chairman of the Georgian Dream, noted that by doing so, the ruling team was giving the opposition another chance to '*respect the will*' of their supporters.² According to him, 20 more opposition MPs wanted to enter the parliament, but they could not take this step due to 'blackmail and bullying'.³

From the opposition side Giorgi Vashadze, the leader of the 'Strategy Aghmashenebeli' ⁴ and Eka Beselia, the leader of the 'For Justice' party,⁵ negatively assessed the statement of the chairman of the 'Georgian Dream'. Iago Khvichia,⁶ one of the leaders of 'Girchi', considered the move of the majority constructive, while Badri Japaridze, the general secretary of the 'Lelo' party, in this step of the majority, saw the possibility of holding early elections for the ruling team in exchange for entering the opposition legislature.⁷

The decision of the parliament to suspend the mandates of the members of the opposition was appealed in the Constitutional Court by Zurab Japaridze, leader of 'Girchi More Freedom', one of the leaders of the 'Republican Party', Tamar Kordzaia, and the founder of the political movement 'Droa', Elene Khoshtaria.⁸

According to GYLA, the Constitution permits a member of the Parliament to resign from his/her mandate. And the Parliament is obliged to terminate the authority of the MP in case there are relevant grounds. The action of the majority contradicts paragraph 5 of Article 39 of the Constitution, which indicates in detail the circumstances when the term of a Member of Parliament is terminated prematurely.

¹ Plenary session of the Parliament of Georgia of February 02, *Official website of the Parliament of Georgia*, February 02, 2021, available: <https://bit.ly/3vGeWHG>, updated: 19.03.2021.

² „Parliament of Georgia did not support the termination of mandates for opposition MPs”, *information portal „Civil.ge”*, February 02, 2021, accessible: <https://civil.ge/archives/395060>, updated: 19.03.2021.

³ „Georgian Dream will not terminate the mandates of opposition MPs,” *Information portal „Civil.ge”*, February 02, 2021, accessible: <https://civil.ge/archives/394967>, updated: 19.03.2021.

⁴ “Giorgi Vashadze on the issue of mandates - Georgian Dream did it for itself, they made this decision for their own political interests”, *information portal „Interpressnews”*, February 02, 2021, accessible: <http://bit.ly/3r5kmbE>, updated: 19.03.2021.

⁵ Eka Beselia - the majority has violated the Constitution once again, which creates very dangerous precedents”, *information portal „Interpressnews”*, February 02, 2021, accessible: <http://bit.ly/3c2NHzn>, updated: 19.03.2021.

⁶ “According to Iago Khvichia, Girchi plans to continue negotiations with the government”, *information portal „Interpressnews”*, February 02, 2021, accessible: <http://bit.ly/30YpDXS>, updated: 19.03.2021.

⁷ „Badri Japaridze - Lelo's position is unchanged - the only right step to ease the political crisis is an agreement on early elections or a path that will lead to early elections”, *information portal „Interpressnews”*, February 02, 2021, accessible: <https://bit.ly/2P3b56G>, updated: 19.03.2021.

⁸ Minutes of the Constitutional Court of Georgia N3/1-1 /1565, 1568, 1569 of February 26, 2021 “on the case of Zurab Girchi Japaridze, Tamar Kordzaia and Elene Khoshtaria against the Parliament of Georgia.”

BOYCOTT OF THE OPPOSITION

The opposition continues to boycott. Zura Japaridze, leader of 'Girchi More Freedom' said, that during the negotiations between the opposition and the 'Georgian Dream', there were parties that did not intend to enter parliament due to distrust of the majority, even if all four points of the joint opposition proposal were satisfied.⁹ This distrust was caused by false promises made by the ruling party to both, the opposition and the international community.¹⁰ Giorgi Vashadze, the head of 'Strategy Aghmashenebeli', responded to Zura Japaridze's statement by confirming the existence of parties and MPs who did not intend to enter parliament even if the agreement was reached, but on the other hand, noted that 'Strategy Aghmashenebeli' was not one of them.¹¹

According to Alexander Rakviashvili, a member of 'Girchi', it was essential for the parties to confirm or deny Zura Japaridze's statement, in order not to mislead the public and the ambassadors.¹² Here He also added that 'Girchi' has never had such a position.¹³ In case of an agreement, Zaal Udumashvili, a member of the 'United National Movement' (UNM), also refused to stay in the boycott mode.¹⁴

According to Aleko Elisashvili, the leader of the 'Citizens' and an MP, 'European Georgia' was in favour of continuing the boycott.¹⁵ For her part, Irma Nadirashvili, a member of 'European Georgia', said that if the demands of the opposition were fulfilled, the party would enter parliament together with others.

Badri Japaridze, a member of 'Lelo', also clarified the issue. According to him, during the negotiations, some politicians did not categorically refuse to enter the Parliament but rather refused to do so until the majority met all four demands of the opposition.¹⁶

RALLIES SUPPORTING THE OPPOSITION

On February 15, the opposition announced rallies in Tbilisi and the regions of Georgia on February 25 and March 31 respectively, calling for re-elections, the release of 'political prisoners' and a fundamental change in the electoral system.¹⁷

On February 19, pro-opposition activists staged a rally in front of parliament to protest the election results.¹⁸ As part of the protest, they wanted to set up a tent in front of the legislative organ, which led to a confrontation between activists and police, that resulted in the arrest of 20 people.¹⁹

⁹ „Zura Japaridze - there were parties that were not going to enter the parliament even if all four points of the opposition proposal were met and they had an argument for that.” *information portal „1tv.ge“*, February 02, available: <http://bit.ly/3r2Skh5>, updated: 19.03.2021.

¹⁰ Ibid.

¹¹ „Giorgi Vashadze on the issue of mandates - the Georgian Dream did it for itself, they made this decision for their own political interests”, *information portal „Interpressnews“*.

¹² „Which leaders did not plan to enter parliament despite the negotiations - the opposition is making clarifications”, *information portal - TV company Rustavi 2“*, February 02, 2021, available: <https://rustavi2.ge/ka/news/189117>, updated: 19.03.2021.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ “Opposition announces rallies in Tbilisi and regions”, *information portal “Netgazeti”*, February 15, 2021, available: <https://netgazeti.ge/news/519186/>, updated: 19.03.2021; “Opposition announces rallies in Tbilisi and regions”, *information portal „Civil.ge”*, February 15, 2021, available: <https://civil.ge/ka/archives/397737>, updated: 19.03.2021.

¹⁸ “20 pro-opposition activists were detained during a confrontation at the parliament building”, *information portal „Civil.ge”*, February 19, 2021, available: <https://civil.ge/ka/archives/399399>, updated: 19.03.2021.

¹⁹ Ibid.

