



GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION



PARLIAMENTARY OVERSIGHT IN THE PARLIAMENT OF 10th CONVOCATION OF GEORGIA

PART ONE



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**GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION**



**SOCIAL
JUSTICE
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PART ONE

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ABBREVIATIONS

Art. – Article

GEL – Georgian Law

GYLA – Georgian Young Lawyers' Association

LEPL – Legal Entity of Public Law

MP – Member of Parliament

NGO – Non-Governmental Organisation

Sec. – Section.

UK – The United Kingdom of Great Britain and Northern Ireland

IX Parliament - 9th convocation of the Parliament of Georgia

X Parliament – 10th convocation of the Parliament of Georgia

I. RESEARCH METHODOLOGY

1.1. Research goals, Reporting Period, and Subjects

In 2020, the Georgian Young Lawyers Association presented the results of the supervisory work of the IX Parliament during the Parliamentary session of 2019-20 (excluding the Fall Session of 2020).¹ The reporting period of the current research is the Fall Session of 2021 and the Fall and Spring Sessions of 2022 of the X Parliament. The Fall Session of 2020 and the Spring Session of 2021 have operated in an unordinary manner. Therefore, this period is covered in general terms in the following research.

This document mainly covers general mechanisms of parliamentary oversight, which are employed on the committee as well as plenary levels. In addition, the research specifically focuses on mechanisms designed for security sector oversight. In parallel with problem identification, the document also seeks to solve them. As a result, the reader will not only learn about the steps Parliament has taken to eliminate flaws in legislation, but also about the recommendations that have been left out of consideration.

1.2. Type of Research

The group of researchers, while working on the document, employed doctrinal research methods, which are based on legislation, as a primary source. Moreover, the research involved the use of some secondary sources, such as articles, books, reports, published research from various organizations, minutes and shorthand reports of plenary sessions, and data provided by Parliament. With the use of primary and secondary sources, Parliamentary Oversight law is analyzed in Georgia and relevant faults have been identified.²

1.3. Methods of Research

During the creation of the current document, the following methods were used: analytical, descriptive, normative, comparative and historical. The strengths and weaknesses of the current Parliamentary Oversight Mechanism framework were shown definitively through the above-mentioned methods. The current research findings make a solid basis for future improvements to law and practice.

1.4. Sources used during the research

The following sources have been used while working on the document:

- Georgian legislation;
- Parliamentary reports, minutes and shorthand reports of committee sittings and plenary sessions, which have been retrieved from Parliament through requests for public information, publicly available minutes of the sessions, audio-video recordings and so on;
- Documents prepared by international organizations;
- Analytical data of Parliamentary oversight mechanisms on the security sector.

¹ Vakhushiti Menabde and others, Parliamentary Oversight after the reforms of the Constitution and the Rules of Procedure, Georgian Young Lawyers' Association, 2020, available at: <https://bit.ly/3GtjZBC>, accessed on: 27.02.23.

² The legislature and practice of other countries regarding Parliamentary oversight mechanisms isn't presented here in details, as this has been covered by the research of 2020 by the organization. See Vakhushiti Menabde and others, cited paper.

II. RESEARCH FINDINGS

This chapter unites all the issues that have been identified during the research process.

The main findings are as follows:

Government Program, the Annual and Extraordinary Reports of the Prime Minister

- The Government Program in the fields of Defense and Security leave out certain topics, including the long-term modernization vision and the functioning of essential state institutions such as the State Security Service, Intelligence Service and Operative-Technical Agency;
- The regulations of the Rules of Procedure regarding the Annual Report of the Prime Minister are faulty, as they allow for the annual report to be presented in unfinished form, one year after a newly elected Parliament passes a motion of confidence to form government;
- The time allocated to the questions and answers following the Prime Minister's report is negligible;
- The Prime Minister, during oral presentations of the annual report, speaks less on the completion of the Program and more on ongoing active political issues.

Ministerial hour

- Determining the starting point of the reporting period for the Ministerial hour is problematic;
- Members of the majority in Parliament rarely pose critical questions during Ministerial hours and mostly limit themselves to expressing gratitude towards the responsible minister;
- In most cases, Members of Parliament are not prepared for the report, therefore, during speeches, they focus on ongoing, superficial topics and not on the execution of the Government program;
- In most cases, Members of Parliament, instead of posing questions, address the Minister with favors or initiatives, which predominantly concern the deputy's home or majoritarian district.

Summoning an Official to the Plenary session

- Members of Parliament do not summon officials to plenary sessions. Within the reporting period, they've never used this opportunity.

Interpellation

- The Rules of Procedure allows for the proportional reduction of time in case of more than 2 interpellations a day, which negatively affects the effectiveness of the procedure;
- The Rules of Procedure do not define the exact time when written answers are delivered to Members of Parliament, hampering their ability to prepare for sessions accordingly;
- In legislation there is no tie between interpellation and the motion of no confidence;
- In 2022, the interpellation of the Minister of Foreign Affairs was postponed multiple times. Therefore, after 7 months, the questions posed to him are still unanswered;
- The questions posed during the procedure of interpellation sometimes go beyond the very issues of interpellation;
- Several substantially varying questions are asked during a single interpellation session;
- After the completion of an interpellation, Parliament, in practice, does not adopt a resolution.

Question of a Member of Parliament

- In spite of improvements, there are still no effective mechanisms in case of leaving questions unanswered;
- Members of the majority rarely ask questions regarding the security sector;
- The Chairman of the Defense and Security Committee has not posed any questions during the reporting period;
- The analysis of all three sessions shows that questions regarding the security sector are mainly posed by the opposition. The addresses in turn refuse to provide answers;
- During the fall session of 2022, only two deputies directed inquiries regarding the security sector to the appropriate addresses;
- The search engine on the website of Parliament has limited options. Some data is not published for open access, which limits the analysis thereof in a proactive and complete manner.

Request for information by Committee

- Committees rarely use their authority to set a time for answers to the addresses;
- Sometimes requested information is presented to the Committees orally rather than in writing;
- The Defense and Security Committee has not used this power at all during the reporting period.

Summoning the Officials to Committee sittings (compulsory attendance)

- According to Rules of Procedure, calling upon the same individual more than once within two months of any committee meeting is barred, and can have adverse impacts on the functionality of the mechanism in practice;
- Unlike other officials who may be summoned by simple majority of committee members, the Prime Minister, Prosecutor General, and/or the Head of the State Security Service can only be summoned with a majority vote. This prevents the opposition from being able to summon them. Moreover, these officials were not called to attend any committee meetings during the reporting period;
- Committees rarely summon officials to their sittings;
- The Defense and Security Committee has not used the power of summoning officials to its sittings;
- Factions rarely use their power to summon officials to committee sittings;
- During the fall session of 2021, one official (the Minister of Culture, Sports and Youth), summoned by a political faction, did not appear before the committee, stating that he had been summoned to Parliament through the procedure of Ministerial hour.

Committee Action Plan and Thematic Rapporteur

- Some committees do not publish their action plans on Parliament website;
- The structure of committee action plans are not uniform;
- Predominantly members of the majority, rather than the opposition, register as thematic rapporteurs;

- Most topics of thematic reporting in the action plans are divided between Committee Chairman and his/her first deputy, which goes against the principle of equal distribution of workload among members of committees;
- Often rapporteurs are not defined by name in action plans, rather the document uses general terms, such as “a member of a committee”;
- Thematic rapporteurs almost always violate their duty to present reports to the Committee on chosen topics.

Trust Group

- The Trust Group is not formed fully;
- According to the Rules of Procedure, the monitoring visit of the Trust Group to any institution requires prior warning thereof, which disregards the effectiveness of the mechanism.

Thematic Inquiry Group

- The Rules of Procedure do not define a principle of formation for thematic inquiry groups;
- Within the reporting period, the Defense and Security Committee did not create a thematic inquiry group;
- Joint thematic inquiry groups are mainly created by committees, which in reality is the authority of the Bureau;
- Sometimes members of the thematic inquiry group are not part of the entity responsible for formation of the group;
- It is hard for thematic inquiry groups to meet deadlines for the preparation of reports;
- Occasionally, thematic inquiry groups submit their reports to inappropriate recipients;
- Parliament plenary session does not adopt recommendations after having heard reports of thematic inquiry groups;
- It is not mandatory for field experts to be members of the working group.

III. THE IMPORTANCE OF PARLIAMENTARY OVERSIGHT ON THE SECURITY SECTOR

The security sector is responsible for protecting the nation from internal and external threats.³ Its objective is to maintain peace and stability so that public institutions can function properly and in accordance with fundamental principles of democracy, including the rule of law, the division of powers and respect for human rights.⁴ The security sector encompasses all those state institutions, which have a formal mandate to ensure the safety of the state and its citizens against acts of violence and coercion.⁵ Security sector governance combines the concepts of “security” and “governance” at the state level.⁶ In the literature, it is highlighted, that security should not only be governed, but such governance must be democratic; therefore 5 dimensions are put forward, which are incorporated within democratic governance of the security sector.⁷ These are horizontal accountability, vertical accountability, the rule of law, representativeness, and transparency.⁸ For research purposes, only horizontal accountability is analyzed. It entails the ability of state institutions to control, manage, oversee and scrutinize security policy and decision-making processes as well as actors and institutions responsible for the application of the use of force.⁹ Horizontal accountability could be carried out in various forms,¹⁰ including through the prism of parliamentary oversight.¹¹

Today the main challenge of the Security Services is the lack of democratic control and transparency.¹² To carry out its functions the Security Sector has to be subjected to control by those, who represent the interests of the people and have been through a democratic legitimacy.¹³ This indicates the importance of parliamentary oversight. The more secretive the activities of a Government, the higher the need for proper control. Oversight may be carried out in two ways: 1) as part of plenary sessions and 2) by special committees.¹⁴

Parliamentary oversight of the security sector on the one hand refers to the role of parliament in passing laws that guide, regulate and define various agencies of the security sector including their powers and functions, on the other hand, summoning heads of security agencies to account for their activities.¹⁵ Also, within the scope of oversight, Parliament studies the effectiveness of security sector institutions.¹⁶

³ Marc Bentinck, Parliamentary oversight of the security sector, European Parliament, Office for the Promotion of Parliamentary Democracy, (OPPD), 2013, 12, available at: <https://bit.ly/42w0KBn>, accessed on: 23.03.2023.

⁴ Ibid.

⁵ Benjamin Adeniran Aluko, Enhancing Parliamentary Oversight for Effective Security Sector Reform in Democratic Nigeria, *GJDS*, Vol. 12, No. 1 & 2, 2015, 179.

⁶ Mladen Lišanin, Security Sector Reform in the Post-Authoritarian Environment, in *Wester Balkans Security Observer*, Marko Žilović ed., Journal of the Belgrade Centre for Security Policy, N18, 2010, 6.

⁷ Filip Ejodus, Democratic Security Sector Governance in Serbia, Peace Research Institute Frankfurt, PRIF-Reports No. 94, 2010, 4.

⁸ Ibid.

⁹ Ibid.

¹⁰ For instance, by civil control, judicial branch and independent bodies.

¹¹ Filip Ejodus, cited paper, 4.

¹² Tamar Khidasheli and others, State Security Service, the duplication of powers and parallel investigative systems in Georgia, Democracy Research Institute, 2020, 1, available at: <https://www.democracyresearch.org/geo/367/>, accessed on: 28.02.2023.

¹³ Marc Bentinck, cited paper, 12.

¹⁴ Benjamin Adeniran Aluko, cited paper, 179.

¹⁵ Ibid, 181.

¹⁶ Marc Bentinck, cited paper, 14.

A mechanism which is more effective is control by special committees.¹⁷ Their expertise allows for the adoption of well-grounded and effective decisions.¹⁸ The legislative branch can also create ad hoc committees to hold hearings and summon persons as witnesses to testify.¹⁹ The participation of the opposition in oversight is considered good practice, which makes sure that the political party that is in Government does not misuse classified information.²⁰

Before discussing parliamentary oversight over the security sector, below is a summary of political processes and main tendencies regarding the formation of the Tenth Convocation of the Parliament of Georgia.

¹⁷ Ibid, 17.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid, 28.

IV. PARLIAMENT AFTER THE 2020 ELECTIONS

The 2020 parliamentary elections were held on October 31, results of which were summarized by the Central Election Administration of Georgia in December. 9 political bodies have managed to overcome the electoral barrier.²¹ The majority gained 90, whereas the opposition 60 seats.²² Members of the opposition did not agree with the election results,²³ culminating in them waiving their mandates.²⁴ To eliminate the unfolded crisis, in the meantime, several rounds of negotiations took place.²⁵ After 4 rounds the opposition came up with 4 demands: 1) the freedom of political prisoners, 2) holding extraordinary elections in 2021, 3) modification of the electoral system, 4) altering the composition of the election administration.²⁶ In January 2021 Parliament did not satisfy the request of 51 opposition members to terminate their mandates,²⁷ which, according to some constitutionalists was unconstitutional.²⁸ It is worth highlighting that the opposition was boycotting parliament after the elections until March 2021.²⁹ Parliament, by initiative of the “Georgian Dream” faction, in February created an ad hoc commission on the election of October 31.³⁰ The 3 month term of the ad hoc commission was to end on May 17, but so far it has not held a single meeting.³¹ Parliamentary majority explained this as if they were waiting for the opposition to enter Parliament so that they could work together.³² Parliament extended the term of the ad hoc commission by a month.³³ The Commission finalized its work on July 26, 2021, and submitted its findings to the Bureau for it to be put on the agenda of the plenary sessions.³⁴

²¹ These political bodies are: “Georgian Dream”– Democratic Georgia, Block United National Movement – United Opposition “Strength is in Unity”, “Bakradze, Ugulava, Bokeria – European Georgia – Movement for freedom”, “Lelo – Mamuka Khazaradze”, Block Giorgi Vashadze – “Strategy Aghmashenebely”, Davit Tarkhan-Mouravi, Irma Inashvili – Patriotic Alliance of Georgia, Girchi, Aleko Elisashvili – Citizens, Shalva Natelashvili – Labor Party of Georgia. The final summary protocol of the results of the Parliamentary elections of Georgia 2020, October 31, available at: <https://info.parliament.ge/file/1/BillReviewContent/265324?>, accessed on: 31.03.22.

²² Political parties received the following seats: “Georgian Dream”– Democratic Georgia – 90 seats, Block United National Movement – United Opposition “Strength is in Unity” – 36 seats, “Bakradze, Ugulava, Bokeria – European Georgia – Movement for freedom” – 5 seats, “Lelo – Mamuka Khazaradze” – 4 seats, Block Giorgi Vashadze – “Strategy Aghmashenebely” – 4 seats, Davit Tarkhan-Mouravi, Irma Inashvili – Patriotic Alliance of Georgia – 4 seats, Girchi – 4 seats, Aleko Elisashvili – Citizens – 2 seats, Shalva Natelashvili – Labor Party of Georgia – 1 seat. The final summary protocol of the results of Parliamentary elections of Georgia 2020, October 31,.

²³ Mariam Latsabidze, Free, fair and equal election-political cycle 2019-2022, informative bulletin N14, Georgian Young Lawyers’ Association, November 2020, 5, available at: <https://tinyurl.com/2p8sfyaz>, accessed on: 06.04.22.

²⁴ Ibid, 5-6.

²⁵ Ibid, 6-7.

²⁶ “Formula Exclusive: what does opposition offer to the government – the document”, TV Channel Formula website, 6 December, 2020, available at: <https://tinyurl.com/2p99u4db>, accessed on: 06.04.22.

²⁷ Nana Kruashvili, Free, fair and equal election-political cycle 2019-2022, informative bulletin N17, Georgian Young Lawyers’ Association, February 2021, 3, available at: <https://tinyurl.com/yeyvwnbr>, accessed on: 06.04.22.

²⁸ Dream at the crossroad? Illegitimate Parliament or violated Constitution, “Radio Liberty”, 1 February, 2021, available at: <https://www.radiotavisupleba.ge/a/31080589.html>, accessed on: 06.04.22.

²⁹ Nana Kruashvili, informative bulletin N17.

³⁰ “The Parliament supported the creation of ad hoc committee on elections of October 31”, “civil.ge”, available at: <https://civil.ge/ka/archives/398331>, accessed on: 06.04.22; the Resolution of Parliament on “creation of ad hoc committee on Studying Parliamentary Elections of October 31, 2020”, February 17, 2021, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/21381>, accessed on: 27.02.2023.

³¹ Nana Kruashvili, Free, fair and equal election-political cycle 2019-2022, informative bulletin N20, Georgian Young Lawyers’ Association, May 2021, 6, available at: <https://tinyurl.com/2p8dj4jh>, accessed on: 06.04.22.

³² “ad hoc committee on Studying Parliamentary Elections of October 31, 2020 hasn’t started working so far”, IPN, 14 April, 2021, available at: <https://bit.ly/3KDxodZ>, accessed on: 27.02.2023.

³³ The Resolution of Parliament N634-IV8b-X83 of June 10, 2021, on “Extending the term of the ad hoc committee on Studying Parliamentary Elections of October 31, 2020”, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/22214>, accessed on: 27.02.2021.

³⁴ The letter of the ad hoc committee on Studying Parliamentary Elections of October 31, 2020, N2-10244/21 of

In the meantime, a memorandum was signed between “Citizens” and “Georgian Dream”, after which the members of “Citizens” agreed to enter Parliament.³⁵ The content of the memorandum concerned alterations of electoral issues, including some at the Constitutional level.³⁶ In the beginning of March, members of “Citizens” and “Georgian Dream”, according to the agreement, initiated a bill regarding changes in the Election Code, which was passed by Parliament after 3 hearings on June 28, 2021.³⁷ In the meantime, preparations had begun regarding constitutional amendments.³⁸ The bill proposing a constitutional amendment was introduced in parliament on June 29, 2021, which aimed to modify the election threshold for the next two elections, as well as the number of deputies required to form a faction in the current parliament and the two parliaments that followed.³⁹ Additionally the procedure for choosing the General Prosecutor was changed and the rule regarding extraordinary elections before 2024 was eliminated, previously established by 2020 constitutional amendment.⁴⁰ In Tbilisi and Kutaisi, public deliberations were held on August 16-17, 2021. The results of the deliberation have been submitted to Parliament.⁴¹ Parliament adopted the amendments by first hearing on September 7.⁴² The bill is still pending and awaiting adoption by 2nd and 3rd hearings. The Judicial Issues Committee asked the Bureau to extend the terms for 2nd hearing,⁴³ which the Bureau did on all three occasions.⁴⁴ In 2022, members of Parliamentary majority initiated a separate bill, which singled out the norms regarding choosing procedures for the General Prosecutor.⁴⁵ Parliament adopted it by first hearing, later the

July 21, 2021 to the Bureau, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/279336?>, accessed on: 06.04.22.

³⁵ “What is written in the memorandum of “Citizens” and “Georgian Dream”, TV Channel Formula website, 21 January, 2021, available at: <https://formulanews.ge/News/44426>, accessed on: 06.04.22.

³⁶ Mariam Latsabidze, Free, fair and equal election-political cycle 2019-2022, informative bulletin N16, Georgian Young Lawyers’ Association, January 2021, 3, available at: <https://tinyurl.com/5n6b8zxa>, accessed on: 06.04.22.

³⁷ “the bill on changes to the Organic Law of Georgia “the Election Code of Georgia”, members of Parliament of Georgia: Shalva Papuashvili, Levan Ioseliani, Aleksandre Elisashvili, Fridon Injia, Kakhaber Kuchava, Nikoloz Samkharadze, Avtandil Erukidze, Anri Okhanashvili, David Matikahsvili, Mamuka Mdinardze, Irakli Chickovani, N07-3/39/10, 02.03.2021, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/21736>, accessed on: 27.02.2023.

³⁸ Nana Kruashvili, Free, fair and equal election-political cycle 2019-2022, informative bulletin N18, Georgian Young Lawyers’ Association, March 2021, 7-9, available at: <https://tinyurl.com/3rmvyktv>, accessed on: 06.04.22.

³⁹ The Bill of Constitutional Law on Amending Constitutional Law on the Amendment to the Constitution of Georgia, 91 members of the Parliament, N07-3/92/10, 29.06.2021, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/22438>, accessed on: 06.04.2022.

⁴⁰ The Constitutional Law on Amending Constitutional Law on the Amendment to the Constitution of Georgia, Legislative Herald of Georgia, 29.06.2020, Registration code: 010010000.01.001.016015, available at: <https://matsne.gov.ge/ka/document/view/4904761?publication=0>, accessed on: 06.04.22.

⁴¹ Final minutes of the public hearings of The Bill of Constitutional Law on Amending Constitutional Law on the Amendment to the Constitution of Georgia (N07–3/92/10, 29.06.2021), Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/282167?>, accessed on: 06.04.22.

⁴² The results of voting by first hearing The Bill of Constitutional Law on Amending Constitutional Law on the Amendment to the Constitution of Georgia (N07–3/92/10, 29.06.2021), Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/282363?>, accessed on: 06.04.22.

⁴³ N2-12071/21 Letter of the Legal Issues Committee to the Bureau of Parliament, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/283109?> Accessed on: 05.04.22; N2-13935/21 Letter of the Legal Issues Committee to the Bureau of Parliament, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/284875?> accessed on: 05.04.22; N2-832/22 Letter of the Legal Issues Committee to the Bureau of Parliament, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/293538?>> accessed on: 05.04.22.

⁴⁴ N86/14 Decision of October 5, 2021 of the Bureau, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/283111?> Accessed on: 05.04.22. N91/14 Decision of November 8, 2021, of the Bureau, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/284877?> Accessed on: 05.04.22. N116/29 Decision of January 31, 2022, of the Bureau, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/293798?> accessed on: 05.04.22.

⁴⁵ The Bill of Constitutional Law on Amending Constitutional Law on the Amendment to the Constitution of Georgia, 80

Bureau extended the term for its 2nd hearing.⁴⁶

The crisis in parliament was accompanied by a crisis in the Government. Prime Minister Giorgi Gakharia resigned on February 18, 2021, citing a difference of opinion with his party over the apprehension of opposition leader Nika Melia.⁴⁷ On the same day, the ruling party put forward Irakli Garibashvili as a new candidate for prime minister, and on February 22, Parliament passed a vote of confidence in his proposed government.⁴⁸ The following day Nika Melia was apprehended.⁴⁹ He was charged with the creation of a violent group on June 20.⁵⁰ Before the apprehension, the court had ordered him to pay 30 thousand laris for bail.⁵¹ He was prohibited from addressing crowds publicly, as well as his movements were monitored through electronic bracelet technology.⁵² During one of the protests, he removed his bracelet.⁵³ Afterwards, prosecutors demanded higher bail of 70,000 Gel.⁵⁴ Due to unpaid bail, the Prosecutor addressed Parliament to remove Nika Melia's parliamentary immunity,⁵⁵ which Parliament did.⁵⁶ This caused the apprehension of Nika Melia.

