



GEORGIAN YOUNG LAWYERS' ASSOCIATION

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

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INTRODUCTION

The Georgian Young Lawyers' Association (GYLA) started implementing the Free, Fair, and Equal Election Political Cycle 2019-2022 project throughout the country in August 2019. 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 political processes and develop recommendations that will be communicated to the public and presented to decision-makers. We present Newsletter №33, describing the events that took place in June 2022, which influenced the political environment.

I. CHANGES IN THE GEORGIAN DREAM

At the briefing held on June 28, Mamuka Mdinaradze, the executive secretary of the Georgian Dream, announced that three members of the ruling party - Sozar Subari, Dimitri Khundadze, and Mikheil Kavelashvili - were leaving the party and the parliamentary faction of the Georgian Dream.¹ They would continue their activities in the parliament with the mandate of independent deputies.² According to Mdinaradze, the deputies made the decision independently, and their motivation was to provide more information to the public about "the so-called behind the scenes of political facts and events" than it would be possible within the framework of being members of the ruling team.³

The mentioned position was also confirmed by the MPs who left the party.⁴ Mikheil Kavelashvili noted that on some issues related to the relations with the European Union structures, they had "discomfort" that the public was insufficiently informed, and after leaving the party, they could share the necessary information so as not to harm the Georgian Dream.⁵ Dimitri Khundadze said that he had a difference of opinion with the Georgian Dream, only on how much truth the public should know.⁶ It is worth noting that earlier, on June 10, Khundadze, while evaluating the critical resolution adopted by the European Parliament, said that the country should not lose its dignity to receive the status of a candidate for the European Union⁷ and that Georgia had not ever seen "such an unfair Europe" during its independence.⁸

On June 29, on the website of the Parliament of Georgia, a joint statement of the deputies who left the Georgian Dream was published, the purpose of which was to "equip the society with the truth."⁹ It is stated in the statement that the issue of EU membership candidacy was brought to the political agenda by the opposition parties, the purpose of which was "to aggravate the political background for the Georgian government and artificially create a revolutionary charge."¹⁰ Also, in their opinion, Georgia would not be granted the candidate status even in 6 months if it "does not join the war or impose sanctions on Russia."¹¹

Salome Samadashvili, MP of Lelo for Georgia, considered leaving the Georgian Dream by the MPs unconvinc-

¹ The Georgian Dream Facebook page, June 28, 2022, available at: https://bit.ly/3aAcwog, updated: 13.07.2022. ² Ibid.

³ "Three Georgian Dream MPs Step outside Party, Faction", information portal "Civil.ge", June 28, 2022, available at: https://civil.ge/ka/archives/498580, updated: 13.07.2022.

⁴ "Kavelashvili: We will have the freedom to provide more truth to the society", information portal Radio Liberty", June 28, 2022, available at: https://www.radiotavisupleba.ge/a/31920164.html, updated: 13.07.2022.

⁵ Ibid.

⁶ "Khundadze: We practically agree on every topic [with Georgian Dream], except for one", information portal "Radio Liberty", June 28, 2022, available at: https://www.radiotavisupleba.ge/a/31920151.html, updated: 13.07.2022.

⁷ "Dignity above EU Candidacy, GD MP Dimitri Khundadze says", information portal "Civil.ge", June 10, 2022, available at: https:// civil.ge/ka/archives/495616, updated: 13.07.2022.

⁸ "Dimitri Khundadze - if Georgia gets the status with unfair obligations, the country should refuse it - we cannot give up dignity to get the status!" information portal "InterPressNews", available at: https://bit.ly/3Rv22Hy, updated: 13.07.2022.

⁹ "Statement of the members of the Parliament of Georgia, Sozar Subari, Dimitri Khundadze and Mikheil Kavelashvili", the official website of the Parliament of Georgia, June 29, 2022, available at: https://bit.ly/3yBQidx, updated: 13.07.2022.

¹⁰ Ibid.