The Public Defender responded to the confrontation at the Parliament.²⁰ She noted that setting up tents included the right to peaceful assembly, and the police are obliged to refrain from arbitrarily escalating the situation and to avoid the risks of confrontation, they should hold negotiations with the protesters.²¹

GYLA believes that protesting by setting up a tent on the sidewalk is an integral part of the constitutional right of assembly and demonstration. There was no need for the police to restrict the gathering by banning the setup of the tent. According to GYLA, the police action was a gross interference with the fundamental right to assembly and demonstration.²²

WORKING GROUP ON ELECTORAL REFORM

Shalva Papuashvili and Levan Ioseliani held a joint briefing on February 4 in order to set up a working group on parliamentary electoral reform.²³ Shalva Papuashvili noted that he would start working on electoral reform regardless of whether part of the parliamentary opposition was fulfilling its mandate.²⁴ He called on opposition parties to enter the Parliament.²⁵ The working group was created on the basis of a memorandum²⁶ signed between the 'Citizens' and the 'Georgian Dream' party on electoral reform and to work on the issues set out in the memorandum.²⁷

The above-mentioned persons were appointed as co-chairs of the working group.²⁸ David Zilfimiani from the party 'European Socialists' joined the group, and Giorgi Sharabidze, Giorgi Javakhishvili, Giorgi Dzagania from the CEC.²⁹ Both, local and international organizations, were included in the working group.³⁰

The deadline for submitting the bill to Parliament was defined as March 1, 2021, and the deadline for its adoption by the legislature - May 1, 2021.³¹

The first meeting of the working group on electoral reform was held on February 8 and lasted for two hours.³² Behind closed doors, the members of the working group discussed the format of the group's work, the memorandum and future coordination issues.³³

²⁰ Statement of the Public Defender, *the official Facebook page of the Public Defender*, February 19, 2021, available: <http://bit.ly/3bYanR>, updated: 19.03.2021.

²¹ Ibid.

²² GYLA appeals the Ministry of Internal Affairs to respect the right to assemble through a tent on the sidewalk", GYLA website, February 19, 2021, available: <http://bit.ly/3cM5hXn>, updated: 19.03.2021.

²³ "Shalva Papuashvili and Levan Ioseliani held a joint briefing", *Official Website of the Parliament of Georgia*, February 04, 2021, available: <https://bit.ly/3bWWq5X>, updated: 19.03.2021.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Latsabidze M., *newsletter №16 January, 2021* (Tbilisi: Georgian Young Lawyers Association, 2021), page 3-4, Website of Georgian Young Lawyers Association, available: <https://bit.ly/38YY6tY>, updated: 19.03.2021.

²⁷ "The first meeting of the working group related to electoral reform will be held in the Parliament today", *information portal „Interpressnews“*, February 08, 2021, available: <http://bit.ly/3c5qdtv>, updated: 19.03.2021.

²⁸ "Shalva Papuashvili and Levan Ioseliani held a joint briefing", *Official Website of the Parliament of Georgia*.

²⁹ "The first meeting of the group working on the reform of the electoral system was held in Parliament", *information portal „Civil.ge“*, February 08, 2021, available: <https://civil.ge/ka/archives/396081>, updated: 19.03.2021.

³⁰ These organizations are: GYLA; International Society for Fair Elections and Democracy; Multinational Georgia; The International Foundation for Electoral Systems; US National Democratic Institute (NDI); International Republican Institute (IRI); US Embassy in Georgia; USAID; EU and Council of Europe, refer to "Shalva Papuashvili and Levan Ioseliani held a joint briefing", *Official Website of the Parliament of Georgia*; „The first meeting of the group working on the reform of the electoral system was held in the Parliament“, *information portal „Civil.ge“*.

³¹ "Shalva Papuashvili and Levan Ioseliani held a joint briefing", *Official Website of the Parliament of Georgia*.

³² "The first meeting of the group working on the reform of the electoral system was held in the Parliament", *information portal „Civil.ge“*.

³³ Meeting of the Working Group on the Electoral Reform", *Official Website of the Parliament of Georgia*, February 08, 2021, available: <https://bit.ly/3lx9C4x>, updated: 19.03.2021.

After the meeting, GYLA representative Vakhushti Menabde explained that the organisation had a principled approach on three issues as follows: the issue of staffing the election administration on a professional basis and reducing the number of its members; arranging electoral system at the local level and controlling the will of voters.³⁴

Nino Rizhamadze, a representative of the International Society for Fair Elections and Democracy (ISFED), stated that the document did not address the issue of voter bribery.³⁵ The document was also criticized by Levan Natroshvili, the representative of Transparency International (TI). According to him, the rule for staffing election commissions ‘contain[ed] risks that these commissions will still be [under] the influence of the ruling party’.³⁶

Salome Samadashvili, a member of the UNM, also responded to the process. She noted that “*the government cannot create the illusion that any agreement with only one player with low electoral support will ease the political crisis*”.³⁷

On February 15, the working group discussed the initial version of the draft law on amendments to the Election Code at its second meeting.³⁸ The main focus of the meeting was on the rules of staffing the election administration and the local self-government electoral system.³⁹ GYLA presented its opinions at the meeting. Several new issues have been added to the organisation’s special conclusion⁴⁰ on electoral reform:

1. *Use of administrative resources*

It is important to specify the concept of agitation and to determine whether it involves spreading political appeals through a personal social networking site in order to address problems with the use of State websites during the election campaign and the participation of public employees in the election campaign during office hours, including attendance at party events.

2. *Ability to recount the elections*

Instead of counting at least 10 percent of polling stations at the request of any authorized person, GYLA believes that it is better to define an open list of criteria by which the commission will be obliged to recount the ballot papers.

3. *Gender quota*

GYLA believes that in order to eliminate the shortcomings related to gender quotas, it is necessary to establish an obligation of representing 50% of the opposite sex on the party list at the time of registration for elections. Regulation should be effective until equal representation is achieved at the central and local levels.

4. *Election disputes*

- The district commission should summarize the voting results taking into account the final decisions of the courts of all instances and not according to the results of the review of the violation of the election legislation, no later than the 11th day after the voting day, as it is the case now;

³⁴ “According to Vakhushti Menabde, the election administration should be staffed in such a way that all members have the support of both the ruling team and the opposition”, *information portal „Interpressnews“*, February 08, 2021, available: <http://bit.ly/3r2e6Bi>, updated: 19.03.2021.

³⁵ “How to improve the Electoral Environment - The first meeting of the working group on electoral reform is over”, *information portal - TV Company Rustavi 2*, February 08, 2021, available: <https://rustavi2.ge/ka/news/189652>, updated: 19.03.2021.

³⁶ Ibid.

³⁷ Information portal „Formula NEWS“, *Social network „Facebook“*, February 08, 2021, available: <http://bit.ly/3cM8uWV>, updated: 19.03.2021.

³⁸ “Working Group on Electoral Reform Held Another Meeting”, *Official Website of the Parliament of Georgia*, February 15, 2021, available: <https://bit.ly/3c0ohSP>, updated: 19.03.2021.

³⁹ Ibid.

⁴⁰ Latsabidze M., *newsletter №16 January, 2021*, pages. 4-5.

- The Code should envisage the time limit for handing over a decision of the Court of Appeals to a party, as it is established in the case of a district/civil court;
- At the legal level, the qualification of interfering in the activities/functions of the commission and obstruction/disorder for the commission should be separated in order to eliminate the ambiguities related to it in the future;
- When a complaint is filed against a Member of the Election Commission, it is desirable to extend his/her term of office until a final decision on their disciplinary liability is made;
- In case of refusal to draw up a report on the violation, there should be an opportunity to appeal the decision in court.