On January 21, 2021, the EU High Representative for Foreign Affairs and Security Policy/Vice-President of the European Commission, Joseph Borrell met with the President of Georgia, Salome Zourabichvili.⁵⁷ He highlighted the importance of consensus between the parties.⁵⁸ To eliminate the crisis Charles Michel, President of the European Council, visited Georgia, who tried to facilitate the process.⁵⁹ On April 19, the representatives of the political parties signed the document put forward by President Michel.⁶⁰ Despite the fact that the document did not reflect all the de-

members of the Parliament of Georgia, Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/304222?> accessed on: 21.12.22.

⁴⁶ N198/12 Decision of November 14, 2022 of the Bureau of the Parliament Website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/311369?>, accessed on: 21.12.22.

⁴⁷ Nana Kruashvili, Informative bulletin N17, 13.

⁴⁸ The Resolution of the Parliament of Georgia of February 22, 2021, N243-IV06-X03 "on passing the motion of confidence to the Government of Georgia", Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/21626>, accessed on: 27.02.23.

⁴⁹ "Nika Melia has been arrested – what you shouldn't miss on February 23", Radio Liberty, 23 February, 2021, available at: <https://bit.ly/3KPlCqm>, accessed on: 27.02.2023.

⁵⁰ Ibid.

⁵¹ "the prosecutor addressed the court with a plea to substitute a measure of restraint for Nika Melia for incarceration" First Channel, 9 May, 2021, Available at: <https://bit.ly/3Y6ousn>, accessed on: 27.02.23; "I'm not going to wear it" – Nika Melia removed the electronic bracelet on the demonstration, on.ge, November 1, 2020, available at: <https://go.on.ge/1w3n>, accessed on: 05.02.22.

⁵² According to the Appellate Court decision, Nika Melia will have to wear electronic bracelet", Radio Liberty, 2 July, 2019, available at: <https://www.radiotavisupleba.ge/a/30032819.html>, accessed on: 27.02.2023.

⁵³ "Nika Melia removed the bracelet and threw it towards the crowd", Radio Liberty, 1 November, 2020, available at: <https://www.radiotavisupleba.ge/a/30924199.html>, accessed on: 02.05.22.

⁵⁴ "the bail of 70k GEL has been sentenced to Nika Melia", on.ge, 3 November, 2020, available at: <https://go.on.ge/1waa>, accessed on: 03.05.22.

⁵⁵ "The Prosecutor addressed the Parliament to arrest Melia", on.ge, 12 February, 2021, available at: <https://go.on.ge/22vm>, accessed on: 03.05.22.

⁵⁶ The Resolution N169-IV06-X03 of February 16, 2021 of the Parliament of Georgia on "About giving consent to the Prosecutor General of Georgia to apply to the court for the purpose of applying the preventive measure - imprisonment applied to the member of the Parliament of Georgia, Nikanor Melia", Website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/21590>, accessed on: 27.02.2023.

⁵⁷ Georgia: High-Representative/Vice-President Josep Borrell met with President Salome Zourabichvili, The Diplomatic Service of the European Union, 21 January, 2021, available at: <https://bit.ly/3lxH5jS>, accessed on: 23.03.2023.

⁵⁸ Ibid.

⁵⁹ President of the European Council Charles Michel visits Georgia, Delegation of the European Union to Georgia, March 2, 2021, available at: <https://bit.ly/3lHKPPP>, accessed on: 23.03.2023.

⁶⁰ Together with "Georgian Dream", 16 representatives of the opposition signed. From the opposition, the document was signed by: Salome Samadashvili (United National Movement, she signed the document as an individual deputy),

mands and the interests of the parties involved, the compromise entails reaching a consensus on certain tough issues.⁶¹ The document touches upon 5 main topics,⁶² including the power sharing between the majority and the opposition in Parliament.⁶³ Despite assumed responsibilities, no changes have been introduced to the Rules of Procedure of Parliament. As a result, the majority of Parliamentary positions are still occupied by majority members. It is worth highlighting that some opposition parties did not join the agreement from the beginning.⁶⁴ Opposition parties that signed the document agreed to enter Parliament.⁶⁵ After the release of Nika Melia, “United National Movement” also decided to join Parliamentary work.⁶⁶

Overall, the X Parliament functioned in an unordinary manner. It worked without opposition for nearly two sessions. Since the recognition of its powers until the end of the Spring session of 2021 only 8 times did the Members of Parliament submit questions to the addresses.⁶⁷ Two of them were asked by the opposition.⁶⁸ In that period 10 thematic inquiry groups have been set up, and only 6 of them delivered the results.⁶⁹ Also, 6 out of 6 Ministerial hours have been held.⁷⁰ However, interpellations and summoning officials to committee/plenary hearings have not been used.⁷¹

Parliamentary life has been revitalized since the Fall session of 2021, when all major opposition parties joined Parliament. Below is the presented state of oversight mechanisms use during the Fall session of 2021 and Spring and Fall sessions of 2022.

Khatuna Samnidze (Republican Party), Davit Bakradze (former chairman of European Georgia), Shalva Shavgulidze and Armaz Akhvediani (European Georgia), Mamuka Khazaradze (Lelo for Georgia), Badri Japaridze (Lelo for Georgia), Davit Usupashvili (Lelo for Georgia), Ana Natsvlishvili (Lelo for Georgia), Giorgi Vashadze (Strategy Aghmashenebeli), Paata Manjgaladze (Strategy Aghmashenebeli), Teona Akubardia (Strategy Aghmashenebeli), Zurab Japaridze (Girchi - More Freedom), Iago Khvichiam (Girchi), Vakhtang Megrelishvili (Girchi), Aleksandre Rakviashvili (Girchi). “Georgian Dream and part of the opposition signed the compromise document of the European Union”. See Nana Kruashvili, Free, fair and equal election-political cycle 2019-2022, informative bulletin N19, Georgian Young Lawyers’ Association, April, 2021, 4-6, available at: <https://tinyurl.com/55wrcaeb>, accessed on: 06.04.22.

⁶¹ Ibid, 5.

⁶² These are: reacting to the politically perceived cases, ambitious electoral system, rule of law/judicial reform, power sharing in the Parliament and upcoming elections (2021 municipal elections).

⁶³ A way ahead for Georgia, point 4 Power Sharing in Parliament, The Diplomatic Service of the European Union, available at: <https://bit.ly/3K11siQ>, accessed on: 03.05.22.

⁶⁴ These parties were “United National Movement”, “European Georgia”, “Patriotic Alliance” and “Labor Party”, see Nana Kruashvili, Informative bulletin, N19, 7-8.

⁶⁵ Ibid, 7.

⁶⁶ Nana Kruashvili, Informative bulletin, N20, 4.

⁶⁷ Parliamentary oversight regarding the pandemic management, appendix 2, questions of the Members of Parliament regarding the pandemics, Transparency International Georgia, available at: <https://bit.ly/3FLhMlv>, accessed on: 06.04.22.

⁶⁸ They were Ana Buchukuri and Teona Akubardia, Parliamentary oversight regarding the pandemic management, appendix 2, questions of the Members of Parliament regarding the pandemics, Transparency International Georgia, available at: <https://bit.ly/3FLhMlv>, accessed on: 06.04.22.

⁶⁹ Parliamentary oversight regarding the pandemic management, Table N8, Thematic Inquiry groups set up within the reporting period, Transparency International Georgia, available at: <https://bit.ly/3ngRfFY>, accessed on: 06.04.22.

⁷⁰ Parliamentary oversight regarding the pandemic management, Transparency International Georgia, available at: <https://tinyurl.com/y8nbzphb>, accessed on: 06.04.22.

⁷¹ Ibid, 16-22.

V. PARLIAMENTARY OVERSIGHT ON PLENARY SESSION

5.1. Government Program

A government program is a handbook for the government's activities.⁷² Parliamentary oversight becomes apparent when the program is evaluated through debates and the subsequent passing of a motion of confidence. Failure to pass the motion of confidence comes with direct costs in the form of certain sanctions.⁷³ This document plays not only political, but a crucially legal function. In some countries, it is part of investiture process (motion of confidence). A motion of confidence is passed separately for the program in the UK, whereas in Spain it is passed for both the program and the Prime Minister.⁷⁴ In Portugal and Romania, it is passed for the program and the government, whereas in Belgium for the program, as well as the government and Prime Minister.⁷⁵ Typically, this document is adopted for the entire term, although occasionally it may be implemented for a year.⁷⁶

In Georgia a motion of confidence is passed for the composition of Government proposed by candidate for the office of Prime Minister.⁷⁷ However, it is mandatory to present the program.⁷⁸ Below, analysis of the security sector in terms of the program of Irakli Garibashvili's government is provided.

The Government Program⁷⁹ presented in February 2021 concerns general visions about foreign policy, security, conflict resolution and protection of human rights, as well as economic and social policy and the issues of human capital development. The document also mentions state governance issues. The Government Program itself is 48 pages long and each topic covers 1 to 4 pages. Although there is no clear standard on the format of the program document in Georgia, it is better that it be large in volume, as the Prime Minister and Ministers deliver their reports of its execution and this document is the scope of evaluation of report execution.

As far as the fields of defense and security are concerned, the document stresses reforms which need to be passed.⁸⁰ The program also focuses on reforms at the Ministry of Internal Affairs and priorities of the Government.⁸¹ The Government Program leaves out visions of the element of the

⁷² Vakhushiti Menabde and others, cited paper, 15.

⁷³ Zurab Macharadze, *Parliamentary Oversight on the activities of the Government in a Bicameral Parliament (with regards to Georgian perspective)*, dissertations, Tbilisi State University, 2018, 39, available at: <https://bit.ly/3EJzghD>, accessed on: 28.02.2023.

⁷⁴ Bjørn Erik Rasch, Shane Martin, and José Antonio Cheibub, eds., *Investiture Rules Unpacked in Parliaments and Government Formation: Unpacking Investiture Rules*, Oxford University Press, 2015, 337.

⁷⁵ *Ibid.*

⁷⁶ Hironori Yamamoto, ed., *Tools for Parliamentary Oversight, A Comparative Study of 88 National Parliaments*, Inter-Parliamentary Union, 2007, 45, available at: <http://www.ipu.org/PDF/publications/oversight08-e.pdf>, accessed on: 28.02.2023.

⁷⁷ Constitution of Georgia, art. 56, sec. 2.

⁷⁸ *Ibid.*

⁷⁹ Government Program 2021 - 2024 "Towards Building a European State", February, 2021, website of the Parliament of Georgia, available at: <https://bit.ly/3njzVA8>, accessed on: 28.02.2023.

⁸⁰ On the introduction of elements of total defense and the development of its military component, updating of the national security concept and threat assessment document; on participation in NATO missions and operations, on the reform of the common military center, on the structural and functional reform of the special operations forces, on the development of an improved reserve and mobilization system, including the strengthening of intelligence and cyber defense means; on the creation and serial production of military and dual purpose products. Government Program 2021 - 2024 "Towards Building a the European State", February, 2021, 9-13, website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/269496?> Accessed on: 28.02.2023.

⁸¹ Development of the Ministry, cyber security and combating hybrid threats, border and patrol police reform; increasing the operational capabilities in the direction of managing emergency situations; Establishing an effective system of human

security sector, such as the State Security Service, Intelligence Service and Operative-Technical Agency.

With respect to the fields of defense and security, the Government Program leaves out visions for the development of the mentioned institutions. It is essential that the document reflect the main policy principles and directions in this field. This will allow Parliament to exercise proper oversight of the Government members through respective mechanisms. In addition, this document simply repeats the contents of the previous program.⁸² It is recommended that it be more comprehensive and cover every crucial element of the security sector.

5.2. Annual Report of the Prime Minister and his/her extraordinary report

After the constitutional reforms of 2017, the Prime Minister became obliged to present an annual report on the execution of the Government Program.⁸³ The Rules of Procedure further specify the exact day for the report to be presented. Through coordination between the Prime Minister and the Bureau of Parliament, a specific date is set,⁸⁴ which has to be in the last month of the Spring Session.⁸⁵ After the report, a procedure for Q&A and debates continues with the rules established for the first hearing of the bill.⁸⁶ At the end, Parliament might adopt a resolution.⁸⁷

This regulation is faulty as it allows for the report to be presented in incomplete form, after an year of forming Government. This also could be the case when the incumbent Prime Minister resigns or Parliament passes a motion of no confidence for an incumbent Government. Therefore, it is unwise for the Prime Minister, who has been in office for a couple of months or weeks, to present the annual report to Parliament. **It is better for the report to be presented on the anniversary of the motion of confidence.**⁸⁸

The Constitution, apart from the annual report, also bestowed Parliament the power to summon the Prime Minister to Parliament, in case of necessity, based on a request, to present the execution of the program or its components.⁸⁹ In this scenario, a faction or committee may initiate the request, but the decision is made by a majority of Parliament members present, provided that it comprises no less than one-third of the total members of Parliament.⁹⁰ In this case, the obligation of oral debates is ensured.⁹¹ This mechanism has not been used in the reporting period.⁹²

Since the reporting period of this research begins with the Fall session of 2021, the Annual Report presented in the Spring session of 2021 is not covered.

resources management in order to attract qualified personnel to the system. Government Program 2021 - 2024 "Towards Building a European State", 9-13.

⁸² It's worth to highlight that the previous government also had the same contents in its program. GYLA issued the same recommendation with respect to it as well. See: Vakhushti Menabde and others, cited paper, 15.

⁸³ Constitution of Georgia, art. 55, sec. 5.

⁸⁴ Rules of Procedure of the Parliament of Georgia, art. 150, sec. 2.

⁸⁵ Ibid, sec. 1.

⁸⁶ Ibid, sec. 3.

⁸⁷ Ibid.

⁸⁸ Vakhushti Menabde and others, cited paper, 16.

⁸⁹ Constitution of Georgia, art. 55, sec 5.

⁹⁰ Rules of Procedure of the Parliament of Georgia, art. 151, sec. 1.

⁹¹ Ibid, sec. 3.

⁹² Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

Annual report of 2022

In accordance with the Constitution, the Prime Minister came to Parliament on June 22, 2022.⁹³ The procedure lasted around 2 hours.

Irakli Garibashvili began his speech by highlighting the importance of the European perspective for Georgia, stating that it is unprecedented. Afterwards, to explain not acquiring candidate status,⁹⁴ he went on to mention the cruelties of “the 9-year regime”. He dedicated time to the tendencies of the previous government’s violations of human rights. In addition, he criticized Western Partners for their decision not to give Georgia the status. According to him, “Georgia was punished for not having a war in the country”. The Prime Minister claimed that the majority of the opposition members would go to the EU and would try to persuade them not to give status.

The Prime Minister spoke about various international indexes, in which Georgia is ahead of Ukraine and Moldova. According to him, his team is doing everything to make sure Georgia is in the top 5 in all global indexes in the following years.

The head of the government spoke about assistance of Georgia to Ukraine and the reasons for not joining certain sanctions against Russia. He also mentioned the issue of deoligarchization and the people who fled the country in 2008.

In total, the Prime Minister’s speech did not adhere to the purpose of the procedure as it was general in terms of content and time. The annual report entails presenting the execution of the government program in the previous year and stating concrete steps taken in said respect. General political evaluations of events taken place 10 or 15 years ago do not fit this standard. The majority of the speech was dedicated to criticism of the opponents and not to the profound debates on performed reforms.

The report’s textual version⁹⁵ spans 157 pages and provides more comprehensive information than the oral report. However, this does not excuse the Prime Minister’s speech, which was focused on current political issues.

The members of the opposition, interrupted the Prime Minister multiple times. After the speech, the procedure continued with Q&A. In total 56 deputies asked a question, with 30 of them being from the opposition, and 26 from the ruling party. In general, most of the opposition members had political speeches regarding EU integration and they did not ask questions regarding the execution of other parts of the program. Most of the questions posed by majority members were formal in nature and intended to provide the Prime Minister with an opportunity to showcase the government’s work in a positive light.

When the Prime Minister came to answer questions, majority of the opposition was not present in the Hall. According to Rules of Procedure, the time for answers is 20 minutes.⁹⁶ The Chairman of Parliament offered the extension of time to the Prime Minister in case of necessity. In the end, the answers of the Prime Minister took 1 hour and 43 minutes.

⁹³ Official page of the Parliament of Georgia on YouTube, available at: <https://cutt.ly/6Zw659K>, accessed on: 06.10.22.

⁹⁴ With the recommendation of the European Commission, June 17, 2022, the European Council, unlike Ukraine and Moldova, did not grant Georgia EU candidate status. In the note, the commission recognized the perspective of the country’s joining the European Union, however, it presented an extensive list of issues that prevent Georgia from being granted candidate status. Later, it was clarified that the European Union would return to the issue of granting candidate status to Georgia in 2023. See: “Public Attitudes About Failed EU Candidate Status Attempts”, on.ge, 6 September, 2022, available at: <https://go.on.ge/2zdc>, accessed on: 02.11.22.

⁹⁵ Report of the Prime Minister on the implementation of the government program, June 2021 - May 2022, website of the Parliament of Georgia, available at: <https://cutt.ly/LZw68Lz>, accessed on: 07.10.22.

⁹⁶ Rules of Procedure of the Parliament of Georgia, art. 150, sec. 3, art. 111, sec. 6.

In general, the procedure was held in an acutely polarized environment and a majority of deputies (from the governing party as well as the opposition) would often resort to violent, empty rhetoric. As a result, many of the fields of the Government Program were not brought to the center of attention. The topic of EU integration covered other issues mainly.

It is recommended that both the Prime Minister and deputies direct their speech to the issues provided in the government program, and discuss the ongoing topics within the framework of another mechanism. Also, the practice indicates that the time allocated for the answer is not enough to answer the questions. Therefore, it is necessary to set a different time for responses to the questions of the deputies during the presentation of the annual report of the Prime Minister.

5.3. Ministerial hour

Ministerial hour is a novation for Georgian parliamentarism. It is the result of 2018 reform of the Rules of Procedure. Its purpose is to allow a minister to present a one-year report on the execution of the government program to Parliament. The schedule of reports of cabinet members is established by the Bureau of Parliament⁹⁷ on the principle that the Ministerial hour should be held at least once every two weeks during the plenary session.⁹⁸ Moreover, Ministerial hour is not held in the week of the Prime Minister's report.⁹⁹ 45 minutes are dedicated to the report.¹⁰⁰ After the report, the procedure for the Q&A and debates continues with the rules established for the first hearing of the bill.¹⁰¹ It is true that the regulations do not directly indicate this, however, questions of deputies should be directly connected with the government program. In this process, holding debates on current issues is ruled out, because there is another mechanism for this.¹⁰²

A problematic part of the Ministerial hour over the years has been holding several ministers' hearings on one day and thus, overloading the process.¹⁰³ GYLA addressed with a list of recommendations in August, 2022, to strengthen parliamentary oversight. The document stressed issues regarding Ministerial hour as well, according to which it is recommended to hold no more than 2 in one day.¹⁰⁴ The Parliament of Georgia shared the opinion of GYLA and on November 2, 2022, made a corresponding amendment in the Rules of Procedure.¹⁰⁵

Regarding the Ministerial hour, it is vague what is reporting period for Ministerial hours. Generally, it should be the period between the previous and following speeches, however, some ministers in their speech state directly, that they will present activities of the previous year. **It is better to establish a general practice and concrete reporting period.** Such an interpretation would ensure the continues flow of reports on the one hand, but on the other it would be clearer for the ministers what period they should cover during the presentation of their reports.

Studying the Ministerial hour, some tendencies have been identified, such as the members of the majority rarely ask critical questions and mainly express their gratitude towards the responsible minister.

⁹⁷ Ibid, art. 153, sec. 2.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid, sec. 3.

¹⁰¹ Ibid, sec. 4.

¹⁰² For example, interpellation, summoning an official to the committee, questions, etc.

¹⁰³ Vakhushti Menabde and others, cited paper, 17-19.

¹⁰⁴ "GYLA presented to Parliament the opinion on strengthening parliamentary oversight mechanisms", August 24, 2022, GYLA website, available at: <https://tinyurl.com/yjrvt7rd>, accessed on: 07.11.22.

¹⁰⁵ Rules of Procedure of Parliament of Georgia, art. 153, sec. 2.

As per the norm, the procedure involves asking questions related to the area under the purview of a specific body. However, in practice, questions often extend beyond the ministerial report. Deputies frequently ask questions about current issues rather than the government's program. This approach was also observed in the IX Parliament.¹⁰⁶ In Parliamentary law there is a "question time" procedure, which aims at receiving answers for the deputies from the ministers regarding the ongoing political process. Through this procedure Parliament and the people receive answers in a timely manner regarding ongoing topics.¹⁰⁷ This procedure allows for summoning the Prime Minister to discuss ongoing topics. The urgency thereof has been shown by analysis of the annual report of the head of government. Ministerial hour helps actualizing the political processes, putting on the agenda of various important issues and delivering societies interests to vast political spectrum.¹⁰⁸ GYLA has been advocating for establishing this very mechanism for years. Therefore, to avert an overload of the Ministerial hour and Prime Ministers annual report, it is recommended to establish "question time" procedures.

2021 Fall Session

According to the agenda set in the beginning of 2021,¹⁰⁹ in the Fall Session of this year 6 Ministerial hours have been held.¹¹⁰

The State Minister of Georgia for Reconciliation and Civic Equality: In Parliament, the Ministerial hour for Tea Akhvlediani was held on November 18, 2021.¹¹¹ The speech lasted 33 minutes. The procedure lasted 4 hours and 12 minutes. The majority of the opposition was not present in the hall.¹¹² In the government program, the mandate of the state minister's office is regulated in the chapter on foreign policy, security, conflict resolution and human rights.¹¹³ The field directly covered by the competences of this body are spread out in several paragraphs. The minister's report essentially covered goals set out in the government program, and in some cases, it was even broader. In particular, according to the minister's report, the unified policy of her ministry and the governmental team in general is aimed at restoring the territorial integrity of Georgia, reconciliation and integration of divided societies. The Minister spoke about the importance of restoring trade relations and the steps taken by the Ministry in this regard. She also touched on statistics of enrollment in Georgian higher education institutions by persons living in the occupied territories, the possibility of receiving medical services by the persons living in the occupied territories, and the funds allocated in this direction. The Minister drew attention to the aid projects aimed at occupied territories of Georgia, as well as vaccination, veterinary projects and programs to be used in the fight against tortoise beetle. She also spoke about the development of a 10-year

¹⁰⁶ About this see Vakhushiti Menabde and others, cited paper, 19-27.