¹¹ Ibid.

ing.¹² According to her, the deputies would actually continue to act in agreement with the Georgian Dream.¹³

II. CHANGES IN THE UNITED NATIONAL MOVEMENT

On June 9, Zaal Udumashvili's, a member of the Parliament of Georgia from the United National Movement, authority was officially terminated.¹⁴ He made the decision to leave the party and return to the media on May 29 independently.¹⁵ It should be noted that after Udumashvili left, the National Movement lost its second parliamentary mandate.¹⁶ In this regard, MP Levan Bezhashvili, at the meeting of the Committee on Procedural Issues and Rules, requested¹⁷ to start consultations on the issue of "annulled lists"¹⁸. He noted that the political situation was different when the opposition "annulled the lists" and the issue of replacing the deputies elected by the proportional list required a new solution.¹⁹ In response to this, the executive secretary of the Georgian Dream, Mamuka Mdinaradze, affirmed that the Georgian Dream was not going to "correct the stupidities" of the National Movement.²⁰ Irakli Kobakhidze also stated the same thing.²¹

III. THE CASE OF MIKHEIL SAAKASHVILI

After being transferred to the private clinic Vivamed,²² Mikheil Saakashvili was visited by the members of the Empathy Center alternative council.²³ The head of the center, Mariam Jishkariani, said that the health issues of the third president were treated symptomatically. However, to receive real results, it was necessary to transfer him for treatment abroad.²⁴

On June 28, some of the members of the Parliamentary Assembly of the Council of Europe (PACE) issued a declaration regarding Mikheil Saakashvili's health condition.²⁵ They called the third president's health condition "disturbing" and said it was prudent to transfer the patient to a European clinic.²⁶

¹² "Worthless candidate status – to say this, three Dream MPs left the party", information portal "Radio Liberty", June 29, 2022, available at: https://www.radiotavisupleba.ge/a/31921840.html, updated: 13.07.2022.

¹³ Ibid.

¹⁴ "Zaal Udumashvili's status as a member of parliament was terminated", information portal "Radio Liberty", June 9, 2022, available at: https://www.radiotavisupleba.ge/a/31890483.html, updated: 13.07.2022.

¹⁵ Ibid.

¹⁶ The United National Movement lost the 1st mandate as a result of the termination of the powers of the deputy to Nika Melia. *See:* "The National Movement demands the restoration of electoral lists "annulled" by the opposition parties and the start of consultations on this topic", information portal "InterPressNews", June 9, 2022, available at: https://bit.ly/3yBQidx, updated: 13.07.2022.

¹⁷ "The National Movement demands the restoration of electoral lists "annulled" by the opposition parties and the start of consultations on this topic", information portal "InterPressNews", June 9, 2022, available at: https://bit.ly/3P36ZW9, updated: 13.07.2022.

¹⁸ Lika Chkhetiani, Newsletter №29, February 2022, the Georgian Young Lawyers' Association, p. 6, the website of the Georgian Young Lawyers' Association, available at: https://bit.ly/3o56Vt3, updated: 13.07.2022.

¹⁹ "The National Movement demands the restoration of electoral lists "annulled" by the opposition parties and the start of consultations on this topic", information portal "InterPressNews", June 9, 2022, available at: https://bit.ly/3P36ZW9, updated: 13.07.2022.

²⁰ "Mamuka Mdinaradze, on restoring the "annulled" lists of opposition parties – "We don't care at all to correct the stupidities of the National Movement!", information portal "InterPressNews", June 9, 2022, available at: https://bit.ly/3avOECl, updated: 13.07.2022.

²¹ "Irakli Kobakhidze on "annulled" lists – "We will not consider the initiative to restore the lists!", information portal "InterPressNews", available at: https://bit.ly/3AMOAc6, updated: 13.07.2022.

²² Lika Chkhetiani, Newsletter №32, May 2022, the Georgian Young Lawyers' Association, p. 6, the website of the Georgian Young Lawyers' Association, available at: https://bit.ly/3PqIRMS, updated: 13.07.2022.