The US Embassy in Georgia and the EU Delegation also presented their opinions. According to them, every subsequent election should be held under a proportional electoral system; A party that crosses the 3% threshold must be able to form a faction; Gathering of people within a 100-meter radius of the polling station and controlling the will of the voters should be prohibited. The EU Delegation further noted that the opposition should have been included in the election of the Chairman of the Central Election Commission, which meant voting by either a 2/3 majority or a double majority, where more than half of the positive vote of the opposition would be needed. They also supported the initiative to appoint CEC members on a professional basis. Recommendations were also issued by TI Georgia and the ISFED. According to them, the rules of staffing the CEC should be changed. One party should have the right to appoint only one member in the Central Election Commission and also in the Precinct Election Commission. In addition, the election of professional members requires the support of both the parliamentary majority and the opposition. However, in the opinion of the organisations, the model of staffing the CEC and other commissions on a fully professional basis should be changed through step-by-step reforms and after the formation of a fully proportionally elected parliament. They also noted that it would be important to ban the drafting of correction protocols after the final closure of the polling station and the sealing of documents.

According to 'Multinational Georgia', the threshold for all self-governments should be 2.5%; When forming election commissions, all parties that independently participated in the 2020 parliamentary elections and won the mandate of a Member of Parliament should be entitled to be represented on the commissions by one member each; The 1-2-day deadline for submitting complaints and reviewing them should be increased to 3-5 days. It is also important to tighten the responsibility for the involvement of civil servants in the pre-election campaign.

According to the opinion developed by the European Socialists, the electoral threshold in the parliamentary elections should be 2%; At least 4 members of a political party, or a parliamentary group affiliated with them, must be granted the status of a political group. The fraction should have the right to nominate a candidate proposed by non-governmental organizations for the post of CEC chairperson; Local elections should be conducted under a fully proportional system. The party also highlighted the importance of state funding for a political union that entered the parliament.

The next meeting of the working group was held on February 19, where main the following three issues were discussed: staffing of the election administration, election disputes and administrative resources.⁴¹ Shalva Papuashvili positively assessed the meeting. At the third meeting, it was decided that a mixed type of election commission would be maintained; However, all parties that have crossed the barrier will have one representative each in the Central and District Election Commissions.⁴² According to him,

⁴¹ "Working Group on Electoral Reform discussed issues related to the rules of staffing the election administration, resolving election disputes and administrative resources", *Official Website of the Parliament of Georgia*, February, 19, 2021, available: <https://bit.ly/3eUt3mJ>, updated: 19.03.2021.

⁴² Ibid.

the number of persons appointed on professional grounds in the CEC will be eight instead of six, and in the District Election Commission will be eight instead of five.⁴³

The working group on electoral reform held another meeting on February 24.⁴⁴ GYLA requested the postponement of the meeting due to the political crisis in the country. The request was not satisfied. The organisation did not attend the fourth meeting of the working group. 'Multinational Georgia' submitted recommendations according to which the professional members of the CEC and the members of the District Election Commission were elected with the support of 2/3 of the entire Parliament; A political party shall have the right to be a member of the CEC if it participated in the last parliamentary elections independently and was nominated by a proportionally elected member of parliament; The current mixed model of Precinct Election Commissions staffing should be maintained, and finally, on their recommendation, all parties that ran independently in the 2020 parliamentary elections and won a seat in parliament shall be authorised to appoint one representative to each level of the election commission.

Shalva Papuashvili stated that the parties reached an agreement on all disputed issues.⁴⁵ According to him, the identities of the members of the polling station will be known a few months prior the elections; Correction protocols will be available only on the basis of precinct counting; It will be possible to file complaints electronically, and in the event that the district commission or the CEC does not draw up a report on violations, there will be a grievance mechanism in court.⁴⁶ A 100-meter radius will be maintained on Election Day, where voter delay and registration will be prohibited.⁴⁷ According to the bill, the principle of staffing district commissions and the CEC remained the same, which meant appointing persons with both professional and party affiliation. However, the number of members has increased. Instead of the current 12 in the CEC, the number of members has increased to 17 (8 professional and 9 party members). In the Precinct Election Commission, the staffing rules were established as follows: 5 members are being appointed by the CEC, 9 by parties, and the remaining 3 by the CEC temporarily. It has been decided to appoint the members of the Precinct Election Commission by the district commissions only on a professional basis.

GYLA believes that the mixed model of staffing election commissions should be replaced by a professional one; According to the proposed draft law, the CEC will appoint the members of the Precinct Election Commission by a majority of the list, this figure should be increased to 2/3. Furthermore, GYLA does not agree with the proposed version of the appointment of PEC members, according to which Precinct Election Commission members are elected by the relevant district election commission provided that it is supported, including at least 3 members elected by the CEC in the relevant district election commission for a term of 5 years. According to GYLA, instead of members appointed by the CEC, most of the listed members should be supported by three members appointed by political parties. Also, along with the delay and registration of voters 100 meters away from the polling station, the presence of non-accredited persons should be prohibited. According to GYLA, self-government elections should be held in a fully proportionate manner.

⁴³ Ibid.

⁴⁴ "Working Group on Electoral Reform Reaches Agreement on Issues Discussed" *Official Website of the Parliament of Georgia*, February 24, 2021, available: <https://bit.ly/3vIXodO>, updated: 19.03.2021.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

TEMPORARY COMMISSION OF INQUIRY INTO ALLEGED VIOLATIONS IN THE PARLIAMENTARY ELECTIONS OF OCTOBER 31, 2020

At the plenary session on February 17, the Parliament of Georgia voted with 78 votes against none to establish a temporary commission of inquiry into the alleged irregularities in the parliamentary elections of October 31, 2020.⁴⁸ The term of the authority of the Temporary Commission of Inquiry was defined as 3 months.⁴⁹ The party 'European Socialists' will participate in the process.⁵⁰ The party Citizens noted that they would only be involved in the process if the opposition parties, which, unlike them, had their own representatives at polling stations throughout the country, also took part.⁵¹

It was initially decided that the commission of inquiry would have eight members, however, as the opposition remained in a boycott mode, the number of members was reduced to four in the first phase:⁵² two from the opposition,⁵³ and two from the majority.⁵⁴

Georgian Dream noted that if commission of inquiry finds even 1% deviation in favour of election results, it will call a snap election.⁵⁵

THE CASE OF NIKA MELIA

On February 5, Nika Melia refused to pay the bail imposed as a measure of restraint⁵⁶ On the same day, he was summoned to the General Prosecutor's Office of Georgia "to warn of the consequences of non-compliance with the bail conditions imposed as a measure of restraint", where his lawyer arrived in his place.⁵⁷ He stated that the act of warning and the rights related to the payment of bail should be read by the prosecutors directly to the accused and he was not authorised to accept the act instead of the latter.⁵⁸ According to his statement, the aggravation of the restraining order was illegitimate.⁵⁹

⁴⁸ „Parliament listened to the Deputy Prime Minister, Minister of Regional Development and Infrastructure, Maia Tskitishvili in the format of Ministerial Hour”, *Official Website of the Parliament of Georgia*, February 17, 2021, available: <https://bit.ly/3eWMJGC>, updated: 19.03.2021.

⁴⁹ Ibid.

⁵⁰ "Parliament has supported the establishment of a temporary commission of inquiry to investigate the parliamentary elections," *information portal "Netgazeti"*, February 17, 2021, available: <https://netgazeti.ge/news/519833/>, updated: 19.03.2021.

⁵¹ Ibid.