¹⁰⁷ Ibid, 28.

¹⁰⁸ Ibid.

¹⁰⁹ The schedule of the Ministerial hour for 2021 (the report of individual members of the Government of Georgia on the relevant direction of the implementation of the government program at the plenary session of the Parliament of Georgia), website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/21351>, accessed on: 28.02.2023.

¹¹⁰ Letter of the Parliament of Georgia No. 3678/2-7/22 of April 21, 2022.

¹¹¹ Ministerial hour, Tea Akhvlediani, The State Minister of Georgia for Reconciliation and Civic Equality, November 18, 2021, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹¹² The largest opposition party – United National Movement was on boycott in the Fall Session of 2021. The reason was the arrest of the leader of the party, Mikheil Saakashvili. The faction renewed its parliamentary activities from the spring session of 2022.

¹¹³ Government Program 2021 - 2024 "Towards building a European State", 6.

policy and strategy, the sharing the international experience, the functioning of language learning and other support programs.

At the Ministerial hour, 21 deputies asked a question, out of which 12 were from the majority and 9 from the opposition. One of the Opposition members¹¹⁴ stated, that there were very small number of deputies in the hall and even they were barely listening. The questions asked were predominantly about activities of the Ministry, however a majority of them concerned less the execution of the government program and just like in other ministers' cases, deputies stressed ongoing political affairs (*inter alia*, the buying of lands by Russians on occupied territories). The majority of members of Parliament, including those who posed questions, were not in the hall during the answers.

Minister of Foreign Affairs: Davit Zalkaliani was heard on November 19.¹¹⁵ The Minister's speech lasted 1 hour and 27 minutes, which technically exceeds the time limit allocated by the Rules of Procedure. The procedure in total lasted 3 hours and 33 minutes. At the beginning of the speech, the minister emphasized the main operational framework of the ministry, like others, he mentioned the 10-year development plan, the foreign policy strategy document, the government program and relevant resolutions developed by Parliament on foreign policy. The minister singled out 10 goals that the Ministry of Foreign Affairs is focused on achieving and talked about each of them in detail. Among them were: in a 10-year perspective the beginning of the process of de-occupation of the country and its irreversibility; application for EU membership in 2024 and achieving final integration by 2030; joining NATO; development of strategic partnership with the US; transformation of existing formats with European countries into strategic formats; carrying out a balanced regional policy with neighboring countries; normalization of relations with Russia after de-occupation; a strong diaspora and protection of the rights of our citizens abroad. According to the Minister on June 23, 2021 by the resolution of the Government of Georgia a governmental commission was established, which should present the state strategy on de-occupation and peaceful resolution of the conflict in the near future. The Minister spoke about efforts made by the Ministry in Geneva and other international formats, the international support received, and the report received by the UN Secretary General on the status of refugees from South Ossetia and Abkhazia. The Minister also touched upon the "step towards a better future" initiative, the steps taken in terms of European integration and international visits.

During the procedure, 22 deputies asked questions, out of which 14 were from the majority and 8 from the opposition. The questions of the deputies mainly concerned the field of competence of the Ministry of Foreign Affairs; however, the majority would exceed the government program and touch upon ongoing topics. In addition, questions of deputies from the "Georgian Dream" mainly supported the Minister and lacked in criticism. One of the "Georgian Dream" deputies compared achievements between the current and the previous government in the field of foreign affairs. Just like in other instances, the majority of the opposition was not present in the hall. During answers, members of the majority also left the hall.

Education and Science Minister: Mikheil Chkhenkeli was heard on December 1.¹¹⁶ The Minister's speech lasted 1 hour and 3 minutes. This exceeds the time allotted for the report by the Rules of Procedure. The procedure in total lasted 5 hours and 15 minutes. Representatives of the National

¹¹⁴ Teona Akubardia, the member of the political group "Reform group".

¹¹⁵ Ministerial hour, Davit Zalkaniani Minister of Foreign Affairs, 19 November, 2021, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.23.

¹¹⁶ Ministerial hour - Speech of the Minister of Education and Science, Mikheil Chkhenkeli, 1 December, 2021, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

Movement were not present during the report. The Minister began his speech with an overview of the projects implemented in the direction of early and preschool education and noted that this direction was a priority of the Ministry. According to him, in 2021, a pilot program for the introduction of bilingual education was launched for the first time; In 7 state universities, the undergraduate programs of preschool education for pre-service teachers were prepared. The Minister spoke about the smooth flow of the educational process, under conditions of the pandemic, the vaccination process, and regular testing of teachers. He also spoke about the importance of Kutaisi International University, the construction and rehabilitation of public schools, as well as the policy of promoting young people who want to continue their studies abroad, the involvement of social workers and psychologists in the education system, and other issues.

In the Government program, one of the sub-chapters is devoted to the field of education in the chapter of social policy and human capital development, which is divided into components of early and preschool, general, and higher and professional education.¹¹⁷ The speech of the Minister did not comprehensively cover issues prescribed in the Government program.

33 deputies asked questions, out of which 19 were from the majority and the 14 from the opposition. It is worth noting that some of the opposition members were allowed to ask questions before the end of the Minister's speech and they left the hall afterwards. This is considered bad practice, since the essence of the debate's procedure is taken away and the control mechanism becomes a formality. Questions of deputies concerned the field of education; however, the majority would go beyond the government program and generalize, or would touch on an ongoing issue. The opposition deputy expressed a concern about the use of the school personnel for the election purposes. Also, the insufficient catering in the schools was stressed. The speeches of the deputies were thematically consistent with the content of the Minister's speech, although most of them were not guided by the government program as the main tool for evaluating the report when asking questions. The deputies would put forward general initiatives. Mainly the members of the opposition would not try to retrieve concrete information from the Ministry about the reforms both carried out and planned. Such an approach is not illegitimate; however, it hampers the profound study of the topics and the control of the duties of the Ministry in the reporting period.

Minister of Culture, Sports, and Youth: Tea Tsulukiani was heard on December 3.¹¹⁸ Her speech lasted 50 minutes. She went over allocated time by 5 minutes. In total the procedure lasted 7 hours and 18 minutes. Members of the United National Movement did not attend this procedure. At first, the Minister talked about the structure and departments of the newly created ministry, as well as the redistribution of the ministry's budget and the issue of financing sports. The speech touched on the uneven attention paid to sports by the Ministry and infrastructural problems for some sports. The Minister also spoke about plans for arranging infrastructure and bases for various sports and the issue of establishing a separate sports museum. The Minister spoke about tournaments sponsored by the Ministry in the field of culture and other related fields.

37 deputies asked questions, out of which 26 were from the majority and 11 from the opposition or independents. It should be noted that the fields of sports and culture were governed by separate ministries at the beginning of the same year, namely after the government program was discussed by Parliament. Therefore, the discussion did not fully follow points prescribed by the government program (this segment was in the section of education of the government pro-

¹¹⁷ Government Program 2021 - 2024 "Towards building a European State", 39-44.

¹¹⁸ Ministerial hour - Speech of the Minister of Culture, Sports and Youth Tea Tsulukiani, 3 December, 2021, website of the Parliament of Georgia, available: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

gram¹¹⁹), the Minister presented the report for the previous 8 months. The questions were mainly thematic. During the Ministerial hour procedure, a majority of the deputies from the ruling party formally asked questions, expressed gratitude for the minister's successful performance, and were rarely critical. One of the deputies from the opposition¹²⁰ highlighted the fact that the Minister of Culture does not answer their questions and in spite of being summoned by the faction, she would not come to committee hearings.

Minister of Economy and Sustainable Development: The hearing of Natia Turnava was held on December 16.¹²¹ Her speech lasted 55 minutes and overstepped the established limit. In total, the procedure lasted 4 hours and 2 minutes. The Minister stated that she had an advantage over other ministers because her Ministerial hour was held at the end of the year, so she could thoroughly summarize the previous year.

She went on to discuss the problems that the pandemic created for the world and Georgia, such as the rise of unemployment and increased state debt. In that respect, she pointed to various international data. She talked about the rise of inflation and steps taken by the ministry, about tightening monetary policy, about the poverty in the country, about various programs and international indexes. The speech also touched upon the following issues: the new program of subsidizing mortgages, direct foreign investments, foreign companies which have entered the Georgian market, privatization and the energy sector, railway and telecommunications, as well as transportation of cargo. She also noted the expansion of the passenger terminal of Kutaisi Airport.

30 deputies asked questions after the speech, out of which 19 were from the majority and 11 from the opposition and independents. Most of the questions were thematic and covered various fields of the Ministry. Unlike the relevant section of the government program, the questions were more specific and focused on current topics, among other things.

Minister of Justice: The hearing of Rati Bregvadze was held on December 17.¹²² His speech lasted 37 minutes, followed by questions and answers. In total the procedure lasted 5 hours and 7 minutes. The question was posed by 32 deputies, out of which 9 were from the opposition and 23 from the governing party. A part of the opposition did not attend the hearing. Along with the government program, the Minister mentioned the 10-year development plan developed by the "Georgian Dream" in 2021. The Minister spoke about planned and implemented projects, improvements to services, law enforcement, construction of Houses of Justice, etc. In general, both the Minister's speech and the questions and speeches of the deputies were largely in line with the content of the Ministerial hour procedure. However, in some cases, members of both the majority and the opposition asked questions about ongoing issues at that time, for example, the case of the third President, Mikheil Saakashvili, and sanctions against Russia. Despite the relevance of the specific questions asked by the "Georgian Dream" representatives, they lacked criticism and were mainly aimed at presenting the Ministry's activities in a positive manner. Such an approach of the ruling party is not new and surprising. However, the passiveness of the opposition significantly reduces the effectiveness of the Ministerial hour procedure, as members of the majority usually do not try to highlight flaws in the implementation of the government program.

¹¹⁹ Government Program 2021 - 2024 "Towards Building a European State", 39-44.

¹²⁰ Ana Natsvlshvili, member of the Political group "Lelo – for the partnership Georgia".

¹²¹ Ministerial hour - Speech of Natela Turnava, Minister of Economy and Sustainable Development, 16 December, 2021, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹²² Ministerial hour - speech of the Minister of Justice Rati Bregvadze, 17 December, 2021, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

Spring Session of 2022

In the beginning of the 2022 Spring session a new schedule of the Ministerial hour has been established.¹²³ According to the established schedule 6 Ministerial hours have been held.

Minister of Finance: The hearing of Lasha Khutsishvili was held on February 17, 2022.¹²⁴ The Minister's speech lasted for 27 minutes. In total the procedure lasted 6 hours and 52 minutes. He began talking about the 2021 budget planning in detail, the impact of the Covid-pandemic and relevant financial data provided in the budget. According to him, the first quarter of 2021 turned out to be quite difficult, as in the month of January there was already an 11.5% of economic decline. During the report, the consequences of the pandemic, the recovery of tourism and its economic consequences were highlighted. The minister presented indicators of foreign trade, export-import data, money transfers. The speech also touched upon inflation and budget growth, finances allocated to fight the pandemic, tax policy and more. According to the Minister, the debt to GDP ratio has gone down in 2021, as it has decreased by 10% compared to the previous year and it has decreased from 60% to 50% in relation to the gross domestic product. During the report, the speaker presented key main fiscal indicators that were predicted for that year. He also mentioned reforms carried out within the Ministry, such as VAT refund reform and others.

40 deputies asked questions after the speech. 18 deputies out of 40 were from the majority and 22 from the opposition. Most of the questions asked concerned not the year of 2021, but the activities and finances for the following years of 2022 and 2023. There were no non-thematic questions. Opposition deputies would make brief political evaluations at the beginning of questions, but the questions were directed to the fields of the Ministry. Before the Minister replying to deputies, the Chairman of the session Levan Ioseliani noted that it would be good to establish a parliamentary culture when the deputy who asked the question would be in the hall during the answer to questions and would not leave the session hall after asking them.

Minister of Internal Affairs: the hearing of Vakhtang Gomelauri was held on March 17.¹²⁵ His speech lasted approximately 30 minutes. The procedure lasted 6 hours and 38 minutes. The Minister started his speech by giving condolences to the families of the deceased police officers and then went on to talk about ongoing topics. The Minister briefly touched upon the aggression of Russia in Ukraine and the protection of Georgian State borders from Russian citizens. This was a hot topic for the Georgian society at the time. After that, the Minister said that his report would get back on topic. Therefore, it could be concluded that the emphasis made so far did not refer directly to the procedure of the Ministerial hour. The Minister covered issues raised in the government program to a significant extent, and additionally talked about news that was not covered specifically in the government program. The minister's speech was satisfactorily specific.

In total 52 deputies asked questions. 23 of 52 were from the majority and 29 from the opposition parties. In general, the opposition stressed ongoing topics. Therefore, the Minister tried to defend the Ministry's position. Deputies would not go into detail with information provided by the Minister as they had their own agenda. It is worth noting that against the background of this

¹²³ Decision No. 116/12 of the Bureau of the Parliament of January 31, 2022 regarding the approval of the schedule of the Ministerial hour for 2022 (the report of individual members of the Government of Georgia to the plenary session of the Parliament of Georgia on the relevant field of the execution of the government program), Website of the Parliament of Georgia, available: <https://info.parliament.ge/#law-drafting/23517>, accessed on: 28.02.2023.

¹²⁴ Ministerial hour, Lasha Khutsishvili, Minister of Finance of Georgia, 17 February, 2022, website of the Parliament of Georgia, available: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹²⁵ Ministerial hour - Speech of the Minister of Internal Affairs of Georgia, Vakhtang Gomelauri, 17 March, 2022, website of the Parliament of Georgia, available: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

type of regional (geopolitical) challenge, such as Russia's military attack on Ukraine, it is logical for the deputies to raise these topics. Despite the circumstances, presenting the appropriate field of the government program involves providing information to Parliament about the work carried out, on the one hand, to inform the Legislative branch, and on the other hand, to ensure further cooperation.

Ministry of Environmental Protection and Agriculture: The hearing of Otar Shamugia was held on April 14.¹²⁶ His speech lasted 36 minutes. The procedure lasted 4 hours and 2 minutes. At the beginning of the speech, the minister generally touched upon the Covid-pandemic, ongoing events in Ukraine (expressed solidarity to the Ukrainian people) and the questionnaire sent to Georgia by the EU. He spoke about efforts made by the Ministry with respect to association. The speaker touched on the issue of supplying the country with food against the backdrop of hostilities in the region. According to him, there was a 21% increase in the export of agricultural produce compared to the previous year. The report touched upon topics such as processing of agricultural products, financing of berry plantations, issues of state co-financing of various directions, wine export to America and other countries. The Minister also spoke about the planned systemic registration of land, issues of environmental protection, issues of assessment and protection of the state of water resources.

After the Minister's report, 43 deputies asked questions, out of which 27 represented the majority and 16 were from the opposition. Questions were generally thematic and related to the field of the Ministry, however, they went beyond the Minister's report and the government program and addressed existing, ongoing issues, both in the fields of environmental protection and agriculture.

Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs: The hearing of Zurab Azarashvili was held on May 11.¹²⁷ Similarly to other Ministerial hours, the part of the report presented by the minister was not directly related to the period of his tenure (Azarashvili was appointed on December 27, 2021), but to the activities of his predecessor, Ekaterine Tikaradze. The Minister's speech lasted 40 minutes. In total, the procedure took 5 hours and 31 minutes. He started his speech by talking about, the Prime Minister's the initiative announced in the spring of 2022, the reform of the import rules for medicine from Turkey. The Minister, during the reporting period, touched on the topic of increasing financing medicine necessary for the treatment of chronic diseases. He spoke about enhancing the prescription system. Zurab Azarashvili named ensuring the quality of medicine in the pharmaceutical market of Georgia as one of the main priorities of the Ministry. According to him, based on this priority, by the end of 2022, all local manufacturers were instructed to switch to good manufacturing practice - GMP standard. The Minister noted that in order to create an equally competitive environment between local manufacturers and importers, from June 2022 the obligation to meet the GMP standard was established also for imported medicine into the country. According to the minister, 94.7% of the population is covered by the universal healthcare program, and for the support of the current reforms, the state expenditures on healthcare has increased almost five times. The speaker also reviewed the issue of equipping rural health centers, rehabilitation of buildings, strengthening of the state diabetes management program and other issues. Through the electronic system, the timely and fair hospitalization of patients has been improved. He also spoke about the activities

¹²⁶ Ministerial hour - Speech of Otar Shamugia, Minister of Environment Protection and Agriculture of Georgia, 14 April, 2022, website of the Parliament of Georgia, available: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹²⁷ Ministerial hour - Speech by Zurab Azarashvili, Minister of Internally Displaced Persons from the Occupied Territories of Georgia, Labor, Health and Social Protection, 11 May, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

of the Ministry against the Covid pandemic and presented various data in this respect. The speech also touched upon social support for vulnerable groups.

40 deputies asked questions about the Minister's speech, out of which 23 represented the majority and 17 - the opposition. The questions asked mainly referred to the fields of activity of the Ministry, however, like other ministers, the focus was also on ongoing problems. Several questions were also related to the information spread about the health condition of the former President, in particular, whether the state provided him with appropriate services.

Minister of Regional Development and Infrastructure: the hearing of Irakli Karseladze was held on May 25.¹²⁸ The minister's speech lasted 55 minutes. His report exceeded the time set by the Rules of Procedure. The procedure itself lasted 3 hours and 56 minutes. At the beginning of the speech, the Minister noted that during the reporting period, 14% more investments were made in infrastructure projects compared to the previous year. He spoke about specific infrastructure projects and their progress. In total, according to the Minister, up to 500 kilometers of roads were paved and rehabilitated during 2021. The Minister spoke about embankment works, water supply problems, future plans, construction and rehabilitation of schools and gardens. The speaker also touched upon the program - "Renewed Regions", within the framework thereof relevant activities, rehabilitation of cultural and recreational spaces is taking place.

After the Minister's speech, 38 deputies asked questions, 24 of them represented the majority and 14 - the opposition. In general, the analysis of the procedure shows that the questions asked by the deputies of the majority are usually preceded by speeches expressing gratitude and praise. One of the opposition MPs¹²⁹ mentioned that he has sent two parliamentary questions to the minister, to which he has not received an answer for 195 days. The deputy voiced the questions at the session. The questions were mainly thematic.

Minister of Defense: The hearing of Juansher Burchuladze was held on June 9.¹³⁰ The Minister's speech lasted 35 minutes. The procedure took 5 hours and 54 minutes. It is worth noting that the Minister was a rare exception, who noted at the beginning of his speech that he was presenting a report on important reforms and ongoing projects in the relevant direction of the government program.

In the government program, there is a separate subchapter on the field of defense.¹³¹ The name of the subchapter is "Strengthening the Country's Defense Capability". It covers about two-and-a-half pages and talks about strengthening the country's defense capability and stability, establishing high combat readiness, armed with modern capabilities, mobile and NATO-compatible defense forces, institutional development and deepening of interagency cooperation.

Defense forces are based on five priority directions, namely - development of air defense, anti-armor, artillery, intelligence (ISTAR) and strengthening engineering capabilities. The program talks about deepening compatibility with NATO, cooperation between the USA and Georgia and the exercises planned within the framework of various programs, equipping training centers with modern systems in the cyber area of defense and developing the field of military education.¹³²

¹²⁸ Ministerial hour - speech of Irakli Karseladze, Minister of Regional Development and Infrastructure of Georgia, 25 May, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹²⁹ Khatuna Samnidze, Chairman of the political group "Reform Group".

¹³⁰ Ministerial hour - speech of the Minister of Defense of Georgia, Juansher Burchuladze, 9 June, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹³¹ Government Program 2021 - 2024 "Towards Building a the European State", 9.

¹³² Ibid.

In addition, according to the program, the structural and functional reform of certain directions is planned. Strengthening social support for military personnel and their family members. The Ministry of Defense will develop an improved reserve and mobilization system to increase its effectiveness and reliability. One of the activities of the Ministry will be the creation and serial production of military and dual-purpose products.¹³³ Relations with the European Union in the field of security and defense will be activated and deepened. During the current years, a formal application will be made to start cooperation with the European Defense Agency (EDA). Also, the Ministry of Defense will be ready to participate in specific projects of the Permanent Structured Cooperation of the European Union (PESCO). Defense infrastructure will be improved and more.¹³⁴

The Minister's speech mostly answered the issues presented in the program. Obviously, the content and factual accuracy of the information presented by the Minister is the subject of a separate study, and this cannot be determined by analyzing the procedure of Ministerial hour.

The Minister touched upon the Russia-Ukraine war and noted how much of a challenge Russia's aggression poses to world peace and Georgia, the latter being a continuous victim of Russia's aggression. The Minister emphasized the fact that Russian military bases are located in the occupied territories of Georgia, and Russia is trying to influence Georgia's European choice by using hybrid tactics, including creeping occupation.

The Minister drew attention to the planned and ongoing purchase of air defense, also anti-armor technology upgrades and new weapons. According to the Minister's information, a joint factory (in cooperation with Poland) has been created, which will ensure the production of unmanned suicide and reconnaissance drones on the territory of Georgia. Also, he spoke about the procurement of other military technical and intelligence equipment, artillery, aviation equipment renewal and other issues.

The Minister of Defense also emphasized institutional reforms. He noted that with the support of Parliament, important reforms are being planned in the Ministry of Defense, including the renewal of mandatory service and the reserve service.

After the Minister's speech, deputies asked questions. In total, 32 members of Parliament spoke. 13 of them represented the ruling party, and 19 - the opposition.

It should be highlighted that a significant part of the deputies would not go deeply into issues and mainly focused on the salaries of the military and their social support. Questions on both political (non-thematic) and topical issues were frequent. Inappropriate use of the Ministerial hour format remains a problem, as the deputies rarely use it to monitor the implementation of government programs. In many cases, they are not prepared in terms of content, as a result of which the emphasis is mostly placed on current, superficial issues.

¹³³ Ibid, 10.

¹³⁴ Ibid, 11.

Fall Session of 2022

According to the schedule established by the Bureau, 6 Ministerial hours were held in the fall session of 2022.