 ²³ "Members of the Alternative Consilium visited Mikheil Saakashvili at Vivamed", information portal "Radio Liberty", June 1, 2022, available at: https://www.radiotavisupleba.ge/a/31879038.html, updated: 13.07.2022.
²⁴ Ibid.

²⁵ "PACE members: It is not unreasonable to transfer Saakashvili to a European clinic", information portal "Radio Liberty", June 28, 2022, available at: https://www.radiotavisupleba.ge/a/31919490.html, updated: 13.07.2022.

²⁶ "Mikheil Saakashvili needs medical help", Parliamentary Assembly of the Council of Europe (PACE), June 27, 2022, available at: https://bit.ly/3AHqbEJ, updated: 13.07.2022.

IV. RELATIONS BETWEEN GEORGIA AND THE EUROPEAN UNION

4.1. The Resolution of the European Parliament on restrictions on media freedom in Georgia

On June 9, the European Parliament adopted a resolution entitled "Violations of media freedom and safety of journalists in Georgia."²⁷ The resolution noted that the quality of media freedom and safety of journalists has deteriorated sharply in Georgia.²⁸ The MEPs called on the Georgian authorities to protect the highest standards of democracy, the rule of law, and fundamental human rights.²⁹ The resolution appealed to the structures of the European Union, in case of fulfillment of this condition, to work in the direction of granting Georgia the status of a candidate for membership of the European Union.³⁰ It should be noted here that the European Parliament drew attention to the negative influence of Bidzina Ivanishvili, the founder of the Georgian Dream, on the Georgian government and advised the Council of the European Union to impose personal sanctions on him.³¹

Chairperson of the Georgian Dream, Irakli Kobakhidze, said that the resolution was a kind of hint that Georgia, unlike Ukraine and Moldova, could not get the candidate status, which would be a "completely illogical and unfair decision".³² He also noted that the European Parliament became a victim of a "fake"³³ and the resolution did not "worth a dime."³⁴

4.2. The opinion of the European Commission on the granting of candidate status to Georgia

At the press conference held on June 17, the President of the European Commission, Ursula von der Leyen, presented the opinion of the Commission regarding granting the status of candidates for EU membership to Ukraine, Moldova, and Georgia.³⁵ The Commission recommended granting candidate status to Ukraine and Moldova and a European perspective to Georgia.³⁶ Leyen noted that several preconditions would be presented to Georgia, and if they were met, the issue of granting the country candidacy would be reconsidered.³⁷ According to the President of the European Commission, Georgia should "come together politically" and develop a clear path toward structural reforms and the European Union.³⁸ At the same press conference, the European Union Commissioner for European Neighborhood Policy and Enlargement, Olivér Várhely, additionally stated that it was necessary to end the polarization between political parties in the country, implement judicial reform and protect media freedom.³⁹

The Memo prepared by the European Commission lists 12 priority issues, in case of fulfillment of which the Commission recommends that Georgia be granted the candidate status.⁴⁰ In the Memo, it was also mentioned that the Commission would observe the progress of Georgia in the direction of fulfilling the priorities for six months

²⁷ "EP's Georgia Press Freedom Resolution Calls for Ivanishvili Sanctions", information portal "Civil.ge", June 9, 2022, available at: https://civil.ge/ka/archives/495386, updated: 13.07.2022.

²⁸ "Human rights breaches in China, Nicaragua and Georgia", the official website of the European Parliament, June 9, 2022, available at: https://bit.ly/3NYzyCN, updated: 13.07.2022.

²⁹ Ibid.

³⁰ Ibid.

³¹ "Human rights breaches in China, Nicaragua and Georgia", the official website of the European Parliament, June 9, 2022, available at: https://bit.ly/3NYzyCN, updated: 13.07.2022.

³² "GD Chief Says European Parliament Resolution "Not Worth a Dime", information portal "Civil.ge", June 9, 2022, available at: https://civil.ge/ka/archives/495345, updated: 13.07.2022.

³³ Ibid.

³⁴ Ibid.