⁵² The Parliamentary Commission of Inquiry set up to study the election results will be formed with 4 deputies", *information portal „Interpressnews“*, February 22, 2021, available: <http://bit.ly/3tAE1SC>, updated: 19.03.2021.

⁵³ Pridon Injia and Davit Zilfimiani, members of the European Socialists Party, joined the work of the commission from the opposition, refer to "Deputies from Georgian Dream Aluda Ghudushauri and Givi Mikanadze will work in the temporary commission of inquiry to study the results of the parliamentary elections", *information portal „Interpressnews“*, February 25, 2021, available: <https://bit.ly/3lx85fa>, updated: 19.03.2021.

⁵⁴ Aluda Ghudushauri and Givi Mikanadze from Georgian Dream were involved in the work of the commission, refer to *ibid*.

⁵⁵ "Parliament Supported Establishment of Temporary Commission of Inquiry into Parliamentary Elections", *information portal "Netgazeti"*.

⁵⁶ „Nika Melia: I will not pay, you will not be able to catch me”, *information portal „Radio Tavisupleba“*, February 05, 2021, available: <https://www.radiotavisupleba.ge/a/31087771.html>, updated: 19.03.2021.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

Suspension Of Nika Melia's Parliamentary Immunity By The Parliament

On February 12, the Prosecutor General's Office appealed to the Parliament to grant consent to file a motion with the court to replace the measure of constraint applied against Nika Melia - bail - with a more severe preventive measure - detention.⁶⁰ Mamuka Mdinardze, one of the leaders of the 'Georgian Dream', said that the majority would support the lifting of Melia's immunity.⁶¹ The Public Defender also responded to this process, calling on the legislature not to give consent to the address of the Prosecutor's Office, and appealed to the latter to reconsider the decision to change the measure of restraint.⁶²

The legislature considered the issue of suspending the parliamentary immunity of Nika Melia at a plenary session on February 16 and adopted a positive decision by 88 votes to 2.⁶³ At the plenary session, Amiran Guluashvili, the Head of the Division under the Prosecutorial Supervision of the Investigative Division of the General Prosecutor's Office, said that since Nika Melia had publicly refused to pay the increased bail, there was no legal basis for further use of the same measure of restraint.⁶⁴ Consequently, imprisonment was the only alternative.⁶⁵

The opposition expressed its support towards Nika Melia and negatively assessed the suspension of his parliamentary immunity, among them, Zaal Udumashvili (UNM), Gigi Ugulava (European Georgia), Levan Ioseliani (Citizens), Nino Burjanadze (United Georgia) and others.⁶⁶ According to Mamuka Khazaradze, the leader of the party 'Lelo for Georgia', with this action, the Georgian Dream "has [brought] the country, which is already in a severe political crisis, into a deadlock".⁶⁷ He called on the majority to return to dialogue mode.⁶⁸

EU Ambassador to Georgia Carl Hartzel noted that Nika Melia's case would have a great impact on Georgian politics. He called on the parties to be careful in order not to aggravate the current situation.⁶⁹

Changing The Measure Of Restraint For Nika Melia To Imprisonment By The Court

On February 16, the General Prosecutor's Office of Georgia petitioned the court to change the measure of restraint for Nika Melia to imprisonment.⁷⁰ The representatives of the opposition reacted to the processes. According to them, Nika Melia would not surrender to the government voluntarily and the opposition would support him.⁷¹ The trial for changing the measure of restraint to imprisonment was

⁶⁰ The Prosecutor General's Office of Georgia appealed to the Parliament to grant a consent to file a motion with court to replace the measure of constraint applied against defendant Nikanor Melia - bail - with a more severe preventive measure - detention", *Official Website of the Prosecutor's Office of Georgia*, February 12, 2021, available: <https://bit.ly/3lyOhrM>, updated: 19.03.2021.

⁶¹ Statement of Mamuka Mdinardze, a member of the Georgian Dream, *the official Facebook page of the Georgian Dream*, February 13, 2021, available: <http://bit.ly/38YGkXL>, updated: 19.03.2021.

⁶² Statement of the Public Defender regarding the lifting of the parliamentary immunity of Nikanor Melia", *Official Website of the Public Defender of Georgia*, February 16, 2021, available: <http://bit.ly/3vEzSij>, updated: 19.03.2021.

⁶³ February 16 Plenary Sitting of the Parliament of Georgia, *Official Website of the Parliament of Georgia, February 16, 2021*, available: <https://bit.ly/3r18ozK>, updated: 19.03.2021.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ "Politicians assess lifting immunity for Nika Melia", *information portal „Civil.ge”*, February 16, 2021, available: <https://civil.ge/ka/archives/398108>, updated: 19.03.2021.

⁶⁷ Statement of Mamuka Khazaradze, the leader of "Lelo", *official Facebook page of Mamuka Khazaradze*, February 16, 2021, available: <http://bit.ly/3lw6cz7>, updated: 19.03.2021.

⁶⁸ Ibid.

⁶⁹ "I am afraid this case will have a great impact on Georgian politics - Hartzel regarding Melia", *Information portal "Netgazeti"*, February 17, 2021, available: <http://bit.ly/2NzEeWM>, updated: 19.03.2021..

⁷⁰ "The prosecutor's office appealed to the court regarding the use of detention against Nika Melia", *information portal "Interpressnews"*, February 16, 2021, available: <http://bit.ly/3cLJ4sC>, updated: 19.03.2021.

⁷¹ "Elene Khoshtaria on Nika Melia - they will have to pass us in order to execute this illegal decision, we will stand forward

held on February 17, 2021.⁷² The issue was reviewed by Judge Nino Chakhnashvili, whose name was linked by the opposition to politically motivated cases.⁷³ The court granted the motion of the prosecutor's office and sentenced Nika Melia to imprisonment.⁷⁴

The US Embassy in Georgia issued a statement in this regard.⁷⁵ It stated that the parties should have exercised maximum restraint over the court's decision and that they should resolve the situation peacefully.⁷⁶

Member of the European Parliament Andrius Kubilius also commented on the court decision. He said that Georgia's Euro-Atlantic integration was in great danger and he called on the parties to dialogue.⁷⁷

On February 18, the opposition issued a joint statement.⁷⁸ The statement said that the decision indicated an escalation of political repression. The letter mentions that the majority violated the agreement reached on March 8, 2020 on the release of political prisoners and it continued to persecute individuals on political grounds.⁷⁹ The opposition expressed solidarity towards Melia and condemned the "absurd and fabricated" case against him.⁸⁰

The High Council of Justice also responded to the events. He stated that the detention of Melia was justified and substantiated by law.⁸¹ The statement advocated the judge of the trial and condemned the "slandorous campaign" against it.⁸²

According to the prosecutor of the case Mikheil Sidradze, the court decision did not set a specific time for enforcement, however, the relevant body would execute it within a reasonable time.⁸³

and not let them go!", *information portal "Interpressnews"*, February 17, 2021, available: <http://bit.ly/2NAYsiW>, updated: 19.03.2021; „Khatia Dekanoidze- "If the Georgian Dream has decided to storm the main building of one of the largest opposition parties, believe me, it will cost a lot," *information portal "Interpressnews"*, February 17, 2021, available: <http://bit.ly/2NCXoes>, updated: 19.03.2021; „Irakli Abesadze - "It has been repeatedly stated by opposition leaders and Nika Melia that he is not going to voluntarily submit to this unjust decision," *information portal "Interpressnews"*, February 17, 2021, available: <https://bit.ly/2P58U2s>, updated: 19.03.2021; „Levan Khabeishvili - How are we going to not to give Nika Melia as hostage and captive? We are going to do it peacefully ", *information portal "Interpressnews"*, February 17, 2021, available: <http://bit.ly/3cLJSxE>, updated: 19.03.2021.