Minister of Culture, Sports and Youth: Tea Tsulukiani presented a report to Parliament on September 22.¹³⁵ The speech lasted 2 hours. This exceeds the time allocated by the Rules of Procedure. In total, the procedure lasted 9 hours. The Minister started talking about the construction of a new sports palace for Eurobasket, as well as the costs of financing this event. She spoke about the issue of state recognition of sports federations, as well as the funding of federations and amendments to their statutes, the need to construct a new building for a sports university, plans for the construction of an ice rink and horses purchased for the equestrian federation. The Minister also spoke about achievements of Georgian athletes in various fields and their future plans. According to Tsulukiani, in 2022, 12 individuals will be funded to study in foreign art schools. The Ministry also financed the purchase of new clothes for ensembles, for which 221 thousand GEL was spent. She focused on theaters and reforms in the system of monument protection. The Minister spoke about problems of the Gelati monastery complex and noted that she did not accept responsibility for the situation until 2021 and is only responsible as the Minister of Culture from March 2021.

33 deputies used the right to ask questions, 15 of them represented the ruling party, and 18 - the opposition. The questions were fully thematic and the ministry's duties. In the questions, there was criticism of the fact that members of Parliament were not given an opportunity to at least skim over the printed version of the report. Additional criticism concerned the fact that the Minister did not answer questions.

The procedure took place in a constructive environment. Part of the "Georgian Dream" MPs were again grateful and praised the work of the Minister. As a general trend, it should be noted that in the case of the Minister of Culture, as well as some other ministers, a part of the deputies convey initiatives and new ideas rather than ask questions. These initiatives usually concern their native or majority constituencies.

Minister of Economy and Sustainable Development: The hearing of Levan Davitashvili was held on October 6.¹³⁶ The speech lasted 44 minutes. In total, the procedure lasted 5 hours and 36 minutes. The Minister started talking about trends of economic growth, growth of economic activity in various sectors, on the increase in the number of jobs, on trends in direct foreign investment inflows. He talked about trends related to inflation and the ways to deal with it. The Minister spoke about poverty reduction, capital market reform, as well as electricity generation, on the priority of renewable energy, on the development of a digital transit hub in Georgia, on foreign trade trends, on the import of industrial raw materials and other issues. The speech touched upon the "Produce in Georgia" program. The Minister highlighted areas such as encouraging the IT sector and attracting international companies to Georgia, privatization, the importance of the tourism sector and overcoming the pandemic period decline.

26 deputies asked questions about the report, out of with 15 represented the majority, and 11 - the opposition. The questions of the opposition were more critical than those of Parliamentary majority.

¹³⁵ Ministerial hour - Speech of the Minister of Culture, Sports and Youth Affairs of Georgia, Tea Tsulukiani, 22 September, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹³⁶ Ministerial hour - Speech of the Minister of Economy and Sustainable Development of Georgia Levan Davitashvili, 6 October, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

Minister of Foreign Affairs: The hearing of Ilia Darchiashvili was held on October 20.¹³⁷ The Minister's speech lasted 1 hour and 2 minutes. This exceeds the time allocated by the Rules of Procedure. In total, the procedure lasted 5 hours and 22 minutes. At the beginning of his speech, he touched upon the difficult situation in the region and emphasized the efforts of the Georgian side to resolve the conflict between Georgia and Russia by peaceful means. The Minister mentioned statements and resolutions supporting Georgia adopted by international partners. He spoke about the process of international negotiations in Geneva. The speaker touched upon the issue of harmonization of legislation in terms of European integration and, in general, carrying out reforms compatible with the Copenhagen criteria. The Minister also talked about work visits he made, as well as integration into the educational and cultural space of the European Union and the issues at play on the road to further NATO cooperation; Additionally, the speech concerned the support of European integration of Georgia by individual European countries and statements/resolutions supporting Ukraine by Georgia. The speech was largely superficial and formal. Less emphasis was placed on in-depth discussion of existing challenges. Based on existing challenges, superficially listing the visits or resolutions on the part of the minister cannot be considered satisfactory.

22 deputies asked questions at the session. 8 of them represented the majority, and 14 - the opposition. Most of the questions were political in nature and only the opposition questions contained criticism. The "Georgian Dream's" questions were mostly aimed at making the Minister's activities appear more successful. Like the speech, answers to questions were superficial. In his clarifying speech, one of the opposition MPs¹³⁸ noted that it would be better for the Minister to answer the individual deputy immediately after asking the question, and not all together after an hour and a half break. According to him, in such a case, the Minister is able to bypass the unwanted questions or group them in a way that is favorable for him.

Minister of Education and Science: On December 1, Ministerial hour of Mikheil Chkhenkeli was held.¹³⁹ The speech lasted 1 hour and 27 minutes, thus exceeding the time set by law. The entire procedure lasted 4 hours and 25 minutes. At the beginning of the speech, the Minister mentioned the unified national strategy of education and science for 2022-2030 approved by the decision of the Government of Georgia in 2021 and the action plan for 2022-2024 adopted within the framework of the same strategy. The Minister spoke about the process of schools' authorization, as well as the possibility of teaching Georgian language to citizens representing ethnic minorities and receiving quality education in general. According to the Minister, by decision of the Ministry and Parliament, children who turn 6 years old by September 30 have been given the opportunity to enroll into school. From the 2022-2023 academic year, "History of Georgia" will be studied as independent subject in general educational institutions. Attention was also focused on teaching chess in schools and other topics. The speech also touched upon the study of programming, which has become mandatory for schools, the possibility of children receiving Ukrainian-language education, the construction of new schools, and the issues of children's nutrition in schools. According to the Minister, effective steps have been taken to strengthen scientific and research institutes.

23 deputies asked questions to the Minister, 9 of them represented the majority, and 14 - the opposition. Overall, the questions were thematic. The procedure largely corresponded to the content provided by the Ministerial hour procedure.

¹³⁷ Ministerial hour - Speech of the Minister of Foreign Affairs of Georgia, Ilia Darchiashvili, 20 October, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹³⁸ Fridon Injia, Chairman of the political group European Socialists.

¹³⁹ Ministerial hour - Speech of the Minister of Education and Science of Georgia, Mikheil Chkhenkeli, 1 December, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

The State Minister of Georgia for Reconciliation and Civic Equality: The hearing of Tea Akhvediani was held in Parliament on December 15.¹⁴⁰ Before the speech, one of the deputies of the opposition put forward a proposal to discuss the report in a closed format.¹⁴¹ Parliament voted on this issue in closed format. The decision to close the session was not taken. The Minister's speech lasted 45 minutes and the whole procedure - 3 hours and 6 minutes. At the beginning of her speech, Tea Akhvediani spoke about the tasks and field of competence of her agency. She emphasized the function of policy development and implementation, coordination and cooperation with various agencies (including Parliament, state representatives, self-governments and the heads of autonomous republics). She spoke about two lines of priority: 1) reconciliation and involvement of the artificially divided society as a result of the current occupation of Georgia's Abkhazia and Tskhinvali regions; 2) supporting the ethnic minorities living in Georgia, ensuring civil equality and integration, strengthening intercultural relations. The Minister mentioned the meetings held with the population to hear problems hands-on, after which her ministry contacted the relevant competent agencies. She also spoke about partnerships with international organizations and countries, as well as diplomatic representatives. The content of the report essentially followed the report presented.

9 deputies asked the questions to the Minister of State, 2 of which represented Parliamentary majority, and 1 - the opposition. As in other cases, the members of the Parliamentary majority expressed their gratitude towards the Minister's activities. One of the opposition MPs expressed his wish that maybe the Minister should focus more on challenges and problems in order to outline ways to overcome them. The questions in general were thematic and related to the activities of the Ministry.

Minister of Justice: The hearing of Rati Bregadze was supposed to be held in Parliament on November 4, but was postponed to December 16.¹⁴² His speech was preceded by the release of footage of former President Mikheil Saakashvili at a medical facility. Because of this, members of the United National Movement faction held posters supporting Saakashvili in the hall. The procedure was carried out against the background of controversy and noise. One of the deputies was even forced to leave the hall.¹⁴³ Soon, members of the faction mentioned, left the hall as a sign of protest. Rati Bregadze's speech lasted 1 hour and 37 minutes, which exceeded the time specified by regulation. The entire procedure lasted 6 hours and 10 minutes.

Right before the speech, the Minister briefly assessed the protest expressed by the representatives of the National Movement and criticized their actions. The Minister spoke about the opening of new Houses of Justice. According to him, from the end of the year, all "community centers" operating in Georgia will be able to receive services provided by the House of Justice. He also spoke about "mobile" Houses of Justice. He announced the opening of the Holographic Museum of the History of Law.

The speech touched on the issue of land registration, the topic of assigning addresses to village streets, which, in his opinion, will significantly solve problems related to electoral lists. The Minister spoke about increasing the age limit for notaries (70 years instead of 65 years), the reforms

¹⁴⁰ Ministerial hour - Speech of the Minister of State for Reconciliation and Civil Equality of Georgia, Tea Akhvediani, 15 December, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹⁴¹ Fridon Ingia, Chairman of the political group "European Socialists".

¹⁴² Ministerial hour - speech of the Minister of Justice of Georgia, Rati Bregadze, 16 December, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/minister-hours>, accessed on: 28.02.2023.

¹⁴³ "Shalva Papuashvili asked Salome Samadashvili to leave the hall", Interpressnews, 16 December, 2022, available: <https://bit.ly/3IEUZbq>, accessed on: 28.02.2023.

carried out in penitentiary institutions and the improvement of the condition of prisoners, as well as effective cooperation between the Ministry of Justice and the Ministry of Defense. According to him, new recruitment centers have been opened in the Houses of Justice, where all interested persons can get complete information about military service. He also spoke about the representation of Georgia in international courts.

A total of 28 deputies asked questions, 22 of them were asked by the majority and 6 by the opposition representatives. A considerable number of the speakers were interested in current issues, namely the situation surrounding Mikheil Saakashvili. The Minister himself did not talk about this issue during the report, although in his answers, he could not avoid talking about Mikheil Saakashvili. The Minister took the time to read a quote from one of the verdicts, which reflected the facts of inhumane treatment in the prison during the tenure of the National Movement in power, which angered opposition MP, Khatuna Samnidze. Deputies used clarifying questions for mutual political accusations.

5.4. Summoning of accountable officials to the plenary session

The Rules of Procedure of Parliament, in addition to the appearance of officials at the plenary session of their own free will, also recognizes the possibility of summoning them. Based on the request of the committee or faction, with the support of the majority of the members of Parliament present, but not less than 1/3 of the full composition, it is possible to summon an accountable official to the plenary session of the legislative body, so that he/she can present a report of the activities performed and answer the questions.¹⁴⁴ This mechanism was not used in the 2021 fall,¹⁴⁵ 2022 spring¹⁴⁶ and fall¹⁴⁷ sessions. Parliament did not use it in 2019-20.¹⁴⁸ The reason for this can be the quorum requirements and the passivity of the majority to use this mechanism. On the one hand, it should not be less than 1/3 of the full composition, but at the same time, it should be the majority of the members present. Sometimes the “majority of those present” is more than the votes of the opposition. In contrast, a majority that has the necessary votes to obtain a “majority of those present” is not interested in summoning its own minister to the plenary session.

5.5. Interpellation

5.5.1. Idea of interpellation

In traditional parliamentarianism, an interpellation is an address by one or more deputies to a minister or the entire government and aims to start a debate on a major policy, which can also be held on a specific issue.¹⁴⁹ At the end of the debate, a vote on the agenda is planned.¹⁵⁰ Agendas can be ‘simple’ or ‘motivated’.¹⁵¹ “Simple” means that Parliament does not express an opinion about the government, while “motivated” means that the agenda expresses confidence or distrust.¹⁵²

¹⁴⁴ Constitution of Georgia, art. 44, sec. 6.

¹⁴⁵ Letter of the Parliament of Georgia No. 3678/2-7/22 of April 21, 2022.

¹⁴⁶ Letter N8820/2-7/22 of the Parliament of Georgia of September 21, 2022.

¹⁴⁷ Letter N885/2-7/23 of the Parliament of Georgia of January 31, 2023.

¹⁴⁸ Vakhushiti Menabde and others, cited paper, 27.

¹⁴⁹ Philip Lovo, *Parliamentarianism*, M. Balanchivadze and N. Tskitishvili’s translation, editors V. Keshelava and M. Matsaberidze, Institute of Political Science of the Georgian Academy of Sciences, 2005, 99.

¹⁵⁰ Lana Tsanova, *Principles of Government Responsibility and the Practice of Constitutionalism*, Sul Khan-Saba Orbeliani University Publishing House, Tbilisi, 2020, 90.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

The word “interpellation” may be used in different jurisdictions, but its form, content, functions and effects may vary.¹⁵³ Interpellation is characterized by the following features: 1) through it, information, explanations or both are requested from the government on important issues of public interest, which are not included in the agenda of Parliament, and the deputies consider that the legislative body and the public should be informed.¹⁵⁴ 2) This mechanism allows debates to be held within a reasonable framework, in which the interpellator, the relevant minister and other members of the legislative body will participate and state their positions.¹⁵⁵ 3) At the end of the procedure, the mechanism can be limited only to receiving information or the issue of holding the government accountable can be put on the agenda.¹⁵⁶ Within the framework of the vote, Parliament may support the executive or, if there are sufficient votes, adopt a resolution of censure.¹⁵⁷

5.5.2. The frequency of holding interpellations and the time of each interpellation

Interpellation was established in Georgia as a result of the 2017 constitutional reforms.¹⁵⁸ The Rules of Procedure proposed its extensive regulation. In the original article, the interpellation was held 4 times a year, 2 times per session.¹⁵⁹ The Friday of the last week of March, May, September and November plenary sessions was dedicated directly to interpellation.¹⁶⁰ 7 MPs or a faction must send the interpellation request to the addressee at least 10 days before the session.¹⁶¹

Interpellations are held quite often in European countries. It is carried out on average, 15 days after the request.¹⁶² The rare use of this mechanism in Georgia affects the quality of parliamentary control. This problem is clearly presented below.

In addition to the frequency of the procedure, time allocated to hold a complete procedure itself was problematic. The original version of the Rules of Procedure specified a rather short time for interpellation if several officials were summoned on the same day. This practice was criticized by GYLA.¹⁶³ It is true that the norm was later changed,¹⁶⁴ however it still included a reduction in time. In particular, if more than 2 interpellations were planned to be held on one day, the Bureau of Parliament reduced time for each interpellation so that all procedures could be completed.¹⁶⁵ In addition, the proportional calculation of time would start from the total time allotted for two interpellations.¹⁶⁶ It is true that this rule improved the previous norm, but it was insufficient. The purpose of interpellation is to obtain information from an official. Therefore, the goal should not be to go through all the procedures to formally comply with the requirements of this oversight mechanism, but to implement proper control. Accordingly, GYLA has been urging the legislative

¹⁵³ Matti Wiberg, *Parliamentary Questioning: Control by Communication?*, in *Parliaments and Majority Rule in Western Europe*, Herbert Döring, ed. A publication of the Mannheim centre for European Social Research (MZES) at the University of Mannheim, 1995, 184.

¹⁵⁴ *Ibid.*, 186.

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*

¹⁵⁷ *Ibid.*

¹⁵⁸ Constitution of Georgia, art. 43.

¹⁵⁹ The Rules of Procedure of the Parliament of Georgia (the edition before the amendments of November 2, 2022), art. 149, sec. 5.

¹⁶⁰ *Ibid.*

¹⁶¹ The Rules of Procedure of the Parliament of Georgia, art. 149, sec. 1 and 5.

¹⁶² Vakhushti Menabde and others, *stated book*, 33.

¹⁶³ *Ibid.*, 34-36.

¹⁶⁴ Amendment of July 1, 2020 to the Rules of Procedure of the Parliament of Georgia.

¹⁶⁵ Rules of Procedure of the Parliament of Georgia, art. 149, sec. 7.

¹⁶⁶ *Ibid.*

body for years to increase the number of interpellations and to hold them at least once a month.¹⁶⁷

With the amendments of November 2, 2022, Parliament partially shared the opinion of GYLA. With the new version, interpellations are usually held during the regular session on Friday of last week of the plenary sessions of each month, and the addressee must answer all questions submitted to him/her no later than 10 days before the designated time.¹⁶⁸ However, the norm has one reservation. Interpellations are not held in June and December.¹⁶⁹ According to the explanations made at committee hearings, the Prime Minister's annual report is in June and the budget is adopted in December. Therefore, in order to avoid parliamentary work overload, regulations did not allow interpellations to be held in June and December.¹⁷⁰ These changes should be evaluated positively.

Fall Session of 2021

During the Fall Session of 2021, in accordance with art. 149 of the Rules of Procedure of Parliament of Georgia, a group of at least seven members of Parliament of Georgia, as well as Parliamentary faction, did not address questions to the Government of Georgia, a member of the government, or any other body accountable to Parliament of Georgia. Accordingly, the interpellation was not held in the Fall Session of 2021.

Spring Session of 2022

During the Spring Session of 2022, 3 parliamentary entities sent a question to the addressee within the framework of the interpellation procedure. On May 10, 2022, the "Georgian Dream" faction, through interpellation, addressed a question to the Ministers of Economy and Sustainable Development and Foreign Affairs of Georgia; on April 27, a group of at least seven members of Parliament,¹⁷¹ through interpellation, addressed a question to the Prime Minister of Georgia. The "United National Movement" faction - the United Opposition "Strength is in unity" on March 7, through interpellation addressed a question to the Minister of Justice of Georgia.¹⁷²

All four interpellation requests sent during the Spring Session of 2022 were held on May 27.¹⁷³ This led to a proportional reduction of the time allocated by the Bureau for each interpellation. As a result, a maximum of 2 hours and 45 minutes was set for hearing each addressee and going through the entire procedure.¹⁷⁴ Because of the 4 interpellations, in accordance with the Rules of Procedure, the time of speeches was proportionally reduced. As a result, non-partisan members were given the opportunity to speak only for 2 minutes each, political groups - 8 minutes each and factions - 15 minutes each. During the process, the Chairman did not allow for additional time for deputies' time. Such a reduction in time, especially allowing only 2 minutes per speech, harms the

¹⁶⁷ Vakhushi Menabde and others, cited paper, 33.

¹⁶⁸ Rules of Procedure of the Parliament of Georgia, art. 149, sec. 5.

¹⁶⁹ Ibid.

¹⁷⁰ Minutes of the meeting N79 of September 19, 2022 of the Committee on Procedural Issues and Rules, website of the Parliament of Georgia, available at: <https://bit.ly/3kqYevi>, accessed on: 10.01.2023.

¹⁷¹ Members of Parliament: Davit Usupashvili, Ana Natsvlshvili, Salome Samadashvili, Shalva Shavgulidze, Armaz Akhvediani, Tamar Kordzaia, Dilar Khabuliani.

¹⁷² Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

¹⁷³ Ibid.

¹⁷⁴ The schedule of interpellation procedure, website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/300981?>, accessed on: 05.10.22.

entire procedure and threatens holding an in-depth debate on the issues. The discussed cases are indications of a bad trend. The sharing of GYLA's opinions by Parliament is welcomed and from 2023 it is possible to hold the interpellation procedure every month. This will likely reduce the need for multiple procedures in one day. However, the Rules of Procedure still allow the principle of proportional reduction of time in case of more than 2 interpellations.¹⁷⁵ And this still leaves the possibility of overloading the day and not being able to fully hold interpellations. It is necessary to eliminate this in order for the oversight mechanism to perform its real function.

Fall Session of 2022

In the Fall Session of 2022, 4 interpellations were supposed to be held in the last week of September, however, due to the visit of ministers to participate in the 77th session of the UN General Assembly, only 1 was held.¹⁷⁶ The other 3 were postponed to the last week of November.¹⁷⁷

On November 18, two interpellations were held. Within said procedures, the Prime Minister and the Minister of Education and Science appeared before Parliament.¹⁷⁸ The interpellation of the Minister of Foreign Affairs was supposed to be held on the same day, however, due to illness, his hearing was not held. Because there won't be any more interpellations held in 2022, the hearing of the foreign affairs minister has been moved to the next year or may be canceled altogether, which would result in the constitution being violated. Additionally, summoning him after a few months renders the entire procedure meaningless.

5.5.3. The Compatibility of the Topic of Interpellation and Debates

The purpose of the interpellation mechanism is to receive a comprehensive answer to the sent question from a member of the government. Therefore, the question-and-answer mode should be held around the discussed issue. Contrary to this, in the IX Parliament, it was often the case that the deputies asked the addressees questions about current issues or other issues of their interest.¹⁷⁹ According to GYLA, this kind of approach harms the efficiency of the mechanism. The interpellations must be carried out with topics of questions and Parliamentary discussions matching each other.¹⁸⁰

¹⁷⁵ Rules of Procedure of the Parliament of Georgia, art. 149, sec. 7.

¹⁷⁶ Interpellation - Hearing of Zurab Azarashvili, Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs, 23 September, 2022, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁷⁷ Information of the Minister of Foreign Affairs of Georgia, Ilia Darchiashvili, regarding the postponement of the date of the interpellation hearing of the Minister of Foreign Affairs of Georgia in the Parliament of Georgia due to his business trip to the United States from September 20 to September 26, 2022. The website of the Parliament of Georgia is available at: <https://info.parliament.ge/#law-drafting/24666>, accessed on: 28.02.2023. Information of the administration of the Government of the Georgia regarding the non-attendance of the Georgian Prime Minister (together with the government delegation) at the September 23 plenary session of the Georgian Parliament to answer questions posed by interpellation due to his visit to the United States of America between September 18-25, 2022. The website of the Parliament of Georgia is available at: <https://info.parliament.ge/#law-drafting/24652>, accessed on: 28.02.2023. The information of the Minister of Education and Science of Georgia, Mikheil Chkhenkeli, regarding his absence from the plenary session of the Parliament of Georgia to answer the questions posed through the interpellation due to his business trip to the United States of America from September 18 to September 25, 2022. The website of the Parliament of Georgia is available at: <https://info.parliament.ge/#law-drafting/24648>, accessed on: 28.02.2023.

¹⁷⁸ Interpellation, Prime Minister of Georgia Irakli Gharibashvili (time of sending the question 07.09.2022), Minister of Education and Science of Georgia Mikheil Chkhenkeli (time of sending the question 08.09.2022), website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁷⁹ Vakhushiti Menabde and others, cited paper, 36-39.

¹⁸⁰ Ibid.