³⁵ "Conditions First, Candidate Status After – EU Commission Recommends on Georgia", information portal "Civil.ge", June 17, 2022, available at: https://civil.ge/ka/archives/496633, updated: 13.07.2022.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Ursula von der Leyen, Twitter post, June 17, 2022, 2:11 PM, available at: https://bit.ly/3PpLFtK, updated: 13.07.2022.

³⁹ "Conditions First, Candidate Status After – EU Commission Recommends on Georgia", information portal "Civil.ge", June 17, 2022, available at: https://civil.ge/ka/archives/496633, updated: 13.07.2022.

⁴⁰ "European Commissions Memo Detailing Recommendations for Georgia", information portal "Civil.ge", June 17, 2022, available at: https://civil.ge/ka/archives/496671, updated: 13.07.2022.

and would publish a report in this regard at the end of 2022.⁴¹ Among the priority issues were the reduction of polarization between parties and cooperation based on the spirit of the April 19 Agreement, ensuring the effective functioning, independence, and accountability of political institutions, deoligarchization, and improving the electoral legislation by eliminating the shortcomings identified by the Venice Commission and OSCE/ODIHR.⁴²

After the distribution of the Commission's opinion, the member of the European Parliament, Rasa Juknevičienė noted on Twitter that such a recommendation from the Commission was expected.⁴³ According to her, Georgia, which previously held a leading position among the Eastern Partnership countries, has lost its leadership due to the current government of the country.⁴⁴ The highest representative of the European Union in matters of Foreign Affairs and Security Policy, Josep Borrell, said that despite the fact that the country did not receive the status of a candidate at this stage, Georgia stood firmly on the path of European integration.⁴⁵

Chairperson of the Georgian Dream, Irakli Kobakhidze, in relation to the opinion of the Commission, noted that due to the ongoing war in Ukraine, Ukraine and Moldova should receive "some kind of small encouragement" from the European Union in the form of candidacy.⁴⁶ In his opinion, it was disappointing that Georgia could not get the candidate status. However, "Georgia, unlike Ukraine and Moldova, did not make the necessary sacrifices to get this status."⁴⁷ Prime Minister Irakli Gharibashvili pointed out that the implementation of most of the Commission's recommendations was already included in the government's agenda, and now they would work on that even more closely together with Brussels in order to get candidate status.⁴⁸

The Chairperson of the United National Movement, Nika Melia, drew attention to the importance of the deoligarchization recommendation issued by the Commission.⁴⁹ One of the leaders of the For Georgia party, Natia Mezvrishvili, called on the government to take responsibility for implementing the necessary reforms provided by the Commission's recommendations until June 24.⁵⁰

4.3. The decision of the European Council on granting candidate status to Georgia

On June 23, at the EU summit in Brussels, the heads of states of the European Union shared the recommendation of the European Commission regarding granting the European perspective to Georgia and the candidate status to Ukraine and Moldova.⁵¹ The President of the European Council, Charles Michel, congratulated the Georgian people on gaining a European perspective and noted that Georgia's future was in the European Union, and if the priorities determined by the Commission were fulfilled, the country would receive candidate status.⁵² Before the summit, the highest representative of the European Union in matters of Foreign Policy and Security, Josep Borrell, noted that if the criteria were met, Georgia would automatically be granted candidate status.⁵³

The European Parliamentarian Viola von Cramon responded to the decision of the European Council.⁵⁴ According

⁴¹ Ibid.

⁴² "GYLA's explanation regarding the opinion of the European Commission", the website of the Georgia Young Lawyers' Association, June 18, 2022, available at: https://bit.ly/3IxqTGz, updated: 13.07.2022.

 ⁴³ Rasa Juknevičienė, Twitter post, June 17, 2022, 4:07 PM, available at: https://bit.ly/3ALL3dN, updated: 13.07.2022.
⁴⁴ Ibid.

⁴⁵ Josep Borrell Fontelles, Twitter post, May 17, 2022, 4:49 PM, available at: https://bit.ly/3RI4HOf, updated: 13.07.2022.