⁷² "The court sentenced Nika Melia to pre-trial detention", *information portal „Civil.ge"*, February 17, 2021, available: <https://civil.ge/ka/archives/398225>, updated: 19.03.2021.

⁷³ "Who is the judge who will review Melia's restraining order?" *Information portal "Netgazeti"*, February 17, 2021, available: <https://netgazeti.ge/news/519768/>, updated: 19.03.2021; "On June 20, the injured were not granted the status of victims - Makarashvili on the judge of Melia's case", *Information portal - TV company Mtavari Channel*, February 17, 2021, available: <http://bit.ly/3d2WK2D>, updated: 19.03.2021.

⁷⁴ "The court sentenced Nika Melia to imprisonment" *information portal Radio Tavisupleba*, February 17, 2021, available: <http://bit.ly/3vztxs>, updated: 19.03.2021.

⁷⁵ "US Embassy Responds to Pre-Trial Detention of Nika Melia", *information portal „Civil.ge"*, February 17, 2021, available: <http://bit.ly/3vFASmi>, updated: 19.03.2021.

⁷⁶ Ibid.

⁷⁷ Andrius Kubilius, Twitter post, 18 February 2021, 3:29 PM, available: <https://bit.ly/3r1BH5k>, updated: 19.03.2021.

⁷⁸ The joint statement is signed by: UNM; European Georgia; Labour Party; Lelo for Georgia; Strategy Builder; More Freedom - Girchi; Victorious Georgia; United Georgia - Democratic Movement; Republican Party; Christian-Democratic Movement; Christian Conservative Movement; New Christian Democrats; For justice; Tribune; National Democratic Party; Movement - State for the People; European Democrats; Law and Justice; Civil Alliance for Freedom; Free Democrats; Elene Khoshtaria; Shalva Shavgulidze; see the statement, Official Twitter account of the UNM, available: <https://bit.ly/3eUavmu>, updated: 19.03.2021.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ "Statement of the High Council of Justice of Georgia", *Official Website of the High Council of Justice of Georgia*, February 19, 2021 available: <http://bit.ly/3r2LIPy>, updated: 19.03.2021.

⁸² Ibid.

⁸³ Prosecutor of the case of Nika Melia - we hope that the accused in this case will still appear in the relevant body", *information portal "Interpressnews"*, February 17, 2021, available: <http://bit.ly/3IsPOQ2> , updated: 19.03.2021.

A joint statement on the incident was released by eighteen non-governmental organizations.⁸⁴ They noted that the government's actions were increasing political polarisation and deepening the crisis of democracy in the country. The organizations also appealed to the Ministry of Internal Affairs not to start enforcing the court decision until the defence had used all the possibilities provided by law.⁸⁵

GYLA and EMC issued a joint statement regarding the incident.⁸⁶ In the statement, the organizations critically assess the detention of Nika Melia and believe that this decision contains signs of selective, politically dictated justice.

RESIGNATION OF THE PRIME MINISTER

2 On February 18, 2021, Prime Minister Giorgi Gakharia resigned.⁸⁷ He stated that the disagreement with the Georgian Dream over Melia's detention leads to his decision.⁸⁸ Gakharia said he considered the arrest of Nika Melia unjustified at a time when there was a danger of escalation of political conflict in the country.⁸⁹ The former Prime Minister also resigned from the 'Georgian Dream' party.⁹⁰

Irakli Kobakhidze, Chairman of the Georgian Dream, noted that the former Prime Minister's decision was unfortunate, and the team could not hear the arguments that would support Gakharia's position.⁹¹ According to Kobakhidze, the candidate for the new Prime Minister would be nominated by the Political Council on the following day.⁹² He also called on Nika Melia to observe the legislation, otherwise, the government would enforce the law and arrest him.⁹³

Giorgi Gakharia's resignation was positively assessed by Nika Melia and he noted that his move was appreciated.⁹⁴ He also called on the majority to resume talks regarding the snap elections.⁹⁵ Melia's call

⁸⁴ These organizations are: Transparency International - Georgia - TI Georgia; Democratic Initiative of Georgia - GDI; Open Society Georgia Foundation- OSGF; Society and banks; Centre of Research Journalism and Economic Analysis; Centre Empathy; Sapari; Human Rights Centre; Economic Policy Research Centre - EPRC; International Society for Fair Elections and Democracy - ISFED; Atlantic Council of Georgia; Green Alternative; World Experience For Georgia - WEG; Georgian Reform Association - GRASS; Liberal Academy Tbilisi; United Nations Association of Georgia; Media Development Fund; Georgian Foundation For Strategic And International Affairs - GFSIS.

⁸⁵ "Joint Statement on Relieving Tensions Arising from Nika Melia's Pre-Detention Decision", *Official Website of Transparency International Georgia*, February 18, 2021, available: <http://bit.ly/2NwWVdz>, updated: 19.03.2021.

⁸⁶ "GYLA and EMC Respond to Detention of Nika Melia", GYLA Website, February 18, 2021, available: <http://bit.ly/3d2Zayf>, updated: 19.03.2021.

⁸⁷ "Prime Minister Giorgi Gakharia is resigning", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/3ls5vqE>, updated: 19.03.2021.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ "According to Nikoloz Samkharadze, Giorgi Gakharia left the Georgian Dream together with the post of Prime Minister", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/3r1d7S0>, updated: 19.03.2021.

⁹¹ "Irakli Kobakhidze - "Unfortunately, we have not heard the arguments that would support the position of Giorgi Gakharia - a country where law enforcement is not ensured cannot be formed as a state", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/38VyDBI>, updated: 19.03.2021.

⁹² "Irakli Kobakhidze - it is expected that the Political Council will convene tomorrow and a candidate for the Prime Minister will be nominated", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/3vGKvRB>, updated: 19.03.2021.

⁹³ "Irakli Kobakhidze - I call on Nikanor Melia to obey the law, otherwise the government will ensure his arrest", *information portal "Interpressnews"*, February 18, 2021, available: <https://bit.ly/3r64i9r>, updated: 19.03.2021.

⁹⁴ According to Nika Melia, Giorgi Gakharia admitted with his resignation that "there would be bloodshed and violence here", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/3cPCGjU>, updated: 19.03.2021.