Spring Session of 2022

Interpellation of the Prime Minister

On April 27, 2022, a group of 7 MPs addressed the Prime Minister with a question through interpellation. It was related to what legal and administrative measures the Government of Georgia is implementing in order to prevent violations of relevant sanctions regimes by using the territory of Georgia from Russian Federation originating entities and others.¹⁸¹

Within the procedure of the interpellation, the Prime Minister presented his answers to deputies on May 27.¹⁸² The Prime Minister's speech lasted about 20 minutes (at the expense of the right of the author of the question to clarification), and the interpellation itself lasted 2 hours and 24 minutes in total. Irakli Gharibashvili spoke about the steps taken by the Government of Georgia to help Ukraine. He noted that the position of the Government of Georgia with respect to the sanctions is fully consistent with the position of the Commonwealth and he also talked about the impossibility of bypassing Western sanctions in Georgia, in addition, he noted that there were no plans to impose national sanctions.

The Prime Minister mentioned that he has also sent written answers, in which the specific administrative measures taken are detailed. According to the author of the question, Davit Usupashvili, Parliamentarians did not receive a response letter (they hadn't received it by the procedure). In a clarifying question, Usupashvili asked about Georgia's European perspective, what the government is trying to do in this regard. Ana Natsvlishvili's question regarding where deputies could see the Prime Minister's written answer, the Chairman of Parliament answered that the Rules of Procedure do not specify the exact time and the written answer would be distributed later. **It is recommended that the addressee's written response be submitted to the members of Parliament before the session. This will give them the opportunity to prepare adequately for the procedure.** During the debates, 19 members of Parliament spoke, out of which 15 represented the opposition and 4 - the ruling party. The opinions expressed by most of the speakers were not directly related to the question of interpellation. Some of the speakers tried their best to cover issues comprehensively. Thus, they were partially concerned with the question of interpellation, although they did not refrain themselves from talking about other topics. Deputies touched on European integration, the need for judicial reform and more.

Interpellation of the Minister of Justice

On May 27, 2022 Minister of Justice, Rati Bregadze, appeared before Parliament through the interpellation procedure.¹⁸³ He answered the question of the faction "United National Movement" - United Opposition "Strength is in unity", which was related to the measures taken in terms of protecting the rights of the accused (convicted) in the special penitentiary service and their compliance with the standards established by the Georgian legislation and international agreements.¹⁸⁴

¹⁸¹ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia. Letter N3800/3-98/22 of April 27, 2022 by members of the Parliament of Georgia Davit Usupashvili, Ana Natsvlishvili, Salome Samadashvili, Shalva Shavgulidze, Armaz Akhvlediani, Tamar Kordzaia and Dilar Khabuliani to the Prime Minister, website of the Parliament of Georgia, available at: <https://bit.ly/3IBvJD8>, accessed on: 28.02.2023.

¹⁸² Interpellation, the speech of the Prime Minister Irakli Gharibashvili, 27 May, 2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁸³ Interpellation, the speech of the Minister of Justice of Georgia Rati Bregadze, 27 May, 2022, time of sending the question 07.02.2022, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁸⁴ Letter N2015/3-23/22 of March 7, 2022 of the faction "United National Movement" - United Opposition "Strength is in unity" to the Minister of Justice, website of the Parliament of Georgia, available at: <https://bit.ly/3mbxvCW>, accessed on: 28.02.2023.

Khatia Dekanoidze presented a question at the session. She mainly spoke about the condition of the third President, Mikheil Saakashvili, and possible inhumane treatment towards him.

The Minister spoke for 15 minutes. He started talking about the problems of the penitentiary system under the previous government. Then he moved on to present the legal status of the prisoners, living conditions and rehabilitation services. Based on the general nature of the sent interpellation, the information presented by the Minister of Justice is relevant and should be considered adequate.

During the debate format, 11 deputies spoke, out of which 4 represented the opposition and 7 - the ruling party. The representatives of the opposition mainly talked about the situation of the third President, while members of the majority criticized the previous government. In general, the discussion conducted within the procedure was largely not directed to the content of the question sent, the emphasis was placed on the actual topics developed around arrested political persons and less on the actual conditions in the penitentiary system.

Interpellation of the Minister of Foreign Affairs

The questions sent to the Minister of Foreign Affairs of the “Georgian Dream” party were related to the process of filling out the European Commission’s questionnaire.¹⁸⁵ In particular, what work has been done by the state structures to prepare the European Commission’s questionnaire at the appropriate level, also, according to the Minister, what topics will the European Commission focus on in the evaluation process and when we expect the evaluation document to be published, what the Ministry’s expectations are regarding the granting of EU candidate status to Georgia; as a result of working on the European Commission’s questionnaire, what areas were identified as the most successful and in which direction the country needs to improve; also, what kind of diplomatic work the Ministry of Foreign Affairs carries out with EU member states to get candidate status.

The hearing of the Minister of Foreign Affairs was held on May 27 within the framework of the interpellation procedure.¹⁸⁶ When answering, the Minister slightly touched upon the question of which aspects the country needed to improve. The Minister’s speech lasted 19 minutes. 9 questions were asked by the opposition, 9 - by the majority. Mamuka Mdinardze devoted the entire speech to quoting the opposition’s comments (on the issue of candidacy, relations with Ukraine) and criticizing them. Other representatives of the “Georgian Dream” also spoke about “destruction from their opponents” and their own (GD’s) “correct” policy. Opposition questions mostly went beyond the interpellation question, or the deputies tried to somehow connect any off-topic question to the interpellation question. The Minister noted that he would not answer the questions that would not fall within the scope of the sent question.

Minister of Economy and Sustainable Development of Georgia

The “Georgian Dream” party also used the mechanism of interpellation with respect to the Minister of Economy and Sustainable Development.¹⁸⁷ The questions were as follows: what is the impact of recent events in our region and the world on the economy of our country; what are the

¹⁸⁵ Letter N4155/3-65/22 of May 10, 2022 of the “Georgian Dream” faction to the Minister of Foreign Affairs, website of the Parliament of Georgia, available at: <https://bit.ly/3IE6Czy>, accessed on: 28.02.2023.

¹⁸⁶ Interpellation, Minister of Foreign Affairs Iliia Darchiashvili, 27 May, 2022, time of sending the letter: May 10, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁸⁷ Letter N4154//3-65/22 of May 10, 2022 of the “Georgian Dream” faction to the Minister of Economy and Sustainable Development, website of the Parliament of Georgia, available at: <https://bit.ly/3yhOc5>, accessed on: 28.02.2023.

expectations and the vision of the Government of Georgia; what is being done and what type of specific steps are planned to be taken to stimulate the economy.

It's worth noting that the interpellation questions were of a very general nature. Despite this, the questions asked in the framework of the procedure still went beyond the scope of activity of this Ministry. The Minister's speech lasted 23 minutes. He addressed all questions during his speech. 10 representatives of the opposition and 8 from the majority used the right to ask questions. Most of the speeches of the majority deputies were addressed to the opposition and their criticism, as well as thanks and praise to the minister.¹⁸⁸

Fall Session of 2022

During the Fall Session of 2022, 3 interpellations were held. The interpellation of the Minister of Foreign Affairs, whose question was sent on September 7, 2022, was postponed again.

Interpellation of the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs

On September 23 the hearing of Zurab Azarashvili was held within the framework of the interpellation procedure.¹⁸⁹ The question was sent by a group of 7 deputies¹⁹⁰ on September 5.¹⁹¹

The interpellation was about the subprogram for helping employment in public works, which was approved on February 17, 2022, by a government resolution. The program involves the employment of socially vulnerable, able-bodied citizens. In the opinion of the authors of the interpellation, the ruling party uses the mentioned program, which is not bad in essence, dishonestly and without taking into account the purposes defined by the program. The program selectively employs people acceptable to the party. According to Beka Liluashvili, one of the authors of the question, the selection of citizens is done in a discriminatory manner and in many cases, municipalities do not have the need to hire additional personnel. Moreover, according to the speaker's position, employed persons won't be able to improve their qualifications and after the completion of the program, it will be difficult for them to establish themselves in the labor market.

In total, the speaker spoke for 15 minutes, which formally exceeds the time stipulated by the Rules of Procedure. The Minister's speech lasted 16 minutes. According to the Minister, he did not hear any real problem. He read word by word the text of the answer presented to deputies in written form.

In the format of the debate provided by the Rules of Procedure, 16 deputies used their right to speak, 4 of them represented the majority and 12 - the opposition. The questions of several

¹⁸⁸ Interpellation, Minister of Economy and Sustainable Development Levan Davitashvili, 27 May, 2022, time of sending the letter May 10, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁸⁹ Interpellation, Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs, Zurab Azarashvili, 5 September, 2022, time of sending the letter May 10, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02. 2023.

¹⁹⁰ 6 members of the Party "For Georgia" and Teona Akubardia.

¹⁹¹ Letter N8063/3-127/22 of September 5, 2022 of the members of the Parliament of Georgia - Giorgi Khojvanishvili, Ana Buchukuri, Aleksandre Motserelia, Shalva Kereselidze, Mikheil Daushvili, Beka Liluashvili and Teona Akubardia to the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs, website of the Parliament of Georgia, available at: <https://bit.ly/41AYOqL>, accessed on: 28.02.2023.

deputies were off-topic and went beyond the subject of the interpellation, which they justified by the fact that they do not have the opportunity to see this Minister often in Parliament, and they were forced to use that opportunity. This trend once again points to the need for a “question time” procedure.

Interpellation of the Prime Minister

An eight-person group of deputies addressed the Prime Minister through interpellation on September 7, 2022.¹⁹² The question concerned the Government’s efforts to obtain EU candidate status, the work done by the Government to fulfill the 12-point recommendations set by the European Commission and the Government’s expectations regarding the granting of the status. This interpellation also included a question about the Government’s position as to why the country did not receive candidate status and whether the Prime Minister sees in such statements the signs of disinformation and psychological terror of citizens typical of Russian hybrid warfare. The deputies were also interested in what was done during the period of “Georgian Dream” being in power, so that Georgia would become less dependent on the Russian Federation economically, in terms of food and energy security, and would have less leverages of influence on Georgia as an independent, sovereign state.

The Prime Minister’s reply was 22 pages long.¹⁹³ His speech itself on November 18, 2022, lasted for 38 minutes, and the interpellation procedure as a whole was 4 hours and 34 minutes long.¹⁹⁴

The Prime Minister initially spoke about participation of opposition representatives (including the authors of the question) in the working groups created to implement the 12 recommendations and noted that their passivity in this process affects the process of receiving candidate status. He also spoke about the political past of the authors of the question; He stated that Georgia’s achievements are better than those of Ukraine and Moldova, although they were given status because one is at war and the other is in a war-like situation. At the same time, the speaker criticized the opposition, stating that they did everything to prevent the country from getting candidate status and that they engaged in sabotage, treacherous policy. The opposition was blamed for damaging the country’s name in European Union Bodies. The Prime Minister called on deputies to de-polarize as per the 12-point recommendations. He also spoke about the importance of the visit of the European Commissioner for European Neighborhood Policy and Enlargement, Olivér Várhelyi. In response to one of the questions, he spoke fully about the actions of the previous government and about reminding the population of this. All this was cited as an argument to show that the people doing this should not dare question the sanctions. It should be highlighted that the Prime Minister’s speech was essentially different from the answer sent in document form to the interpellation question, which was more thematic and meaningful and gave full answers to the questions asked.

After the Prime Minister’s report, 21 opposition deputies and 3 members of the Parliamentary majority used their right to speak. The opposition’s speech was mainly about the interpellation

¹⁹² Letter N8177/3-30/22 of the members of the Parliament of Georgia - Giorgi Vashadze, Paata Manjgaladze, Teona Akubardia, Khatuna Samnidze, Tariel Nakaidze, Tamar Kordzaia, Rostom Chkheidze and Nato Chkheidze to the Prime Minister, website of the Parliament of Georgia, available at: <https://bit.ly/3E1CaCZ>, accessed on: 06.12.22.

¹⁹³ Letter of the Prime Minister of Georgia to Parliament, 18 November, 2022, website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/311950?>, accessed on: 28.02.2023.

¹⁹⁴ Interpellation, Prime Minister of Georgia Irakli Gharibashvili, 18 November, 2022, time of sending the letter 7 September, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

question and a criticism of the government, stating that adequate steps towards gaining candidate status are not being carried out. However, some non-thematic political rhetoric was also visible, including the former president's health condition. Special emphasis was placed on the necessity of depolarization. As for the majority, speeches of all three deputies were devoted to criticizing the opposition and lambasting accusations against them, as well as expressing gratitude to the Prime Minister for having withstood the wrongful criticism of the opposition. Such attitudes of a Parliamentary Majority represent bad practice.

Interpellation of the Minister of Education and Science

On November 18, within the framework of the interpellation procedure, the hearing of the Minister of Education and Science was held.¹⁹⁵ This Minister was also supposed to appear before Parliament in September, although he was also at the UN summit, which is why his speech was postponed until November. Despite this, on September 14, the Minister sent a written answer to the sent questions.¹⁹⁶

Within a single interpellation, four questions were sent to the Minister from 8 deputies.¹⁹⁷ One question related to public schools run in Russian language and the Ministry's policy in this direction. A question was also asked about suspended students, the program of internet access provision to schools and equipping teachers and students with electronic devices. One of the questions concerned demolishing a historical school in one of the villages.

During the report, the Minister spoke for 11 minutes. His answers were fully devoted to answering questions. He presented only the information that was written in the written response and did not provide any additional information to the legislature.

Only a handful of deputies attended the Minister's speech. 5 representatives of the opposition used their right to ask a question, and from the majority, only the chairman of the education and science committee came out, who devoted his speech to praising the minister and expressing his gratitude to him. As for the opposition, their speeches and questions went beyond the topic of the interpellation, despite the fact that the Chairman urged his colleagues not to go over topic. One of the deputies noted that during this interpellation, very detailed and insignificant issues were discussed, which were not necessary for the Minister to answer in person. It was thought possible to get answers for these questions using other mechanisms of oversight. In his closing speech, the Minister briefly answered the individual questions raised during the debate.

¹⁹⁵ Interpellation, speech of the Minister of Education and Science of Georgia, Mikheil Chkhenkeli, November 18, 2022, time of sending the letter 8 September, website of the Parliament of Georgia, available at: <https://parliament.ge/supervision/interpellation>, accessed on: 28.02.2023.

¹⁹⁶ The letter of September 14, 2022 of the Minister of Education and Science of Georgia, Mikheil Chkhenkeli, to Parliament, website of the Parliament of Georgia, available at: <https://bit.ly/3Y6VvR2>, accessed on: 28.02.2023.

¹⁹⁷ Letter N8300/3-64/22 of September 8, 2022 from the members of the Parliament of Georgia - Nika Machutadze, Ana Tsitlidze, Davit Khajishvili, Giorgi Godabrelidze, Tamar Charkviani, Sulkhani Sibashvili, Bachuki Kardava and Giorgi Botkoveli to the Minister of Education and Science of Georgia Mikheil Chkhenkeli, website of the Parliament of Georgia, available at: <https://bit.ly/3EGVa4M>, accessed on: 28.02.2023.

5.5.4. Asking several substantially different questions within one interpellation

In several cases, in the IX Parliament, substantially different issues were heard within one interpellation.¹⁹⁸ In this case, the principle of time division does not apply, because the interpellation itself is one, despite the fact that several questions are combined in it. Therefore, the principle of time calculation does not apply to it. The established practice in the previous Parliament does not allow for an in-depth discussion of the issue. Therefore, the recommendation remains the same that **the Rules of Procedure, through appropriate changes, exclude the possibility of asking several substantially different questions under one interpellation.**¹⁹⁹

Spring Session of 2022

No substantially different questions were asked within a single interpellation in the Spring Session of 2022.

Fall Session of 2022

In the Fall Session of 2022, within one interpellation, 4 substantially different questions were asked to the Minister of Education and Science. It should be noted that these questions differed in content, despite the fact that all four belonged to fields of education.²⁰⁰ During the discussion, one of the questions was removed by the author thereof, since, according to him, the answer explained by the Ministry in the letter fully satisfied their interest.

Finally, during research we identified that when a specific question focused on an issue is put forward, deputies often go beyond the subject of the interpellation. In addition, it is better to ask one type of question within one interpellation, however, if a question is asked about specific data, which does not beg for an in-depth debate, it is better to receive this information, for example, within the format of parliamentary questions, whereas during interpellation, broader questions should be asked.

5.5.5. The linking of interpellation with the procedure of the motion of no confidence

According to the Constitution of Georgia, an official's answer to an interpellation may become a subject of consideration by Parliament.²⁰¹ The Rules of Procedure allows for the adoption of a resolution after the completion of the procedure.²⁰² Neither the Constitution nor the Rules of Procedure provide for a clear link between the interpellation and the no-confidence procedure. However, it is not unknown to European states.²⁰³

It is true that according to the Constitution of Georgia, the answer received during interpellation may become a reason for a debate, however, to what extent this entails its transformation into

¹⁹⁸ Vakhushthi Menabde and others, cited paper, 39.

¹⁹⁹ Ibid.

²⁰⁰ Letter N8300/3-64/22 of September 8, 2022 from the members of the Parliament of Georgia - Nika Machutadze, Ana Tsitlidze, Davit Khajishvili, Giorgi Godabrelidze, Tamar Charkviani, Sul Khan Sibashvili, Bachuki Kardava and Giorgi Botkoveli to the Minister of Education and Science of Georgia Mikheil Chkhenkeli, website of the Parliament of Georgia, available at: <https://bit.ly/3EGVa4M>, accessed on: 28.02.2023.

²⁰¹ Constitution of Georgia, Art. 43, sec. 2.

²⁰² Rules of Procedure of the Parliament of Georgia, Art. 149, sec. 11.

²⁰³ Vakhushthi Menabde and others, cited paper, 39.

the motion no-confidence procedure is a matter of clarification. Neither do the Rules of Procedure sheds a light on the issue. It also allows for the adoption of a resolution, although not in a mandatory form, but in case of Parliament's wish.²⁰⁴ It is desirable for the Basic Law of Georgia to share the European experience and to establish the possibility of linking the interpellation with the motion of no-confidence mechanism.

During the reporting period, Parliament did not vote on a no-confidence motion.²⁰⁵

5.5.6. The adoption of adoption after the interpellation

Parliament is authorized to adopt a resolution after the completion of an interpellation.²⁰⁶ The Rules of Procedure does not clearly provide information on what can be written in this resolution. It expresses an attitude of Parliament to the answers of the addressee of interpellation. It is desirable that an adoption of a resolution be connected to the so-called the resolution of censure, which will become the basis for the initiation of the no-confidence procedure.

During the reporting period, after the end of the interpellations, Parliament has not adopted a resolution.²⁰⁷

5.6. Ad hoc commission

During the Fall Session of 2021²⁰⁸ and Spring and Fall Sessions of 2022,²⁰⁹ no request for the creation of an ad hoc commission was registered in the Parliament of Georgia.

5.7. Ad hoc inquiry commission

During the Fall Session of 2021, there was no request for the creation of an ad hoc inquiry commission in the Parliament of Georgia.²¹⁰

During the Spring Session of 2022, in Parliament of Georgia, the "United National Movement - United Opposition "Strength is in Unity" parliamentary faction presented a draft resolution of the Parliament of Georgia on the creation of an ad hoc inquiry commission "to study the facts of possible violent, insulting, inhuman and humiliating treatment of the third president of Georgia, Mikheil Saakashvili";²¹¹ and the political group "Reforms Group" presented a draft resolution "On the establishment of an ad hoc inquiry commission of Parliament of Georgia on studying the events that took place in Tbilisi on July 5-6, 2021".²¹² Despite the initiation, an ad hoc inquiry com-

²⁰⁴ Rules of Procedure of the Parliament of Georgia, Art. 149, sec. 11.

²⁰⁵ Letter N10099/2-7/22 of October 25, 2022 of the Parliament of Georgia.

²⁰⁶ Rules of Procedure of the Parliament of Georgia, Art. 149, sec. 11.

²⁰⁷ Letter N10651/2-7/22 of November 7, 2022 of the Parliament of Georgia.

²⁰⁸ Letter N3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

²⁰⁹ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

²¹⁰ Letter N3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

²¹¹ The draft resolution of the Parliament of Georgia "On the creation of an ad hoc inquiry commission to study the fact of possible violent, insulting, inhuman and humiliating treatment of Mikheil Saakashvili, the third president of Georgia" (No. 07-3/162, 31.01.2022), the website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/23523>, accessed on: 28.02.2023.

²¹² The draft of the resolution of the Parliament of Georgia "On the creation of an ad hoc inquiry commission of the Parliament of Georgia studying the events that took place in Tbilisi on July 5-6, 2021" (No. 07-3/163, 03.02.2022), the website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/23551>, accessed on: 28.02.2023.

mission was not created in Parliament of Georgia during the reporting period (these issues were not discussed at the plenary session).

During the Fall Session of 2022, 31 members of Parliament initiated a resolution to an ad hoc inquiry commission of Parliament of Georgia to study the abuse of the authority of the President of the National Bank and the purposeful actions of violating price stability;²¹³ 51 members of Parliament initiated a resolution to an ad hoc inquiry commission of Parliament about studying the facts of the secret and systematic cooperation of the representatives of the State Security Service of Georgia with the special services of the Russian Federation in the years 2016-2017 and beyond.²¹⁴ However, these ad hoc inquiry commissions were not created in Parliament.²¹⁵ In addition, the initiative of the Investigative Commission related to the National Bank at the plenary session in February 2023 did not receive a sufficient number of votes for its creation,²¹⁶ which resulted in its removal from the agenda of the legislative body.

²¹³ The draft of the resolution of the Parliament of Georgia “On the creation of an ad hoc inquiry commission of the Parliament of Georgia to study the misuse of the authority of the President of the National Bank and purposeful actions of violating price stability” (No. 07-3/244, 21.09.2022), the website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/24688>, accessed on: 28.02.2023.

²¹⁴ The draft resolution of the Parliament of Georgia “On the creation of ad hoc inquiry commission of the Parliament of Georgia to study the facts of secret and systematic cooperation of the representatives of the State Security Service of Georgia with the special services of the Russian Federation in the years 2016-2017 and beyond” (No. 07-3/246, 22.09.2022).

²¹⁵ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

²¹⁶ The resolution of the Parliament of Georgia “On the creation of the temporary investigative commission of the Parliament of Georgia to study the abuse of authority of the President of the National Bank and purposeful actions of violating price stability” (No. 07-3/244, 21.09.2022).