⁴⁶ "According to Kobakhidze, it was necessary for the European Union to encourage Ukraine and Moldova during the war", information portal "Radio Liberty", June 17, 2022, available at: https://www.radiotavisupleba.ge/a/31902718.html, updated: 13.07.2022.

⁴⁷ "Unlike Ukraine and Moldova, Georgia did not make the necessary sacrifices for this status today", information portal "Radio Liberty", June 17, 2022, available at: https://www.radiotavisupleba.ge/a/31902737.html, updated: 13.07.2022.

⁴⁸ "Georgian PM on European Commission's Recommendations", information portal "Radio Liberty", June 20, 2022, available at: https://civil.ge/ka/archives/496962, updated: 13.07.2022.

⁴⁹ "Georgian Opposition Reacts to EU Commission's Opinion", information portal "Civil.ge", June 17, 2022, available at: https://civil.ge/ka/archives/496738, updated: 13.07.2022.

⁵⁰ Ibid.

⁵¹ "The European Council granted candidate status to Ukraine and Moldova, but not to Georgia", information portal "Radio Liberty", June 23, 2022, available at: https://www.radiotavisupleba.ge/a/31912319.html, updated: 13.07.2022.

⁵² Charles Michel, Twitter post, June 23, 2022, 10:21 PM, available at: https://bit.ly/3PeQ6HU, updated: 13.07.2022.

⁵³ "Borrell: When Georgia meets the criteria, candidate status will be automatically granted", information portal "Radio Liberty", June 23, 2022, available at: https://www.radiotavisupleba.ge/a/31911610.html, updated: 13.07.2022.

⁵⁴ "I hope we will celebrate Georgia's candidacy in 6 months", information portal "Radio Liberty", June 24, 2022, available at: https:// www.radiotavisupleba.ge/a/31913289.html, updated: 13.07.2022.

to her, she hoped to celebrate Georgia's candidate status in 6 months, for which the government should start active work in the direction of implementing the recommendations.⁵⁵

Regarding the decision of the European Council, Prime Minister Irakli Gharibashvili noted that the European Union officially opened its doors to Georgia, and this was a historic achievement for the country.⁵⁶ He noted that the government was mobilized to timely fulfill all the conditions necessary to obtain candidate status.⁵⁷

4.4. Pro-European demonstrations and public discussion on the implementation of the recommendations of the European Commission

On June 20, a large-scale pro-European demonstration was held on Rustaveli Avenue in Tbilisi.⁵⁸ Tens of thousands of citizens attended the demonstration.⁵⁹ They supported Georgia's accession to the European Union and protested the ineffective policy of the Georgian Dream government in the direction of European integration.⁶⁰ The demonstration was held against the background of waiting for the final decision on granting candidate status to Georgia to be announced on June 2324 by the Council of the European Union and was aimed at demonstrating broad public support for the European integration process. Members of the European Parliament also addressed the demonstrators with a speech at the rally.⁶¹ On the second day of the rally, the EU Ambassador to Georgia, Carl Hartzell, assessed the June 20 demonstration as "a great, dignified and peaceful expression of Georgia's pro-European choice."⁶²

On June 24, another pro-European demonstration was held on Rustaveli Avenue organized by the Shame movement, in which thousands of citizens took part.⁶³ Due to the fact that the Georgian government failed to obtain the EU membership candidate status for Georgia, the organizers of the rally demanded the resignation of Prime Minister Irakli Gharibashvili and the entire government and the formation of a "national consensus-based," "temporary," "technical" government.⁶⁴ Before that, on June 20, Mikheil Saakashvili also voiced the idea of creating a technical government.⁶⁵ According to the demonstrators, within the next 6 months, the new government would be responsible for the implementation of the recommendations of the European Commission.⁶⁶ According to Shota Digmelashvili, one of the organizers of the rally, "national consensus-based" meant a government consisting of neutral people formed based on the agreement between the opposition, the government, and the civil society.⁶⁷ Irakli Gharibashvili was given a one-week deadline to fulfill this request, and the next rally was announced for July 3.⁶⁸ On the same day, the citizens gathered at the demonstration founded a new civil movement "Going Home – to Europe".⁶⁹

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Rasa Juknevičienė, Markéta Gregorová, Žygimantas Pavilionis, Andrius Kubilius, Anna Fotyga.