⁹⁵ Statement of Nika Melia, *Official Facebook page of the United National Movement*, February 18, 2021, available: <http://bit.ly/3qZV0Mj>, updated: 19.03.2021.

was joined by other members of the opposition, including Davit Bakradze,⁹⁶ then current chairman of European Georgia, and Giorgi Vashadze, leader of Strategy Builder.⁹⁷

The Ministry of Internal Affairs temporarily postponed the arrest of Nika Melia in connection with the resignation of Giorgi Gakharia.⁹⁸

APPOINTMENT OF A NEW PRIME MINISTER

On February 18, the Georgian Dream Party nominated Irakli Garibashvili as the new Prime Ministerial candidate,⁹⁹ who held the position of Minister of Internal Affairs of Georgia in 2012-2013 and was the Prime Minister of Georgia in 2012-2015.¹⁰⁰ On February 22, by 89 votes to 2¹⁰¹ the Parliament declared confidence in Irakli Garibashvili and his cabinet.¹⁰² The session was also attended by three members of the party European Socialists,¹⁰³ who did not take part in the voting.¹⁰⁴

According to opposition making Irakli Garibashvili as a PM would lead to more polarisation of political forces as he would not focus on crisis resolution.¹⁰⁵

Peter Stano, the spokesman for the EU External Action Service, responded ruling of the City Court of February 17 against Nika Melia and the resignation of Prime Minister Giorgi Gakharia and noted that a way out of the political crisis was possible only through sincere political dialogue. Among other things, he also noted that broad political unity was needed to defuse tensions and further consolidate democracy in Georgia, including through ambitious and inclusive judicial and electoral reforms.¹⁰⁶

The US Embassy in Georgia also commented on the current events.¹⁰⁷ According to the statement, the US approved the government's move to postpone the execution of the court ruling against Nika Melia and called on the parties to de-escalate the situation.¹⁰⁸

In response to the developments, **the Ambassador of Lithuania to Georgia, Andrius Kalindra**,

⁹⁶ Special transmission of Mtavari Channel, *Official Facebook page of Mtavari Channel*, February 18, 2021, available: <http://bit.ly/3tyxmrW>, updated: 19.03.2021.

⁹⁷ Opposition calls on ruling team to resume negotiation on holding new elections", *information portal „Civil.ge”*, February 18, 2021, available: <https://civil.ge/ka/archives/398673>, updated: 19.03.2021.

⁹⁸ Statement of the Ministry of Internal Affairs, *Official Facebook page of Ministry of Internal Affairs*, February 18, 2021, available: <http://bit.ly/38WTgNM>, updated: 19.03.2021.

⁹⁹ "Political Council Session of Georgian Dream was Ended", *Official Facebook page of information portal Radio Tavisupleba*, February 18, 2021, available: <http://bit.ly/3cNXcBx>, updated: 19.03.2021.

¹⁰⁰ Irakli Garibashvili, *Official Website of the Government of Georgia*, available: <http://bit.ly/3seLHJG>, updated: 19.03.2021.

¹⁰¹ Both votes against the declaration of confidence belonged to the members of the party Citizens, Aleko Elisashvili and Levan Ioseliani. See the Resolution of the Parliament of Georgia "On the declaration of confidence in the Government of Georgia", *official Website of the Parliament of Georgia*, February 22, 2021, available: <https://bit.ly/3eX1R70>, updated: 19.03.2021.

¹⁰² "Parliament has expressed confidence in Irakli Gharibashvili and the new government", *Official Website of the Parliament of Georgia*, February 23, 2021, available: <https://bit.ly/2ND3PhC>, updated: 19.03.2021.

¹⁰³ Fridon Injia, Avtandil Ehlukidze and Davit Zilfimiani, see. Resolution of the Parliament of Georgia "On Declaration of Confidence for the Government of Georgia", *Official Website of the Parliament of Georgia*.

¹⁰⁴ *Ibid.*

¹⁰⁵ "Politicians assess Irakli Gharibashvili's candidacy as Prime Minister", *information portal „Civil.ge”*, February 18, 2021, available: <https://civil.ge/ka/archives/398958>, updated: 19.03.2021" They chose the path of split until the end - Bakradze about Garibashvili as Prime Minister", *Information portal "Netgazeti"*, February 18, 2021, available: <https://netgazeti.ge/news/520300/>, updated: 19.03.2021.

¹⁰⁶ "Statement of the Spokesperson of the EU External Action Service on the recent political developments", EU Delegation in Georgia, official website, February 18, 2021, available: <https://bit.ly/3tArOgz>, updated: 19.03.2021.

¹⁰⁷ Statement of the Embassy of the United States of America in Georgia, US Embassy in Georgia, Official Facebook page, February 18, 2021, available: <http://bit.ly/3lwep6j>, updated: 19.03.2021.

¹⁰⁸ *Ibid.*

arrived at the office of the UNM as a sign of solidarity.¹⁰⁹ The Lithuanian Foreign Ministry also called on the parties to de-escalate the situation and engage in constructive political dialogue.¹¹⁰

Due to the current political crisis in Georgia, **Lithuanian MP - Zhigimantas Pavilionis** visited. During his visit, he met with **EU Ambassador to Georgia Carl Herzi**, **US Ambassador to Georgia Kelly Degnan**, representatives of the majority, opposition and non-governmental organizations.¹¹¹ During the visit, Pavilionis offered the parties to play the role of mediator on behalf of Lithuania.¹¹² He also stated that it was possible for the Lithuanian Foreign Minister and President to visit Georgia. However, only if the parties sat down at the negotiating table.¹¹³ Pavilionis also called on the authorities to stop the political repressions and pointed to the imposition of possible sanctions.¹¹⁴

On February 21, opposition parties announced at a news conference with the Zhigimantas Pavilionis that they would postpone the rallies scheduled for February 25, offering the Georgian Dream to resume negotiations.¹¹⁵

ARREST OF NIKA MELIA

On the morning of the second day of passing the vote of confidence towards Irakli Garibashvili by the Parliament - February 23, law enforcers arrived at the office of the UNM.¹¹⁶ Members of the UNM, including Nika Melia and representatives of various opposition parties and activists, gathered in his support stayed throughout the night.¹¹⁷ A representative of the Ministry of Internal Affairs stated at the office of UNM that their goal was to enforce the court ruling without any coercive measures.¹¹⁸ For their part, the public in the office noted that they would meet peacefully with the special forces.¹¹⁹

The operation was followed by a confrontation between law enforcers and those gathered on the place.¹²⁰ The special forces group started forcing the citizens to leave the office.¹²¹ They also tried to enter the office through a fire ladder.¹²² The law enforcers released pepper spray while entering Nika

¹⁰⁹ "Ambassador of Lithuania - I am in the office of the United National Movement to express solidarity with what is happening, I am worried about the future", *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/3c123QJ>, updated: 19.03.2021.

¹¹⁰ "Lithuania raises questions about 'selective law' in Georgia," *information portal „Civil.ge“*, February 18, 2021, available: <https://civil.ge/ka/archives/398683>, updated 19.03.2021; "The Lithuanian Foreign Ministry - we call on the Georgian authorities and the opposition to refrain from actions that will further divide the society, the escalation of the situation will damage the future prospects of the country." *information portal "Interpressnews"*, February 18, 2021, available: <http://bit.ly/2PbGUKo>, updated: 19.03.2021.

¹¹¹ Andrius Kalindra, Twitter post, 21 February 2021, 12:27 PM, available: <https://bit.ly/3tDEvaG>, updated: 19.03.2021.

¹¹² "Chairman of the Foreign Affairs Committee of the Lithuanian Parliament - please talk to each other! Stop the repressions! "Georgia either goes through the way as Lithuania or becomes Belarus." *Information portal "Interpressnews"*, February 20, 2021, available: <http://bit.ly/3seTl1e>, updated: 19.03.2021.

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ "Opposition calls on the government to negotiate, Lithuanian member of parliament talks about sanctions", *information portal „Civil.ge“*, February 22, 2021, available: <https://civil.ge/ka/archives/399713>, updated: 19.03.2021.