VI. THE QUESTIONS OF THE MEMBERS OF PARLIAMENT

Parliamentary question is not alien to Georgian constitutionalism. By its means, even one deputy has the opportunity to address to the government, another body accountable to Parliament, a member of the government, the government body of all territorial units and state institution.²¹⁷ A complete and timely answer to the question is necessary.²¹⁸ Ignoring this requirement is a violation of the Constitution, which can be the basis for impeachment against a member of the government.

Until November 2022, 15 days were the time to answer the question prescribed by the Rules of Procedure.²¹⁹ However, it was possible to extend it for 10 days based on the coordination between the addressee and the author of the question.²²⁰

With the amendments of November 2, 2022, to the Rules of Procedure the deadline for the addressee to respond was reduced to 10 days, with the possibility of a further 10-day extension.²²¹ In addition, a clause regarding unanswered questions was added to the norm. In particular, the Procedural Issues and Rules Committee will study the issue of response to the question no later than 15 days after the end of the months of February, May, August and November of the calendar year.²²² Then, this information is presented to the Bureau of Parliament, which is authorized to include it in the agenda of the plenary sessions.²²³ In addition, the Procedural Issues and Rules Committee ensures that this information is posted on the website of Parliament.²²⁴ Such arrangement of the issue is welcomed, as it will be possible for the public to follow the responses of public officials. However, **GYLA considers this change to be insufficient. It should be possible to ask unanswered questions during “question time” at the plenary session.**²²⁵

Deputy questions are published on the website of Parliament.²²⁶ However, information requested from Parliament’s office and the data posted on the website often do not match. In addition, the information is not published in an open format, so it is not possible for downloading or processing. Furthermore, the search engine is equipped with limited functions. **For greater reliability and validity, it is important that Parliamentary question be published on the website of Parliament in an open format, which will ease the work of the interested parties and the staff of Parliament, and it will be possible to download and process updated information directly according to a research topic.**²²⁷

As for the questions on the topic of security, as a result of the analysis of all three sessions, it was revealed that they are mainly sent by representatives of the opposition. The addressees do not respond to questions regarding this topic sent by the opposition. The Chairman of the Defense and Security Committee, generally, has not used the deputy’s question mechanism during the

²¹⁷ Constitution of Georgia, Art. 43, sec. 1.

²¹⁸ Ibid.

²¹⁹ Rules of Procedure of the Parliament of Georgia, Art. 148, sec. 4.

²²⁰ Rules of Procedure of the Parliament of Georgia, Art. 148, sec. 4, (edition in force until November 2, 2022).

²²¹ Rules of Procedure of the Parliament of Georgia, Art. 148, sec. 4.

²²² Ibid, sec. 8.

²²³ Ibid.

²²⁴ Ibid.

²²⁵ “GYLA presented to Parliament opinions on the improvement of parliamentary control mechanisms”, August 14, 2022.

²²⁶ Question of a Member of Parliament, website of the Parliament of Georgia, available: <https://bit.ly/3J97Kel>, accessed on: 14.03.2023.

²²⁷ The information given in this chapter is fully based on the information officially requested from Parliament. Since the data received in response to the letter of public information do not fully match the ones published on the website, the research group did not use the website of Parliament as a source of confirmation with respect to Parliamentary question.

reporting period, and in the 2022 fall session only 2 members²²⁸ sent security-related questions to security sector addressees.

Fall Session of 2021

In the Fall Session of 2021, a total of 32 members of the Parliament of Georgia sent 724 written questions.²²⁹ Out of 32, 12 were members of the majority, and 20 represented the opposition.²³⁰ 671 of the questions were answered, while 53 questions were not answered.²³¹ In total, the majority sent 136 questions, out of which 130 were answered, and out of the 588 questions sent by the representatives of the Parliamentary opposition only 541 were answered by the addressee.²³²

As for the security sector, in total 174 questions were asked about security,²³³ which is almost a quarter of the total number. In total, 11 deputies asked a question on the topic of defense and security.²³⁴ 3 questions on this topic remained unanswered, and the author of 2 of them was a representative of the opposition. Questions can be generally divided into 3 types: 1) security-related questions sent to security sector addressees,²³⁵ 2) non-security-related questions sent to security sector addressees, and 3) security-related questions sent to non-security sector addressees. In total 125 questions on security, topics were sent to security sector addressees.²³⁶ Only 2 of them were answered within the time limits established by the Rules of Procedure, and 123 were answered in violation of the deadline.²³⁷ All 125 named questions were sent by 3 MPs of the opposition.²³⁸ In total 36 questions on the topic of non-security were sent to the addressees of the security sector.²³⁹ Only 5 of them were answered within the time limits set by the Rules of Procedure, 29 were answered in violation of the time limits, and 2 questions remained unanswered.²⁴⁰ 22 out of 36 questions were authored by the opposition and 14 - by the majority.²⁴¹ In the third category of questions - security-related questions sent to non-security sector addressees amounted to 13.²⁴² 1 of them was answered within the time limit established by the Rules of Procedure and 11 were answered after the deadline.²⁴³ 1 question remained unanswered.²⁴⁴ 11 questions were asked by the opposition and 2 by the majority.²⁴⁵

²²⁸ Vladimir Chachibaia (“Georgian Dream”) and Teona Akubardia (“Reform Group”).

²²⁹ Letter No. 6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

²³⁰ Ibid.

²³¹ Ibid.

²³² Ibid.

²³³ Letter N10651/2-7/22 of November 7, 2022 of the Parliament of Georgia.

²³⁴ Ibid.

²³⁵ The addressees of the security sector for the purposes of the research are: Ministry of Internal Affairs, Security, Ministry of Defense, Intelligence Service, Ministry of Justice, National Security Council, Special State Protection Service, Operative-Technical Agency.

²³⁶ Letter N10651/2-7/22 of November 7, 2022 of the Parliament of Georgia.

²³⁷ Ibid.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Ibid.

²⁴¹ Ibid.

²⁴² Ibid.

²⁴³ Ibid.

²⁴⁴ Ibid.

²⁴⁵ Ibid.

Spring Session of 2022

During the spring session of 2022, 41 MPs sent a total of 811 written questions, including 12 Members of the Parliamentary Majority (sent 97 questions) and 29 Members of the Parliamentary opposition (sent 714 questions).²⁴⁶ Out of 811 written questions sent, 710 questions were answered and 101 remain unanswered.²⁴⁷ Out of the unanswered, 1 question was sent by a member of the Parliamentary majority, and 100 questions were sent by members of the opposition.²⁴⁸ Out of 710 answered questions, 56 questions were answered with violation of the deadline, out of which, 6 questions were sent by the members of the Parliamentary majority, and 50 questions were sent by the members of the Parliamentary opposition.²⁴⁹

As for the security sector, in total 130 questions were asked on the topic of security,²⁵⁰ which is almost 1/6 of the total number. 22 deputies asked questions on the topics of defense and security.²⁵¹ 7 questions on security remained unanswered, while the author of all of them was a representative of the opposition. A total of 75 questions on security topics were sent to security sector addressees.²⁵² Only 20 of them answered within the terms set by the Rules of Procedure, and 53 – violated the deadline.²⁵³ 2 questions remained unanswered.²⁵⁴ Out of 75 questions, 60 were sent by 14 members of the opposition, and 15 were sent by 1 member of the majority.²⁵⁵ In total 43 questions on the topic of non-security were sent to the addressees of the security sector.²⁵⁶ Only 9 of them were answered within the term limits set by the Rules of Procedure, 32 were answered in violation of the term limits and 2 questions remained unanswered.²⁵⁷ Out of 43 questions, 20 were authored by the opposition and 23 - by the majority.²⁵⁸ In the third category of questions - security-related questions sent to non-security sector addressees amounted to 12.²⁵⁹ Out of them, 4 were answered within the terms set by the Rules of Procedure, and 5 were answered in violation of them.²⁶⁰ 3 questions remained unanswered.²⁶¹ All 12 questions were asked by the opposition.²⁶²

Fall Session of 2022

During the Fall Session of 2022, by art. 148 of the Rules of Procedure of Parliament of Georgia, 3183 written questions were sent by the members of Parliament of Georgia, out of which 644 questions went unanswered, 214 questions were answered with the violation of the deadline, and ongoing²⁶³ questions are counted at 199.²⁶⁴

²⁴⁶ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

²⁴⁷ Ibid.

²⁴⁸ Ibid.

²⁴⁹ Ibid.

²⁵⁰ Letter N10651/2-7/22 of November 7, 2022 of the Parliament of Georgia.

²⁵¹ Ibid.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ Ibid.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² Ibid.

²⁶³ As of January 31, 2023. Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

²⁶⁴ Ibid.

In total 149 questions were asked directly on the topic of security.²⁶⁵ 136 of them belong to the opposition, and 13 belong to the majority.²⁶⁶ Out of these, 26 questions are unanswered, and while the author of all of them is a representative of the opposition, there are no unanswered questions on the topic of security in the cases of majority members. 13 deputies from the opposition and 4 from the majority asked questions.²⁶⁷ The total number of security-related questions sent to the addressees of the security sector is 40, out of which 32 belong to the opposition and 8 belong to the majority.²⁶⁸ The non-security questions sent to the addressees of the security sector total 42, out of which 37 belong to the opposition and 5 belong to the majority.²⁶⁹ Security-related questions sent to non-security sector addressees amounted to 67, and all of them were asked by the opposition.²⁷⁰

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Ibid.

²⁶⁸ Ibid.

²⁶⁹ Ibid.

²⁷⁰ Ibid.

VII. COMMITTEE CONTROL MECHANISMS

7.1. Obligation to provide information

The Committee is authorized to ask a member of the Government of Georgia, an official of a body accountable to Parliament, or the head of a body accountable to Parliament to submit certain information.²⁷¹ According to the existing rule, a committee determines a time limit for the submission of documents.²⁷²

During the reporting period, the committees determined the time limits for providing information to accountable persons in a total of 1/3 of the cases.

As for the Defense and Security Committee, it did not use the authority to request information during the reporting period.

Fall Session of 2021

In the Fall Session of 2021, 7 committees used this mechanism in total 43 times.²⁷³ 8 committees did not request information. 4 Committees set a time limit for the addressee to answer only 30 times,²⁷⁴ which was observed in 26 cases.²⁷⁵

In 1/3 of the cases of the requested information during the Fall Session of 2021 (13 in total), the committee did not set a deadline for receiving an answer. For better monitoring of Parliamentary activity, as well as for the effective functioning of the institute, it is recommended that an author of questions receive information within the time limit established by the Rules of Procedure. This authority of the committee is similar to the question of a deputy. **Therefore, it is recommended that the same procedures apply to it (the term for responding to a question is 10 days, which can be extended by 10 days with the author's consent).**²⁷⁶

The cases of orally delivering answers are attracting attention. The Rules of Procedure do not recognize such a possibility. On the contrary, the requested information is provided to the addressee in the form of a document, conclusion, and other material.²⁷⁷ Therefore, presenting information in an oral form is a violation of the requirements of this norm. Moreover, it belongs to another control mechanism. In the Fall Session of 2021, one committee heard an oral response once.²⁷⁸ If the committee wants to receive individual information orally at its meeting, then it should summon an official based on the request of the faction, or by the majority of the members either present at a committee session or the absolute majority thereof.²⁷⁹

²⁷¹ Rules of Procedure of the Parliament, art. 41.

²⁷² Ibid.

²⁷³ Information provided by the letter #3678/2-7/22 of April 21, 2022 of the Parliament of Georgia; Information provided by the letter #6093/2-7/22 of July 7, 2022 of the Parliament of Georgia; Information provided by the letter #6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ Vakhushiti Menabde and others, cited paper, 46.

²⁷⁷ Rules of Procedure of the Parliament, art. 41.

²⁷⁸ Information provided by the letter #3678/2-7/22 of April 21, 2022 of the Parliament of Georgia; Information provided by the letter #6093/2-7/22 of July 7, 2022 of the Parliament of Georgia; Information provided by the letter #6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

²⁷⁹ Rules of Procedure of Parliament, art. 40.

Spring Session of 2022

In the Spring Session of 2022, 4 committees requested information a total of 42 times.²⁸⁰ 12 committees did not request information. From the requested information, the committee set a deadline for the addressee in 18 cases, which was observed in all cases.²⁸¹ Out of the remaining 24 cases, when the deadline was not defined, the committees received a response within 1 to 2 weeks in 17 cases, within 2 weeks to 1 month in 4 cases, and the addressees took more than 1 month to respond in 3 cases.

There are cases when the committee confuses the authority provided by the Rules of Procedure to request information and the information requested by a member of the committee.²⁸² It is important for the committee to clearly distinguish between different forms of control.

Fall Session of 2022

As a result of the amendments in the Rules of Procedure in the fall session, the chairman of the committee has an obligation, in case the committee decides to request information, to send it to the addressee no later than 3 days.²⁸³ No committee has exercised this authority during this session.²⁸⁴

7.2. Summoning of officials to committee hearings

Summoning an official to a committee hearing is one of the classic tools in the hands of a committee to exercise control over the executive branch. Appearing before the committee is mandatory.²⁸⁵ It provides an opportunity for topical debate. Through it, it is possible to investigate the actual activities of accountable persons, which may lead to the initiation of legal procedures or the question of political responsibility.²⁸⁶ In Georgia, a person can be summoned (1) at a committee meeting by the majority of members present or (2) at the request of a faction, if this faction has a member in the relevant committee.²⁸⁷

With amendments of November 2, 2022, the chairman of the committee became obliged to inform the addressee no later than 3 days after making such a decision, in case of summoning an official by the authorized body.²⁸⁸ In addition, it is necessary to send the request for an invitation to the committee meeting no later than 1 week before the meeting.²⁸⁹ The committee listens to the invited person at the first session after the expiration of this term.²⁹⁰ However, this rule can

²⁸⁰ Information provided by the letter N10099/2-7/22 of October 25, 2022 of the Parliament of Georgia; Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia; Letter N13394/2-7/22 of December 22, 2022 of the Parliament of Georgia.

²⁸¹ Ibid.

²⁸² Such a fact was observed in the case of the Education Committee. Letters of the Parliament of Georgia dated September 21, 2022 N8820/2-7/22 and October 25 N10099/2-7/22.

²⁸³ Rules of Procedure of Parliament, art. 41.

²⁸⁴ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

²⁸⁵ Avtandil Demetrashvili (authors, supervisor and responsible editor.), and others. Handbook of Constitutional Law, Tbilisi, 2005, 216.

²⁸⁶ András Sajó, Self-Limitation of Government, Introduction to Constitutionalism, M. Maisuradze's translation, edited by T. Ninidze, Tbilisi, 2003, 115.

²⁸⁷ Rules of Procedure of Parliament, art. 40.

²⁸⁸ Ibid, sec. 4.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

be modified by agreement between the initiating body and the addressee.²⁹¹ According to the amendments, the Procedural Issues and Rules Committee will periodically review the summoning and appearance of an official.²⁹² In particular, the relevant committees send the Procedural Issues and Rules Committee no later than 5 days after the end of every third month of the calendar year (March, June, September, December) requests for an official to the committee meeting to appear, as well as information regarding the attendance of the official at the committee hearing.²⁹³ The committee will study the received information within 15 days after the specified deadline and, if necessary, will take appropriate action, including making recommendations.²⁹⁴ The results of studying the information are presented to the Bureau of Parliament. Additionally, the publication of relevant information on the website of Parliament is ensured.²⁹⁵ In addition, requests to summon an official to a committee session, as well as the audio recording of the hearing of the summoned official to the committee session, are published on the website of Parliament.²⁹⁶

7.2.1. Summoning of officials by a majority of committee members

Based on a request of a majority of committee members present at the sitting an official accountable to Parliament may be summoned to a committee hearing.²⁹⁷ The Chairperson of a Committee sends a person the request no later than 1 week before the committee sitting.²⁹⁸

During the Fall Session of 2021, in the manner discussed above, only once did the Foreign Relations Committee summon 2 officials simultaneously on the same issue.²⁹⁹ In particular, First Deputy Minister of Foreign Affairs Lasha Darsalia and Special Representative of the Prime Minister for Relations with Russia Zurab Abashidze were invited to the session on December 21, where the MPs heard information about the international negotiations in Geneva. They appeared at the meeting at the appointed time.³⁰⁰ The remaining 13 committees did not use this authority.

During the Spring Session of 2022, only the Foreign Relations Committee once again invited 2 officials (First Deputy Minister of Foreign Affairs Lasha Darsalia and Deputy Minister of Defense of Georgia Grigol Giorgadze) simultaneously on the same issue.³⁰¹ They appeared at the meeting at the appointed time.³⁰²

No committee exercised this authority during the Fall Session of 2022.³⁰³

The Rules of Procedure provide for the so-called locking mechanism. In particular, it is not allowed to summon the same person again to any committee within 2 months. However, there is an exception. If the committee wants to re-summon the already summoned persons within two months, then the majority of enlisted committee members are required to make a decision.³⁰⁴ The

²⁹¹ Ibid.

²⁹² Ibid, sec. 9.

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ Ibid, sec. 10.

²⁹⁷ Ibid, sec. 2.

²⁹⁸ Ibid, sec. 4.

²⁹⁹ Letter #3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³⁰⁰ Ibid.

³⁰¹ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

³⁰² Ibid.

³⁰³ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

³⁰⁴ Rules of Procedure of the Parliament, art. 40, sec. 8.

reservation applies to the official summoned by both the committee and the faction. With such a regulation, the committee needs more effort to control the activities of an individual. The summoning of the official should be dictated by the importance of the issue, and his/her hearing at a committee meeting in the near past should not be an obstacle. Therefore, **it is necessary to cancel the above-mentioned restriction and allow both the faction and the majority of those present at the committee meeting to summon any person to the committee meeting at any time.**

In addition, the Rules of Procedure recognize an exception to the general rule regarding the summoning of 3 officials. In particular, it is possible to summon the Prime Minister, the General Prosecutor, and/or the head of the State Security Service to the meeting only by the majority of enlisted committee members.³⁰⁵ Neither in the Fall Session of 2021³⁰⁶ nor the Spring³⁰⁷ and Fall³⁰⁸ Sessions of 2022 have been summoned any one of these 3 persons had by any committee. Such a differentiated approach to summoning officials reduces the effectiveness of parliamentary control and at the same time, it is not based on a clear argument.³⁰⁹ **A simple majority of the committee shall have the power to summon these persons.**

7.2.2. Summoning an official to a committee hearing by a faction

The faction may summon an official accountable to Parliament to the committee meeting. However, to exercise this power, it must have a representative in the relevant committee.³¹⁰

In the Fall Session of 2021, the factions summoned a person to 2 committees once in each.³¹¹ None of them appeared.³¹² In the first case, this was not a violation, because the faction, which summoned the official, was abolished before the committee meeting.³¹³ Summoning a person is tied to a faction's request. If the faction no longer exists, the obligation to appear is canceled as well. In the second case, the reason for the non-appearance of the Minister of Culture, Sports and Youth of Georgia was that she had already been summoned to Parliament within the Ministerial hours,³¹⁴ which is a wrong practice. It should be noted that summoning the committee differs from the format of the Ministerial hour. In the first case, the faction has the right to summon a person on any issue and to discuss the issue of interest to it (a faction) on the committee in a sectoral format. In the second case, the Ministerial hour is a report on the implementation of the government program.³¹⁵ Viewing these two mechanisms as interchangeable forms of control are based on a blurry vision of the types of governmental responsibility. Therefore, the non-appearance of the minister for the stated reason is a violation of the Rules of Procedure.

In the Spring³¹⁶ and Fall³¹⁷ Sessions of 2022, the faction did not summon an official to the committee meeting.

³⁰⁵ Ibid, sec. 3.

³⁰⁶ Letter N3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³⁰⁷ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

³⁰⁸ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

³⁰⁹ Vakhushiti Menabde and others, cited paper, 80.

³¹⁰ Rules of Procedure of Parliament, art. 40, sec. 2.

³¹¹ Letter N3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³¹² Ibid.

³¹³ Ibid.

³¹⁴ Ibid.

³¹⁵ Rules of Procedure of the Parliament, art. 153, sec. 1.

³¹⁶ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

³¹⁷ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

The only case provided by this mechanism, when an official is not obliged to appear before the committee, as mentioned above, is when he/she is summoned again within 2 months.³¹⁸ There was no such case neither in the Fall Session of 2021 nor in the Spring and Fall sessions of 2022.

7.3. Thematic rapporteur

7.3.1. A committee action plan

At the beginning of each year, each committee develops an action plan, which includes the committee's legislative, supervisory, and, taking the specificity of a committee, other functions.³¹⁹ Activities and deadlines for their implementation must be written in it.³²⁰ The plan defines a committee member responsible for each activity, who is the thematic rapporteur.³²¹

There are two norms in the regulations that apply to the thematic speaker. Their detailed analysis reveals one contradiction. On the one hand, a rapporteur is appointed on the activity defined by the action plan,³²² however, on the other hand, on the field or direction described in the same document.³²³ The authors of the Rules of Procedure made it difficult to implement the mechanism in practice with such ambiguous clauses. According to the systematic definition, a rapporteur is responsible for the specific "sphere" provided by the action plan and all the "issues" included in this sphere.

In 2021, all 16 committees developed action plans broken down into issues, but only 13 posted them on the website.³²⁴ Every committee had an action plan in 2022 as well. However, all but one posted them on the website.³²⁵ The members of the committee were also appointed as thematic rapporteurs on these issues and not on the fields. Therefore, different deputies are the rapporteurs on the elements belonging to one field.

³¹⁸ Rules of Procedure of the Parliament, art. 40, sec. 8.

³¹⁹ *Ibid.*, art. 43, sec. 3.

³²⁰ *Ibid.*

³²¹ *Ibid.*

³²² *Ibid.*

³²³ *Ibid.*, art. 45. Sec. 2.