See: The Shame Movement, Facebook page, June 20, 2022, available at: https://bit.ly/3APQxnY, updated: 13.007.2022.

⁶² "Yesterday I saw a dignified and peaceful expression of the pro-European choice – Hartzell", information portal "Radio Liberty", June 21, 2022, available at: https://www.radiotavisupleba.ge/a/31908093.html, updated: 13.07.2022.

⁶⁵ Mikheil Saakashvili's Facebook page, June 20, 2022, available at: https://bit.ly/3Rvx55R, updated: 13.07.2022.

⁵⁵ Viola von Cramon, Twitter post, June 24, 2022, 11:50 AM, available at: https://bit.ly/3P4Jk7U, updated: 13.07.2022.

⁵⁶ "Irakli Gharibashvili: Georgia got what we deserved", information portal "Radio Liberty", June 24, 2022, available at: https://www. radiotavisupleba.ge/a/31913336.html, updated: 13.07.2022.

⁵⁷ Ibid.

⁵⁸ "Tens of Thousands Rally in Tbilisi to Defend European Future", information portal "Civil.ge", June 21, 2022, available at: https:// civil.ge/ka/archives/497223, updated: 13.07.2022.

⁶³ "Thousands of Georgians Rally for Europe Again", information portal "Civil.ge", June 24, 2022, available at: https://civil.ge/ka/ archives/498072, updated: 13.07.2022.

⁶⁴ "Pro-EU Rally Calls for PM Garibashvili to Resign", information portal "Civil.ge", June 24, 2022, available at: https://civil.ge/ka/ archives/498086, updated: 13.07.2022.

⁶⁶ "Pro-EU Rally Calls for PM Garibashvili to Resign", information portal "Civil.ge", June 24, 2022, available at: https://civil.ge/ka/ archives/498086, updated: 13.07.2022.

⁶⁷ "What does the government of national consent mean", information portal "Radio Liberty", June 24, 2022, available at: https://www. radiotavisupleba.ge/a/31913992.html, updated: 13.07.2022.

⁶⁸ "Pro-EU Rally Calls for PM Garibashvili to Resign", information portal "Civil.ge", June 24, 2022, available at: https://civil.ge/ka/ archives/498086, updated: 13.07.2022.

⁶⁹ "The Lelo joins the demands of the movement "Going Home – to Europe", information portal "Radio Liberty", June 25, 2022, available at: https://www.radiotavisupleba.ge/a/31914814.html, updated: 13.07.2022.

The party Lelo for Georgia joined the demands of the rally.⁷⁰ According to the position of the Lelo, if the Georgian Dream refused to fulfill the demands raised at the June 24 rally by July 3, the party would no longer continue its "usual activities" in the city Sakrebulos and parliament.⁷¹

Irakli Gharibashvili stated that the demand for his resignation was "absurd," and he was not going to resign, especially considering that it was his government's obligation to fulfill fully all the conditions presented.⁷² The Chairperson of the parliament, Shalva Papuashvili, even noted that the demands made at the rally were only an expression of the "desire to seize power."⁷³

⁷⁰ Ibid.

⁷¹ "In case of non-fulfillment of the requirements, Lelo will not participate in the parliament and city Sakrebulos in the normal mode", information portal "Radio Liberty", June 27, 2022, available at: https://www.radiotavisupleba.ge/a/31917192.html, updated: 13.07.2022. ⁷² Ibid.

⁷³ "Papuashvili on the demands of the June 24 rally: it is nothing but the desire to seize power", information portal "Radio Liberty", June 28, 2022, available at: https://www.radiotavisupleba.ge/a/31919396.html, updated: 13.07.2022.