¹¹⁶ "Opposition calls on the government to negotiate, Lithuanian member of parliament talks about sanctions", *information portal „Civil.ge“*, February 22, 2021, available: <https://civil.ge/ka/archives/399713>, updated: 19.03.2021.

¹¹⁷ *Ibid.*

¹¹⁸ "Law enforcer near the office of the National Movement - Our goal is to enforce the court ruling without any coercive measures", *information portal "Interpressnews"*, February 23, 2021, available: <http://bit.ly/3vzOzTE>, updated: 19.03.2021.

¹¹⁹ Law enforcers came to the office of the "National Movement", *information portal "Interpressnews"*.

¹²⁰ "There is a confrontation between the law enforcers and those gathered on the spot in the office of the National Movement", *information portal "Interpressnews"*, February 23, 2021, available: <http://bit.ly/3eUB1ME>, updated: 19.03.2021.

¹²¹ *Ibid.*

¹²² Law enforcers placed the fire escape ladder to the UNM office", *information portal "Interpressnews"*, February 23, 2021, available: <http://bit.ly/3lzB15Z>, updated: 19.03.2021.

Melia's office.¹²³ Eventually, they arrested the Chairman of the UNM.¹²⁴

On February 23, according to a joint statement by non-governmental organisations, which was also joined by GYLA, the move by the government was a political decision that would exacerbate the crisis.¹²⁵ Moreover, no steps have been taken by them to ease the crisis.¹²⁶ In the statement, the authors called on international partners to support and respond accordingly.¹²⁷

According to GYLA's assessment, the Georgian government has failed to alleviate the current political crisis and de-escalate the ongoing processes through peaceful negotiations.¹²⁸ In addition, in the office, where there was no natural ventilation, law enforcement officers used 'pepper spray' in violation of the law and international standards.¹²⁹ In this case, there was a risk of serious damage to health.¹³⁰ At the same time, GYLA questions the legitimacy of the administrative detention of persons by the police, according to GYLA, it is inadmissible to use the measure of detention to suppress a peaceful protest.¹³¹

The US Embassy in Georgia considered the incident to be a setback on the path of Georgia towards the Euro-Atlantic family, towards democracy.¹³²

U.S. Senators, the chair of the Subcommittee on Europe and Regional Security Cooperation, Jeanne Shaheen, and the chairman of Senate Foreign Relations Committee Jim Risch, along with two representatives of the Congress, co-chairs of the House Georgia Caucus - Adam Kinzinger and Gerry Connolly, with the joint statement noted that the actions of the government were of great concern and it threatened Georgia's democracy and the path to Euro-Atlantic integration.¹³³ They have emphasised that "all Georgian political parties must stop provocations and find a way to resolve the crisis peacefully".¹³⁴ They also demanded the immediate release of Nika Melia and Giorgi Rurua and called on the parties to engage in dialogue.¹³⁵ Moreover, Adam Kinzinger, in a statement posted on his Twitter account, called the government's action a "Incredibly dumb move".¹³⁶

Leaders of the U.S. Helsinki Commission, Congressmen Alcee Hastings and Joe Wilson, as well as Senators Roger Wicker and Ben Cardin, issued a joint statement calling for Melia's release and dialogue.¹³⁷

NATO Secretary General's Special Representative for the South Caucasus and Central Asia James Appathurai responded to the incident by negatively assessing the arrest of Nika Melia and expressing hope that Georgia would resolve problems through dialogue in order to avoid polarized

¹²³ "Law enforcers arrested Nika Melia", *information portal „Civil.ge“*, February 23, 2021, available: <https://civil.ge/ka/archives/400101> , updated: 19.03.2021.

¹²⁴ *Ibid.*

¹²⁵ Special statement on the arrest of Nika Melia", GYLA website, February 23, available: <http://bit.ly/3cRS0wm> , updated: 19.03.2021.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ "GYLA Assessment regarding the Events of February 23", GYLA website, February 24, available: <http://bit.ly/3s7dBra>, updated: 19.03.2021.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² Statement of the Embassy of the United States of America in Georgia, Embassy of the United States of America in Georgia, Official Facebook Page, February 23, 2021, available: <http://bit.ly/3s49rQG> , updated: 19.03.2021.

¹³³ „Shaheen, Risch, Kinzinger, Connolly on Developments in Georgian Political Crisis“, US Senate News, 23 February 2021, available: <http://bit.ly/2QdarE8> , updated: 19.03.2021.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

¹³⁶ Adam Kinzinger, Twitter post, 23 February 2021, 5:48 PM, available: <https://bit.ly/2P3uJzs>, updated 19.03.2021.

¹³⁷ „Helsinki Commission Leaders Slam Detention of Georgian Opposition Leader Nika Melia“, Commission on Security and Cooperation in Europe, 23 February 2021, available: <http://bit.ly/3f8BxHd> , updated: 19.03.2021.

rhetoric and actions.¹³⁸

Former NATO Secretary General Anders Fogh Rasmussen called the current events in Georgia disturbing and supported those who defend the rule of law and democracy.¹³⁹

EU parliament members also responded to the developments in Georgia. Namely, **Marketa Gregorova, an MEP**, described Nika Melia's detention as a democratic setback and said that increasing the list of political prisoners was not the way forward to Europe.¹⁴⁰ **Estonian politician Urmás Paeti, an MEP**, called on the parties to engage in dialogue and end political polarization.¹⁴¹ **Anna Fotyga, a member of the European Parliament**, said that with this action, Georgia "*started moving towards the turbulent past of the 90s*".¹⁴²

The parties were called on to negotiate by **the European Commissioner for Neighbourhood and Enlargement Oliver Varhelyi**,¹⁴³ and **the European People's Party**.¹⁴⁴ Oliver Varhelyi noted that Irakli Garibashvili, as the new Prime Minister, was responsible for engaging in dialogue and de-escalating the tense situation.¹⁴⁵ The European People's Party called the arrest of Nika Melia and the use of force by the authorities an "attack on Georgia's democracy".¹⁴⁶ The party called for dialogue and named early elections as one of the solutions.¹⁴⁷ A similar statement was made about the arrest of Nika Melia by **the President of the Alliance of Liberals and Democrats for Europe, Hans van Baalen**.¹⁴⁸ He also emphasised the importance of calling snap elections.¹⁴⁹

MEPs Marina Kaljurand and Sven Mikser issued a joint statement negatively assessing the arrest of Nika Melia by the authorities and the storming of the UNM office.¹⁵⁰ According to them, although some part of the opposition had used provocative tactics, the government's incursion into the party office by force was not the response to the crisis.¹⁵¹ According to the MEPs, the problem could be solved only through dialogue between the parties.¹⁵²

The MEPs¹⁵³ addressed a joint letter to the President of the Council of the European Union - Charles Michel, who planned to visit Georgia in the near future to support its territorial integrity.¹⁵⁴ In the statement, the authors highlighted the shortcomings of the October 2020 elections, the boycott of the

¹³⁸ James Appathurai, official Facebook account, 23 February 2021, available: <http://bit.ly/3s8sOll>, updated: 19.03.2021.

¹³⁹ Anders Fogh Rasmussen, Twitter post, 23 February 2021, 1:04 PM, available: <https://bit.ly/3c2qn4C>, updated: 19.03.2021.