³²⁴ The action plan of the Agrarian Affairs Committee. The action plan is available on the following website: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/agraruili/samoqmedo-gegma/2021.pdf>, accessed on: 01.06.22; The Action Plan of the Human Rights Protection and Civil Integration Committee, available at: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/adamianis-uflebebi/samoqmedo-gegma/samoqmedo-gegma-2021.pdf>, assessed on: 01.06.22. The action plan of the Education and Science Committee available at: <https://tinyurl.com/3twvn99n>, accessed on: 06/02/22. The action plan of the Environment Protection and Natural Resources Committee is available at: <https://tinyurl.com/yc7hf72d>, accessed on: 02.06.22. The action plan of the Sector Economy and Economic Policy Committee is available at the following website: <https://tinyurl.com/pcyzw368>, accessed on: 02.06.22. The Action Plan of the Diaspora and Caucasus Affairs Committee is available at the following website: <https://tinyurl.com/msrvhmue>, accessed on: 07/13/22. The Action Plan of the European Integration Committee is available at the following website: <https://tinyurl.com/2t4cvhpa>, accessed on: 06.06.22. Defense and Security Committee Action Plan, available at: <https://tinyurl.com/2p8hwdx>, accessed on: 06/06/22. Legal Affairs Committee Action Plan, available at: <https://tinyurl.com/pxtu4kpv>, accessed on: 06/06/22. The action plan of the Regional Policy and Self-Government Committee is available at the following website: <https://tinyurl.com/yz52myuv>, accessed on: 07.06.22. The Action Plan of the Procedural Issues and Rules Committee is available at the following website: <https://tinyurl.com/mtv5rayv>, accessed on: 07.06.22. There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only directions and relevant speakers. In total 12 areas of the action plan are available at the following website: <https://tinyurl.com/ycksactf>, accessed on: 08.06.22. The list of thematic rapporteurs is available at the following website: <https://tinyurl.com/2p8ssh9y>, accessed on: 08.06.22. The action plan of the Sports and Youth Affairs Committee is available at the following website: <https://tinyurl.com/2p8dm8nk>, accessed on: 07.06.22

³²⁵ The 2022 action plan of the Procedural Issues and Rules Committee isn't available on the website of the Parliament. A group of researchers requested it from the committee.

Regulating the issue with two conflicting norms leads to ambiguity. **Therefore, it is necessary to revise the norms and assign the rapporteur only to the relevant field.**

7.3.2. Structure of an action plan

As mentioned in the previous subsection, there is a terminological controversy regarding the appointment of a thematic rapporteur. The regulation stipulates that the action plan of the committee should include a specific “activity”³²⁶ as well as a “work sphere/field”.³²⁷ Therefore, the plan has two structural units - “work sphere”/ “field” and specific “activity”.

The analyzed plans do not follow these norms and choose a differentiated approach.³²⁸ Out of the documents created in 2021, 2 plans consist of 4 structural units: field, strategic goal, task, and event;³²⁹ 10 – 3 of a strategic goal, task, and issue;³³⁰ 3 (from a formal point of view corresponds to the requirements of the regulation) – from 2: field and issue.³³¹ However, the plans are also problematic in this latter case, as committee members are appointed as thematic rapporteurs not on the field, but on issues.

It is important that the last structural unit - “issue” is mentioned using terms in different action plans. The word “event” is used in 7 cases,³³² “issue” - in 4 cases,³³³ “action” - in 4 cases,³³⁴ and “activity/event” in 1 case.³³⁵

Out of the documents created in 2022, 4 plans consist of 4 structural units: field, strategic goal, task, and event;³³⁶ 6 – from 3: strategic goal, task, and event;³³⁷ 5 – from 2: task and activity;³³⁸ Action plan of 1 committee consists of only 1 unit (field).³³⁹

Documents with such chaotic architecture make it difficult to analyze them and perceive them in a common context. Therefore, **it is necessary to standardize the action plans of the committees and bring them in compliance with the requirements of the regulation.**

³²⁶ Rules of Procedure of the Parliament, art. 43, sec. 3.

³²⁷ Ibid, art. 45, sec. 3.

³²⁸ E.g. Action Plans of Committees on Education and Science, Procedure Issues and Rules, and on Agrarian Issues.

³²⁹ Committees on Education and Science, as well as Culture, have an action plan with such a structure.

³³⁰ Action plans with such a structure have the following committees: Agrarian issues, Human Rights and Civil Integration, Environmental Protection and Natural Resources, Sector Economy and Economic Policy, European Integration, Defense and Security, Legal Issues, Foreign Relations, Budget and Finance, Sports and Youth Affairs and the Healthcare and Social Issues Committees.

³³¹ Action plans with such a structure have the following committees: Diaspora and Caucasus issues, Regional Policy and Self-government as well as Procedural Issues and Rules committees.

³³² This term has been used by the following committees: the Human Rights and Civil Integration; Education and Science; Environment Protection and Natural Resources, European Integration, Legal Issues, Culture and Regional Politics and Self-government.

³³³ This term has been used by the following committees: the Diaspora and Caucasian Affairs, Sector Economy and Economic Policy, Procedural Rules and Issues and Budget and Finance.

³³⁴ The term is used by the Committees on Defense and Security, Foreign Affairs, Sport and Youth Affairs and Healthcare and Social Issues.

³³⁵ This term is used by the Agrarian Issues Committee.

³³⁶ Action plans with such a structure have: Human Rights and Civil Integration, Education and Science, Culture and Healthcare and Social Issues committees.

³³⁷ Action plans with such a structure have the following committees: Environmental Protection and Natural Resources, Sector Economy and Economic Policy, European Integration, Legal Issues, Foreign Relations and Sports and Youth Affairs committees.

³³⁸ The following committees have action plans with such a structure: Agrarian Issues, Diaspora and Caucasus Issues, Defense and Security, Regional Policy and Self-government, and Procedural Issues and Rules.

³³⁹ The Budget and Finance Committee has an action plan with such a structure.

7.3.3. Appointing thematic rapporteur

1 member from the majority is mandatorily appointed on each field, and the opposition, if it wishes, can appoint a rapporteur on the same issue from among its members.³⁴⁰ If none of the deputies wants to work on a specific topic, the chairman of the committee will obligatorily appoint 1 person at his discretion.³⁴¹ Also, by the decision of the chairman, more than 2 rapporteurs can be appointed in the same field.³⁴²

In 2021, all committees appointed thematic rapporteurs.³⁴³ 81 deputies in total. Initially, none of them was in the opposition, and after leaving the majority, their number increased to 6.³⁴⁴ A total of 1031 issues have been determined by the action plans of the committees. Committee chairmen (total of 16) were appointed as rapporteurs on 836 issues,³⁴⁵ and first deputy chairpersons (total of 11) on 201.

In 2022, all committees appointed rapporteurs.³⁴⁶ 93 deputies in total. 74 of them are from the majority and 19 - from the opposition.³⁴⁷ In total, 1034 issues are included in the action plans of the committees. Committee chairmen (11 in total)³⁴⁸ were designated as rapporteurs on 555

³⁴⁰ Rules of Procedure of the Parliament, art. 45, sec. 3.

³⁴¹ *Ibid*, sec. 4.

³⁴² *Ibid*, sec. 3.

³⁴³ The action plan of the Agrarian Affairs Committee; The Action Plan of the Human Rights Protection and Civil Integration Committee; The action plan of the Education and Science Committee; The action plan of the Environment Protection and Natural Resources Committee; The action plan of the Sector Economy and Economic Policy Committee; The Action Plan of the Diaspora and Caucasus Affairs Committee; The Action Plan of the European Integration Committee; Defense and Security Committee Action Plan; Legal Affairs Committee Action Plan; The action plan of the Regional Policy and Self-Government Committee; The Action Plan of the Procedural Issues and Rules Committee; There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only directions and relevant speakers; The action plan of the Sports and Youth Affairs Committee.

³⁴⁴ *Ibid*, it refers to the departure of the deputies from the “Georgian Dream” who joined Giorgi Gakharia’s party.

³⁴⁵ *Ibid*.

³⁴⁶ The action plan of the Agrarian Affairs Committee is available on the following website: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/agraruli/samoqmedo-gegma/agraruli-samoqmedo-2022.pdf>, assessed on 08.09.22. The action plan of the Human Rights and Civil Integration Committee is available on the following website: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/adamianis-uflebebi/samoqmedo-gegma/samoqmedo-gegma-22.pdf>, assessed on 08.09.22. The action plan of the Education and Science available at: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/ganatileba/samoqm-gegma/samoqmedo-gegma-2022.pdf>, assessed on 08.09.22. The action plan of the Environmental Protection and Natural Resources Committee, available at: <https://web-api.parliament.ge/storage/files/shares/Komitetebi/garemo/samoqm-gegma/garemo-samoqmedo-gegma-2022.pdf>, accessed on: 08.09.22. The action plan of the Sector Economy and Economic Policy Committee, available at: <https://tinyurl.com/yckuc8yb>, accessed on: 12.09.22. The action plan of the Diaspora and Caucasus Issues Committee, available at: <https://tinyurl.com/cbea3k8s>, accessed on: 12.09.22. The action plan of the European Integration Committee, available at: <https://tinyurl.com/4nd3yvp6> accessed on: 12.09.22. The action plan of the Defense and Security Committee, available at: <https://tinyurl.com/4ucz6hpm>, accessed on: 12.09.22. The action plan of the Legal Issues Committee, available at: <https://tinyurl.com/bdehunn>, accessed on: 12.09.22. The action plan of the Culture Committee, available at: <https://tinyurl.com/8k9ckty4>, accessed on: 12.09.22. The action plan of the Regional Policy and Self-government Committee, available at: <https://tinyurl.com/ynzzez>, accessed on: 12.09.22. The action plan of the Foreign Relations Committee, available at: <https://tinyurl.com/3ajbds23>, accessed on: 12.09.22. Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia. There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only fields and relevant rapporteurs. In total, 12 fields are defined. The list of thematic rapporteurs is available at the following website: <https://tinyurl.com/s5jdemt9>, accessed on: 12.09.22. The action plan of the Sports and Youth Issues Committee, available at: <https://tinyurl.com/4vw52x3k>, accessed on: 12.09.22. The action plan of the Healthcare and Social Issues Committee, available at: <https://tinyurl.com/2trypwpt>, accessed on: 12.09.22.

³⁴⁷ These deputies are Guram Macharashvili, Dimitri Khundadze, Mikheil Kavelashvili and Sozar Subari.

³⁴⁸ 4 deputies left the majority and accordingly left the chairmanship of the committees. Therefore, they aren’t taken into

issues, and first deputies (13 in total) - on 398.³⁴⁹

This approach deforms the real purpose of the institution, which is the division of labor among the deputies.³⁵⁰ Therefore, **the fields should be distributed equally among the committee members.**

For a comprehensive study of topics, it is desirable to increase the involvement of the opposition when registering as a thematic rapporteur.

7.3.4. Identifying thematic rapporteurs

A member of a relevant committee is appointed as a thematic rapporteur. In the action plan, the name and surname of the deputy who is responsible for a specific direction should be written explicitly. However, in the plan of 6 committees in 2021, no specific person was defined, and the corresponding column indicated “committee member”; In 1 case, other committees of Parliament were designated as rapporteurs.³⁵¹ It is unheard of to appoint a completely different committee as the rapporteur on the issues defined by the committee. This goes against the requirements of the Rules of Procedure and logic in general. In 1 case, the temporary commission created in Parliament was also appointed as the rapporteur. Neither does this approach meet with the essence of the institution of the thematic rapporteur; therefore, it violates the Rules of Procedure. It is still problematic to appoint an employee of the staff as a thematic rapporteur. In 2021, 10 committees resorted to such practice.³⁵² In one case, a trusted group appears as the rapporteur.³⁵³

In 2022, a blanket wording of “committee member” as a rapporteur is found in 6 committee action plans, a friendship group and a parliamentary delegation in each, a committee staff - in 10, and 1 committee’s action plan other committees are also appointed as rapporteurs on topics.³⁵⁴

account. Also, in one committee, the Foreign Relations Committee, the chairman of the committee is not indicated by name and surname, and it is difficult to determine exactly who is the chairman and on how many issues. Therefore, the data of the action plan of this committee are not taken into account in the part of the chairman.

³⁴⁹ The action plan of the Agrarian Affairs Committee; The action plan of the Human Rights and Civil Integration Committee; The action plan of the Environmental Protection and Natural Resources Committee; The action plan of the Sector Economy and Economic Policy Committee; The action plan of the Diaspora and Caucasus Issues Committee; The action plan of the European Integration Committee; The action plan of the Defense and Security Committee; The action plan of the Legal Issues Committee; The action plan of the Culture Committee; The action plan of the Regional Policy and Self-government Committee; The action plan of the Foreign Relations Committee; Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia. There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only fields and relevant rapporteurs. In total, 12 fields are defined. The action plan of the Sports and Youth Issues Committee; The action plan of the Healthcare and Social Issues Committee.

³⁵⁰ Rules of Procedure of the Parliament, art. 45, sec. 1.

³⁵¹ Ibid.

³⁵² Ibid.

³⁵³ Ibid,

³⁵⁴ The action plan of the Agrarian Affairs Committee; The action plan of the Human Rights and Civil Integration Committee; The action plan of the Environmental Protection and Natural Resources Committee; The action plan of the Sector Economy and Economic Policy Committee; The action plan of the Diaspora and Caucasus Issues Committee; The action plan of the European Integration Committee; The action plan of the Defense and Security Committee; The action plan of the Legal Issues Committee; The action plan of the Culture Committee; The action plan of the Regional Policy and Self-government Committee; The action plan of the Foreign Relations Committee; Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia. There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only fields and relevant rapporteurs. In total, 12 fields are defined. The action plan of the Sports and Youth Issues Committee; The action plan of the Healthcare and Social Issues Committee. In 3 cases, according to the action plan of the Foreign Relations Committee, the Defense and Security, Human Rights and Civil Integration and Legal Issues committees are designated as rapporteurs for each issue.

The cases discussed above represent a misunderstanding of the essence of a thematic rapporteur. Therefore, it is necessary to appoint as the thematic speaker only a natural person by name and surname, and not a legal entity or an entity mentioned in general terms.

In 2021, 17 deputies left the relevant committees and 3 left the mandate.³⁵⁵ In 2022, 7 deputies left the membership of the relevant committee.³⁵⁶ However, there were no changes in the action plans in these cases either. **It is necessary to reflect such cases in a reasonable time in the action plan.**

7.3.5. The reporting of a thematic rapporteur

The thematic rapporteurs had to report to the committee on the work done on the issues assigned to them.³⁵⁷ In 2021, not a single thematic rapporteur presented a report to any committee.³⁵⁸

During the Spring Session of 2022, only 2 deputies in 1 committee made reports on each issue.³⁵⁹ The remaining 13 committees did not use this tool. During the 2022 spring session, the thematic rapporteurs only reported to the Culture Committee. On February 28, 2022, the chairwoman of the culture committee, Eliso Bolkvadze, as the thematic rapporteur, presented to the committee the report of the works carried out in the field of art education. Also, on March 31, 2022, the member of the committee, Baia Kvitsiani, as a thematic rapporteur, presented information about the work carried out in connection with the amendments to the Georgian law “On Copyright and Related Rights”.³⁶⁰

During the Fall Session of 2022, in total 5 participants in 3 committees presented their reports. In the Education and Science Committee, on September 30, Tamar Taliashvili presented a report on the thematic research “The practice of using school educational resources in the process of ensuring effective teaching and learning”, and on October 31, Baia Kvitsiani presented a report on the

³⁵⁵ The action plan of the Agrarian Affairs Committee; The Action Plan of the Human Rights Protection and Civil Integration Committee; The action plan of the Education and Science Committee; The action plan of the Environment Protection and Natural Resources Committee; The action plan of the Sector Economy and Economic Policy Committee; The Action Plan of the Diaspora and Caucasus Affairs Committee; The Action Plan of the European Integration Committee; Defense and Security Committee Action Plan; Legal Affairs Committee Action Plan; The action plan of the Regional Policy and Self-Government Committee; The Action Plan of the Procedural Issues and Rules Committee; There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only directions and relevant speakers; The action plan of the Sports and Youth Affairs Committee

³⁵⁶ The action plan of the Agrarian Affairs Committee; The action plan of the Human Rights and Civil Integration Committee; The action plan of the Environmental Protection and Natural Resources Committee; The action plan of the Sector Economy and Economic Policy Committee; The action plan of the Diaspora and Caucasus Issues Committee; The action plan of the European Integration Committee; The action plan of the Defense and Security Committee; The action plan of the Legal Issues Committee; The action plan of the Culture Committee; The action plan of the Regional Policy and Self-government Committee; The action plan of the Foreign Relations Committee; Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia. There are no rapporteurs defined by the action plan of the Budget and Finance Committee. There is a separate document that defines the thematic rapporteurs. The document defines only fields and relevant rapporteurs. In total, 12 fields are defined. The action plan of the Sports and Youth Issues Committee; The action plan of the Healthcare and Social Issues Committee.

³⁵⁷ Rules of Procedure of the Parliament, art. 45, sec. 6.

³⁵⁸ Letter N3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³⁵⁹ It was the Culture Committee, where on February 28, 2022, the Chairwoman of the Committee, Eliso Bolkvadze, as the thematic rapporteur, presented to the Committee the report of the works carried out in the direction of art education. Also, on March 31, 2022, the member of the committee, Khatuna Kvitsiani, as a thematic rapporteur, presented information about the work carried out in connection with the amendments to the Georgian law “On Copyright and Related Rights”. Information provided by the letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

³⁶⁰ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

thematic research “Study of access to quality education for ethnic minorities”.³⁶¹ On December 22, 2022, Eka Sefashvili presented a report to the committee on the thematic research “Control of the Enforcement of the Law of Georgia on the Protection of Consumer Rights” in the Committee of Sector Economy and Economic Policy.³⁶²

It is recommended that the rapporteurs fulfill the obligation assigned to them as expected and submit the appropriate report to the committees.

7.4. Special entities on Parliamentary oversight of the security sector

7.4.1. Defense and Security Committee

The Rules of Procedure of Parliament of Georgia envisages the Defense and Security Committee of Parliament, a trusted group, and other sectoral specialization committees as proper entities for exercising parliamentary oversight on the security sector.³⁶³ The Rules of Procedure do not explain “other sectoral specialization committees”. On the contrary, according to the studied foreign practice, the Rules of Procedures will directly name in their texts those committees that are responsible for the control of the security sector.³⁶⁴ In addition, these committees are specially created entities for this job. In the Georgian reality, the Rules of Procedure divide the topic of the security sector into such committees, whose own fields are no less narrow.

As for the Defense and Security Committee, it directly supervises the Ministry of Defense, the Ministry of Internal Affairs, the activities of the state sub-departmental institutions within the system of the Ministry of Justice, namely the Special Penitentiary Service, the State Security Service of Georgia, the Intelligence Service of Georgia, the Special State Protection Service and the legal entity of public law - the Operational-Technical Agency of Georgia.³⁶⁵ According to the Rules of Procedure, relevant agencies shall deliver detailed information on non-secret state procurement to the Legal Issues Committee and the Defense and Security Committee of Parliament if the estimated cost of goods or services exceeds GEL 2 000 000 (two million), and the estimated cost of construction works to be procured exceeds GEL 4 000 000 (four million); moreover, and no less than once a year, they shall deliver information on performed and current non-secret state procurement.³⁶⁶ During the reporting period, detailed information on non-secret state procurement has been delivered to the Defense and Security Committee by 3 entities: the Ministry of Internal Affairs delivered 9 times, the State Security Service, and the Ministry of Defense 2 times each.³⁶⁷

In the conditions of such busy curatorial fields, it is difficult for one entity to ensure proper control. **Therefore, it is necessary to divide the Defense and Security Committee into two fully-fledged committees. One of them will control only the defense sector, and the other - the police force.³⁶⁸ Accordingly, the control of the secret part of the security sector will be transferred to the latter and there won't be a necessity for a trusted group.**

³⁶¹ Ibid.

³⁶² Ibid.

³⁶³ Rules of Procedure of the Parliament, art. 156.

³⁶⁴ Vakhusthi Menabde and others, cited paper, 57-58.

³⁶⁵ Statute of the Defense and Security Committee of the Parliament, art. 2, website of the Parliament of Georgia, available at: <https://tinyurl.com/yc2bjdhh>, accessed on: 21.11.22. See also, Rules Procedure of the Parliament of Georgia, art. 159.

³⁶⁶ Rules of Procedure of the Parliament of Georgia, 159, sec. 6.

³⁶⁷ Letter No. 2374/2-7/23 of March 30, 2023 of the Parliament of Georgia.

³⁶⁸ Vakhusthi Menabde and others, cited paper, 59.

7.4.2. Trust Group

7.4.2.1. Formation of the Trust Group

According to the current Rules of Procedure, the trust group consists of 5 deputies. Its *ex officio* member is the Chairman of the Defense and Security Committee, who in practice is a member of the majority. In addition, the group includes 2 deputies from the majority and 2 from the opposition.³⁶⁹ The right to nominate members belongs to factions.³⁷⁰ If more than 2 of the opposition factions have nominated a candidate, the 2 nominated by the 2 largest factions will be nominated.³⁷¹ And if they have an equal number of members, then the decisive role has the votes they received in the elections.³⁷²

There are 4 members in the trust group in the X Parliament, of which 3 represent the ruling party and 1 represents the opposition.³⁷³ At the beginning of the term of Parliament, there were 4 factions.³⁷⁴ Later, 2 factions broke up,³⁷⁵ and as a result, only 2 remained in the legislature. In the Spring Session of 2021, after the amendments to the Rules of Procedure, a new entity emerged, a political group, which was equipped with the powers of a faction (excluding the rights defined for a faction exclusively by the constitution).³⁷⁶ Currently, there is one faction in the majority and one in the opposition in Parliament. In addition, 5 political groups have been created in the opposition.³⁷⁷ The largest group of them has 5 members. Therefore, they can nominate a member of the trust group after this amendment in the Rules of Procedure. Moreover, this issue is not regulated by the Constitution. Therefore, a political group should be able to nominate a member of the trust group. The opposition has not used the right to appoint a member for months, which is why the trust group functions mainly with 3 members (all 3 are the representatives of Georgian Dreams).

7.4.2.2. The Convocation of the trust group and its Quorum

The chairman alone can convoke a meeting of the trust group.³⁷⁸ A member of the group can raise the issue of convocation; however, holding the session requires the support of the majority of the members.³⁷⁹ Under the conditions, when according to the Rules of Procedure, 3 out of 5 members is the majority quota, it is difficult to imagine how a member appointed by the opposition quota will be able to convene a session. This deprives the opposition of the opportunity to convene a meeting of the group on a topic of interest. **It is recommended that one member of the group convene a meeting.**

During the Fall Session of 2021, 2 meetings were held at the initiative of the chairman of the trust group.³⁸⁰ In the spring session of 2022 - 7³⁸¹ and in the fall session of 2022 - 5 sessions.

³⁶⁹ Rules of Procedure of the Parliament of Georgia, art. 157, sec. 2.

³⁷⁰ *Ibid.*, sec. 3.