¹⁴⁰ Markéta Gregorová, Twitter post, 23 February 2021, 2:26 PM, available: <https://bit.ly/3bYPoxT>, updated: 19.03.2021.

¹⁴¹ "MEP Urmás Paet - I am deeply concerned about the decision of the Georgian government to detain the leader of the main opposition party", *information portal „Interpressnews“*, February 23, 2021, available: <http://bit.ly/3qYW7vH>, updated: 19.03.2021.

¹⁴² Anna Fotyga, Twitter post, 18 February 2021, 1:14 PM, available: <https://bit.ly/3r33cv8>, updated: 19.03.2021.

¹⁴³ Oliver Varhelyi, Twitter post, 23 February 2021, 11:40 PM, available: <https://bit.ly/38WlJM7>, updated: 19.03.2021.

¹⁴⁴ European People's Party, Twitter post, 23 February 2021, 5:22 PM, available: <https://bit.ly/2OFwCTh>, updated: 19.03.2021.

¹⁴⁵ Oliver Varhelyi, Twitter post, 23 February 2021, 11:40 PM.

¹⁴⁶ European People's Party, Twitter post, 23 February 2021, 5:22 PM.

¹⁴⁷ Ibid.

¹⁴⁸ „ALDE President reacts to news from Georgia“, Alliance for Liberals and Democrats for Europe, 23 February 2021, available: <http://bit.ly/2P5porm>, updated: 19.03.2021.

¹⁴⁹ Ibid.

¹⁵⁰ "Joint Statement by the Chair of the Delegation for relations with the South Caucasus, MEP Marina KALJURAND, and the European Parliament's Standing Rapporteur on Georgia, MEP Sven MIKSER, on the political situation in Georgia", European Parliament, 23 February 2021, available: <https://bit.ly/2OEG8pH>, updated: 19.03.2021.

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ The authors of the letter are members of the EU Parliament: Petras AUŠTREVICIUS, Andrius Kubilius, Marketa Gregorova, Witold Jan Waszczykowski, Javier Nart and Viola von Carmon.

¹⁵⁴ „Remarks by President Charles Michel on the occasion of the 30th anniversary of Visegrad cooperation“, European Council, February 17, 2021, available: <http://bit.ly/3bYNNRV>, updated: 19.03.2021, „President Charles Michel to visit Republic of Moldova, Georgia and Ukraine“, European Council, 25 February 2021, available: <http://bit.ly/3vGNMk4>, updated: 19.03.2021.

opposition related to entering the Parliament, and the arrest of Nika Melia, the leader of one of the major opposition parties, which exacerbated the political crisis in the country.¹⁵⁵ The authors of the letter called on President Michel to use his visit to Georgia in order to assist political parties in resuming the dialogue.¹⁵⁶ They also emphasised the importance of involving civil society in negotiations and their positive impact on the processes.¹⁵⁷

Peter Stano, the spokesman for the EU External Action Service, said the EU was urging the parties to find a common language.¹⁵⁸ The statement emphasised the existence of an independent judiciary and the importance of an inclusive parliamentary process.¹⁵⁹ In addition, the EU considered the entry of the opposition into the Parliament to be one of the crucial factors for Georgia's democracy and the rule of law.¹⁶⁰

German Ambassador to Georgia Hubert Knirsch also commented on the current events.¹⁶¹ According to him, there was a danger in Georgia that the parties would put themselves in the first place.¹⁶² This was evident when they participated in the parliamentary elections, but did not bear the burden of responsibility.¹⁶³ According to the ambassador, "Democracy is not something you do to please the European Union or the United States, nor to irritate the people in the Kremlin and intensify fear in their hearts. You do it for your own good as a nation - and because you owe it to its history".¹⁶⁴

The foreign ministers of Estonia, Latvia and Lithuania also responded to the political crisis in Georgia. In a joint statement, they expressed concern over the current events and called on all political forces to show restraint, de-escalate the situation and find a constructive solution.¹⁶⁵ The authors of the statement supported Georgia's aspirations to join the European Union and NATO, but also emphasised the importance of internal political stability for these ambitious foreign policy goals.¹⁶⁶ A similar statement was made by **Lithuanian President Gitanas Nausėda**.¹⁶⁷

The chairmen of the Foreign Affairs Committees of the US Senate and the parliaments of seven European countries responded to the current events with a joint statement.¹⁶⁸ The statement said that the storming of the UNM office and the arrest of Nika Melia showed the fragility of democracy and freedom in Georgia.¹⁶⁹ The violent actions did not comply with the agreement reached between the

¹⁵⁵ Letter to the President of the European Council Charles Michel, European Parliament, 23 February 2021, available: <https://bit.ly/310zkoG>, updated: 19.03.2021

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ "Statement by the Spokesperson of the EU External Action Service on the recent political developments", EU Delegation to Georgia, Official Website, February 25, 2021, available: <http://bit.ly/2NvkoMc>, updated: 19.03.2021.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ "German Ambassador - There is a visible danger in Georgia that the parties will put themselves first", *Information portal "Interpressnews"*, February 25, 2021, available: <http://bit.ly/3eWMED0>, updated: 19.03.2021.

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ "Joint Statement of the Ministers of Foreign Affairs of the Baltic States concerning political situation in Georgia", Ministers of Foreign Affairs of the Republic of Lithuania, 25 February 2021, available: <https://bit.ly/3tCgh0c>, updated: 19.03.2021.

¹⁶⁶ Ibid.

¹⁶⁷ "Statement on Georgia by the President of the Republic of Lithuania", President the Republic of Lithuania, February 25, 2021, available: <http://bit.ly/3cPC4uM>, updated: 19.03.2021.

¹⁶⁸ Robert Menendez from the U.S. Senate; Tom Tugendhat from the House of Commons of the United Kingdom; Norbert Rottgen from the German Bundestag; Pavel Fischer from the Czech Senate; Marek Marek Kuchciński from the Polish Sejm; Zygimantas Pavilionis from the Lithuanian Seimas; Marco Mihkelson from Estonia and Richard Coles from Latvia, see „Zygimantas Pavilionis, Chair of the Seimas Committee on Foreign Affairs, in cooperation with influential European and US parliamentarians, issued the statement on the situation in Georgia“, Lietuvos Respublikos Seimas, 26 February 2021, available: <http://bit.ly/3r6hHhL>, updated: 19.03.2021.

¹⁶⁹ Ibid.

government and the opposition on March 8, 2020.¹⁷⁰ The authors of the statement emphasised that violence and restrictions on freedom endangered Georgia's European integration.¹⁷¹ They called on the parties to resolve the conflict peacefully.¹⁷²

VISIT OF THE PRESIDENT OF THE EUROPEAN COUNCIL - CHARLES MICHEL TO GEORGIA

On February 28, Charles Michel, President of the European Council, one of the main institutions of the European Union, visited Georgia.¹⁷³ During his visit, there was announced a meeting between President Michel and President of Georgia Salome Zourabichvili, Prime Minister Irakli Garibashvili and representatives of opposition parties, both together and separately.¹⁷⁴

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ "The President of the European Council is visiting Tbilisi", *information portal „Civil.ge”*, February 28, 2021, available: <https://civil.ge/ka/archives/402140> , updated: 19.03.2021.

¹⁷⁴ „Weekly schedule of President Charles Michel“, European Council, February 28, 2021, available: <http://bit.ly/2P60fNp> , updated: 19.03.2021.