³⁷¹ *Ibid.*

³⁷² *Ibid.*

³⁷³ In the trust group, 3 deputies are members of the "Georgian Dream" faction, and 1 of the "National Movement" faction.

³⁷⁴ They were the following factions: "Georgian Dream", "National Movement", "Lelo - Partnership for Georgia", "Charles Michel Reform Group".

³⁷⁵ Parliamentary factions "Lelo - Partnership for Georgia" and "Reform Group" have been abolished as of November 26, 2021. Letter N10099/2-7/22 of October 25, 2022 of the Parliament of Georgia.

³⁷⁶ Rules of Procedure of the Parliament of Georgia, art. 228¹, sec. 3.

³⁷⁷ Political groups, website of the Parliament of Georgia, available at: <https://parliament.ge/parliament/parliamentary-opposition/political-groups>, accessed on: 19.09.22.

³⁷⁸ Rules of Procedure of the Parliament of Georgia, art. 158, sec. 2.

³⁷⁹ *Ibid.*

³⁸⁰ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³⁸¹ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

7.4.2.3. *The mandate*

The trust group controls the field of defense and security within its powers. For this purpose, the trust group is delivered the following information: detailed information on secret state procurement in the past, current and future procurements;³⁸² a secret normative act containing the main tasks of the agency structure and structural subdivisions;³⁸³ Once a year, not later than 15 April, relevant agencies shall submit to the trust group a report on secret activities performed and special programs implemented in the previous year, and the Operative-Technical Agency shall submit a statistical and generalized report on activities performed,³⁸⁴ as well as the group can inspect the Operative-Technical Agency no more than 2 times per year;³⁸⁵ the group can: visit various agencies with the approval of the chairman;³⁸⁶ request information from the relevant agencies;³⁸⁷ summon officials to their meetings.³⁸⁸ In the event of elements of the crime are identified within the scope of exercising the powers discussed above, the group is obliged to contact the investigative body and present the materials at its disposal.³⁸⁹ In the Fall Session of 2021 and Spring Sessions of 2022, the trust group did not exercise its power to refer to the investigative body.³⁹⁰

7.4.2.4. *Obligation to submit information on secret procurements*

Relevant agencies shall deliver detailed information on secret state procurement to the trust group.³⁹¹ However, this obligation only exists if the estimated cost of goods or services exceeds GEL 2 000 000, and the estimated cost of construction works to be procured exceeds GEL 4 000 000.³⁹²

In 2021, 6 subjects fulfilled this obligation a total of 14 times.³⁹³ In particular, the Special State Protection Service, the State Security Service, the State Security Service - Operative-Technical Agency, the Special Penitentiary Service, and the Ministry of Internal Affairs presented this information to the group each only once,³⁹⁴ and the Ministry of Defense - 9 times.³⁹⁵

In the Spring Session of 2022, 7 subjects fulfilled this obligation a total of 12 times.³⁹⁶ In particular, the Special State Protection Service, the Intelligence Service, the Ministry of Internal Affairs, the State Security Service, and the Special Penitentiary Service presented information to the group each only once,³⁹⁷ the State Security Service - Operative-Technical Agency - 2 times, and the Ministry of Defense - 5 times.³⁹⁸

³⁸² Rules of Procedure of the Parliament of Georgia, art. 159, sec. 5.

³⁸³ Ibid, sec. 7.

³⁸⁴ Ibid, sec. 9.

³⁸⁵ Ibid, sec. 12.

³⁸⁶ Ibid, sec. 11.

³⁸⁷ Ibid, sec. 2.

³⁸⁸ Ibid, sec. 10.

³⁸⁹ Ibid, sec. 13.

³⁹⁰ Letter N10099/2-7/22 of October 25, 2022 of the Parliament of Georgia.

³⁹¹ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 5.

³⁹² Ibid.

³⁹³ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

³⁹⁴ Ibid.

³⁹⁵ Ibid.

³⁹⁶ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

³⁹⁷ Ibid.

³⁹⁸ Ibid.

In the Fall Session of 2022, 7 entities fulfilled this obligation in total 14 times.³⁹⁹ In particular, the Special Service of the State Protection of Georgia, the Intelligence Service of Georgia, the Ministry of Internal Affairs of Georgia, the State Security Service of Georgia, the state sub-agency the Special Penitentiary Service belonging to the system of the Ministry of Justice and the LEPL - the Operative-Technical Agency each only once and the Ministry of Defense of Georgia – 8 times.⁴⁰⁰

7.4.2.5. Obligation to present secret normative act

The Prime Minister of Georgia, the Government of Georgia, and relevant agencies are obliged to introduce to the trust group secret normative acts containing the main goals of the structure of an agency and the structural units of an agency, within two weeks after the entry of the act into the secret section of the State Registry of Normative Acts.⁴⁰¹ Once introduced to the trust group, the normative act shall immediately be returned to the relevant agency.⁴⁰²

During the Spring and Fall Sessions of 2021, the Ministry of Defense provided the mentioned information to the trust group.⁴⁰³

During the Spring Session of 2022, the Operative-Technical Agency presented to the trust group, on May 2 and 11, the information about the secret normative acts containing the main tasks of the agency's structure and structural units.⁴⁰⁴

Nothing similar happened during the Fall Session of 2022.⁴⁰⁵

7.4.2.6. Reporting about the completed tasks to the trust group

Once a year, not later than 15 April, relevant agencies shall submit to the trust group a report on secret activities performed and special programs implemented in the previous year.⁴⁰⁶ There are different requirements for the Operative-Technical Agency. It submits a statistical and generalized report on activities performed.⁴⁰⁷

In 2021, this obligation was fulfilled and reports were submitted to the trust group by the Intelligence Service of Georgia (on January 21), the Ministry of Internal Affairs of Georgia (on January 28), the Ministry of Defense of Georgia (on February 12), the state sub-agency the Special Penitentiary Service belonging to the system of the Ministry of Justice (on 25 on March), the Special Service of the State Protection of Georgia (April 12) and the State Security Service of Georgia (April 14).⁴⁰⁸ As for the Operative-Technical Agency, by the Rules of Procedure, on April 13, it presented to the trust group information on the statistical and generalized report of its activities.⁴⁰⁹

In 2022, this obligation was fulfilled, and reports were submitted to the trust group by the Intelligence Service on March 9, 2022, and the Operative-Technical Agency on April 13, 2022, submitted information on the statistical and generalized report of the agency's activities.⁴¹⁰

³⁹⁹ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

⁴⁰⁰ Ibid.

⁴⁰¹ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 7.

⁴⁰² Ibid.

⁴⁰³ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

⁴⁰⁴ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁴⁰⁵ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

⁴⁰⁶ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 9.

⁴⁰⁷ Ibid.

⁴⁰⁸ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

⁴⁰⁹ Ibid.

⁴¹⁰ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

7.4.2.7. Monitoring visits

The trust group is authorized to visit various institutions.⁴¹¹ For this, it needs the approval of the chairman.⁴¹² Within the framework of the visit, the group members can talk to the employees and get acquainted with the information related to the issues belonging to the competence of the group.⁴¹³ Significantly, the decision of the chairman of the trust group shall be sent to the relevant agency before the visit.⁴¹⁴ **According to GYLA, the group needs to be able to visit an agency without prior notification thereof.**

The trust group is authorized to check the Operative-Technical Agency as well.⁴¹⁵ However, unlike other agencies, it can inspect the agency not more than twice a year.⁴¹⁶ In addition, which member/members will check the agency will be determined by the group itself.⁴¹⁷

During the Fall Session of 2021, the trust group visited the Operative-Technical Agency for inspection and made supervisory visits to the state military scientific-technical center “Delta”, “Tbilviamsheni” and the Georgian-Jewish factory.⁴¹⁸

During the Spring Session of 2022, the chairman of the trust group of the Parliament of Georgia Irakli Beraia, and the member of the trust group Aleksandre Tabatadze visited the Academy of the Ministry of Internal Affairs of Georgia once on a supervisory visit.⁴¹⁹

During the Fall Session of 2022, the members of the trust group of the Parliament of Georgia carried out supervisory visits to the First Infantry Brigade of the Ministry of Defense of Georgia, the National Defense Academy of the Ministry of Defense of Georgia, and the base of the Special Purpose Detachment of the State Security Service of Georgia.⁴²⁰

7.4.2.8. Retrieving information

Relevant agencies are obliged, upon a request from the trust group, to submit promptly all information necessary for the trust group to exercise its powers, except for the cases provided for by the legislation of Georgia.⁴²¹ There is a reservation about retrieving information from the Operative-Technical Agency. It only provides information about statistical and generalized reports on activities performed.⁴²² In case of refusal of delivering the information, the relevant agencies are obliged to produce a substantiated refusal to the trust group in a written form.⁴²³

During the Fall Session of 2021, the trust group requested information from the Operative-Technical Agency 8 times, and from the State Security Service of Georgia - 6 times.⁴²⁴ The mentioned agencies delivered answers immediately.⁴²⁵

⁴¹¹ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 11.

⁴¹² Ibid.

⁴¹³ Ibid.

⁴¹⁴ Ibid.

⁴¹⁵ Ibid, sec. 12.

⁴¹⁶ Ibid.

⁴¹⁷ Ibid.

⁴¹⁸ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

⁴¹⁹ Ibid.

⁴²⁰ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

⁴²¹ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 2.

⁴²² Ibid.

⁴²³ Ibid, sec. 4.

⁴²⁴ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

⁴²⁵ Ibid.

During the Spring Session of 2022, particularly in February, the group requested information from the following entities: Ministry of Defense, Ministry of Internal Affairs, State Security Service, Intelligence Service, Special Service of State Protection, Operative-Technical Agency, the state sub-departmental institution included in the system of the Ministry of Justice - Special Penitentiary Service.⁴²⁶ The group received answers to them promptly.⁴²⁷

During the Fall Session of 2022, the trust group did not exercise this power.⁴²⁸

7.4.2.9. Summoning an official to a hearing of the trust group

The chairpersons of relevant agencies, or if agreed with the trust group, persons authorized thereby, shall be entitled to attend sessions of the trust group, answer questions, and submit appropriate materials and reports on performed activities.⁴²⁹ However, upon request of the trust group a similar obliged arises.⁴³⁰

During the Fall Session of 2021, particularly on October 15, by the decision of the chairman of the trust group⁴³¹ and the group itself,⁴³² the group listened to the heads of the following agencies: the Ministry of Defense, the Ministry of Internal Affairs, the State Security Service, the Intelligence Service, the Special State Protection Service, and the Special Penitentiary Service, and on the session of December 23, the State Security Service.

During the Spring Session of 2022, the trust group held 7 sessions.⁴³³ In particular, the head of the Intelligence Service was summoned to the session of the trust group on February 11, 2022; on February 17 - the head of the Special State Protection Service; on March 9 - the Minister of Internal Affairs; on March 10 - the Minister of Defense; on May 13 - the head of the Intelligence Service, and on May 25, 2 meetings were held, where the lead officials of the Ministry of Defense and the general director of the state sub-agency the Special Penitentiary Service belonging to the system of the Ministry of Justice, were invited.⁴³⁴

In the Fall Session of 2022, the trust group held 5 sessions.⁴³⁵ In particular, the Deputy Minister of Internal Affairs Ioseb Chelidze, Deputy Head of the Department of Special Tasks of the Ministry of Internal Affairs, First Deputy Head of the State Security Service Alexi Batiashvili and the Director of the Information and Analytical Department of the State Security Service were summoned to the session of September 30, 2022; Deputy Minister of Defense Giorgi Khaindrava, Deputy Commander of the Defense Forces, Chief of the General Staff and Head of the Resource Planning and Management Division of the J-5 Strategic Planning Department of the Ministry of Defense, First Deputy Head of the State Security Service Aleksis Batiashvili and Director of the Economic Department of the Security Service were summoned to the October 7 meeting, first Deputy Head of the Intelligence Service Giorgi Liluashvili and Head of the Financial Division of the Intelligence Service, Deputy Head of the Economic Department of the Special State Protection Service, Deputy Minister of Internal Affairs Giorgi Butkhuzi and Director of the Economic Department of the

⁴²⁶ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁴²⁷ Ibid.

⁴²⁸ Letter N1251/2-7/23 of February 15, 2023 of the Parliament of Georgia.

⁴²⁹ Rules of Procedure of the Parliament of Georgia, art. 159, sec. 10.

⁴³⁰ Ibid.

⁴³¹ Letter No. 3678/2-7/22 of April 21, 2022 of the Parliament of Georgia.

⁴³² Letter N10651/2-7/22 of November 7, 2022 of the Parliament of Georgia.

⁴³³ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁴³⁴ Ibid.

⁴³⁵ Letter N885/2-7/23 of January 31, 2023 of the Parliament of Georgia.

Internal Affairs Ministry, Deputy Minister of Justice Tornike Cheishvili, Special General Director of the Penitentiary Service Nika Tshvarashvili and the head of the Economic Department of this Service and the head of the Analytical Department of the Intelligence Service; the head of the Intelligence Service, Shalva Lomidze, was summoned to the session of November 3; At the session of November 4 - deputy head of State Security Service Shengeli Fitskhelauri, State Security Service training center head Giorgi Vashakidze and his deputy; And finally, at the session of December 15 - Minister of Defense Juansher Burchuladze, his deputy Giorgi Khaindrava, Deputy Commander of the Defense Forces Irakli Chichinadze, Deputy Commander of the Defense Forces, Chief of the General Staff Joni Tatumashvili.⁴³⁶

7.5. Thematic inquiry

7.5.1. Creating a thematic inquiry group

The Rules of Procedure of Parliament allow for the creation of a thematic inquiry group by a decision of a committee, or a permanent council of Parliament composed of Parliamentary deputies.⁴³⁷ In total, 14 thematic groups were created during the reporting period. None of them have been created by the Defense and Security Committee.

Fall Session of 2021

During the Fall Session of 2021, in total, 3 thematic inquiry groups were created in Parliament.⁴³⁸ According to the Rules of Procedure, both a committee and a standing council of Parliament have the authority to create the group.⁴³⁹ During the session, 2 groups were created by the committees, and 1 - by the Council.⁴⁴⁰ Initially, by the unanimous decision of the members present at the meeting of September 23, 2021, the Environmental Protection and Natural Resources Committee created a thematic inquiry group on the issue of "Sustainable management of inert waste in Georgia".⁴⁴¹ The Sector Economy and Economic Policy Committee created the second group on October 13, 2021, on the issue "Regarding the availability and effectiveness of state programs supporting entrepreneurship - about the effectiveness of "Produce in Georgia" programs".⁴⁴² The committee discussed the matter and its members voted to initiate an inquiry.⁴⁴³ The third group was initiated by the Permanent Parliamentary Gender Equality Council on November 15, 2021, on the topic "Mainstreaming Gender Equality Issues in Government Policy".⁴⁴⁴ The Council made a positive decision on the creation of the group.⁴⁴⁵

⁴³⁶ Ibid.

⁴³⁷ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 1.

⁴³⁸ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴³⁹ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 1.

⁴⁴⁰ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁴¹ Minutes of the N25 meeting of September 23, 2021 of the Environment Protection and Natural Resources Committee of the Parliament of Georgia, the website of the Parliament of Georgia, available at: <https://bit.ly/3LO2hwL>, accessed on: 17.01.23.

⁴⁴² Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁴³ Minutes N32 of the meeting of the October 13, 2021 of the Committee on Sector Economy and Economic Policy of the Parliament of Georgia, website of the Parliament of Georgia, available at: <https://bit.ly/3JYXUXw>, accessed on: 17.01.23.

⁴⁴⁴ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁴⁵ Minutes of the meeting N7 on November 15, 2021 of the Permanent Parliamentary Gender Equality Council, website of the Parliament of Georgia, available at: <https://bit.ly/3ZbyXUb>, accessed on: 17.01.23.

Spring Session of 2022

8 thematic inquiry groups were created during the Spring Session of 2022.⁴⁴⁶ At the beginning of the session, by the decision of the committee meeting on February 8, 2022, the Budget and Finance Committee started a thematic inquiry on the issue of “Public debt and fiscal stability under the influence of the Covid pandemic”.⁴⁴⁷ On March 23, 2022, the Committees for Agrarian Issues and European Integration, at separate meetings, decided to create a joint thematic inquiry group “On the postponement of the implementation of legislative changes adopted in the framework of the commitment under the DCFTA in the agricultural sector”.⁴⁴⁸ It should be noted that the committees do not have the authority to jointly create a thematic inquiry group. The Rules of Procedure provide for a special procedure for the case when different committees want to start a thematic inquiry on the same issue. In particular, in such cases, it is necessary to have a decision of the Bureau of Parliament on the unification of the members participating in the investigation.⁴⁴⁹ **It is recommended that Parliamentary entities follow the procedures defined by the Rules of Procedure.** Two study groups were created in the Education and Science Committee on April 6, 2022.⁴⁵⁰ The goal of one group was to assess the effectiveness of school educational resources,⁴⁵¹ and of the other - to study access to quality education for ethnic minorities.⁴⁵²

The Permanent Parliamentary Gender Equality Council established another thematic group on May 31, 2022.⁴⁵³ It concerns women’s access to financial resources.⁴⁵⁴ The members present at the meeting unanimously supported the creation of the group.⁴⁵⁵ In the spring session, the 6th group was created in the Culture Committee on June 13, 2022.⁴⁵⁶ The thematic inquiry was started to study the state of fortifications (fortresses, castles, towers) in the territory of Georgia, with the aim of their protection and perspectives of development.⁴⁵⁷ The Environmental Protection and Natural Resources Committee, together with the Sector Economy and Economic Policy Committee, created a thematic inquiry group on the opportunities and challenges of decarbonization in Georgia by the decision of June 20, 2022.⁴⁵⁸ On June 20, 2022, another research group was also established, this time by the Permanent Parliamentary Gender Equality Council.⁴⁵⁹ The members present at the meeting unanimously supported the creation of the group.⁴⁶⁰

⁴⁴⁶ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁴⁷ Minutes of the meeting N1 on February 8, 2022 of the Budget and Finance Committee of the Parliament of Georgia, the website of the Parliament of Georgia, available at: <https://bit.ly/3ZbyXUb>, accessed on: 17.01.23.

⁴⁴⁸ Minutes of the meeting N30 on March 23, 2022 of the European Integration Committee of the Parliament of Georgia, the website of the Parliament of Georgia, available at: <https://bit.ly/3ZbyXUb>, accessed on: 01.03.2023; Minutes of the meeting N28 on March 23, 2022 of the Agrarian Issues Committee of the Parliament of Georgia, the website of the Parliament of Georgia, available at: <https://bit.ly/3TGpHGf>, accessed on: 17.01.23.

⁴⁴⁹ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 4.

⁴⁵⁰ Minutes of the meeting N41 on April 6, 2022 of the Education and Science Committee, website of the Parliament of Georgia, available at: <https://bit.ly/3lz3KfE>, accessed on: 17.01.23.

⁴⁵¹ Ibid.

⁴⁵² Ibid.

⁴⁵³ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁵⁴ Ibid.

⁴⁵⁵ Minutes of the meeting N11 on May 31, 2022, of the Permanent Parliamentary Gender Equality Council, the website of the Parliament of Georgia, available at: <https://bit.ly/3K31S8D>, accessed on: 17.01.23.

⁴⁵⁶ Minutes of the meeting N27 on June 13, 2022 of the Culture Committee, the website of the Parliament of Georgia, available at: <https://bit.ly/3n5D06S>, accessed on: 17.01.23.

⁴⁵⁷ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁵⁸ Ibid.

⁴⁵⁹ Ibid.

⁴⁶⁰ Minutes of the meeting N12 on June 20, 2022 of the Permanent Parliamentary Gender Equality Council, the website of the Parliament of Georgia, available at: <https://bit.ly/3LMNvqg>, accessed on: 17.01.23.

Fall Session of 2022

During the Fall Session of 2022, in total, 3 groups were formed.⁴⁶¹ The Sector Economy and Economic Policy Committee created the first group on September 12.⁴⁶² Committee members supported the creation of a group on the state and development prospects of the digital economy.⁴⁶³ The second thematic inquiry group was established by 3 committees on September 26 (Committees on Environment and Natural Resources, Agrarian Issues, and Education and Science).⁴⁶⁴ At their joint meeting, they decided to create a group.⁴⁶⁵ The inquiry will address the availability of education adapted to market demand with modern agrarian and environmental directions.⁴⁶⁶ As mentioned above, if deputies in different committees want to create an inquiry group on a common topic, the Bureau decides to combine the groups.⁴⁶⁷ **Therefore, the decision to create a group at a joint session by the committees does not comply with the requirements of the Rules of Procedure.** Foreign Relations Committee created the third group by the decision taken at the meeting of the committee on November 25.⁴⁶⁸ It concerns the analysis of the country's legislation and practice by international obligations in the field of intellectual property, in particular copyright and related rights, and issuing recommendations.⁴⁶⁹

7.5.2. The principle of formation of a group

For years, GYLA has been urging Parliament to use the principle of proportional representation of factions when forming the thematic inquiry group.⁴⁷⁰ Despite this, there was no corresponding entry in the regulations. Both the 2021 fall and 2022 spring and fall sessions violated the mentioned principle.⁴⁷¹ Only one group managed to reflect approximately the proportional representation of

⁴⁶¹ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁶² Ibid.

⁴⁶³ Minutes of the meeting N23 of the Sector Economy and Economic Policy Committee of the Parliament of Georgia, website of the Parliament of Georgia, available: <https://bit.ly/3Z52yON>, accessed on: 18.01.23.

⁴⁶⁴ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁶⁵ Agenda of the September 26, 2022 joint session of the Environment Protection and Natural Resources, Agrarian Issues and Education and Science Committees, the website of the Parliament of Georgia, available: <https://bit.ly/40aVKAz>, accessed on: 18.01.23.

⁴⁶⁶ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁶⁷ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 4.

⁴⁶⁸ Letter N13394/2-7/22 of December 20, 2022 of the Parliament of Georgia.

⁴⁶⁹ Ibid.

⁴⁷⁰ Vakhusthi Menabde and others, cited paper, 70.

⁴⁷¹ "On sustainable management of inert waste in Georgia" Majority - 10, Opposition - 1. Available at: [tor.pdf](#) (parliament.ge), "Regarding the availability and effectiveness of state programs supporting martyrdom "Produce in Georgia", Majority - 6, Opposition - 1. Available at: [tor.pdf](#) (parliament.ge), "Mainstreaming gender equality issues in government policy," Majority - 5, Opposition - 1. Available at: [about.pdf](#) (parliament.ge), "Public Debt and Fiscal Stability under the Impact of the Covid Pandemic", Majority - 6, Opposition - 2. Available at: [tor.pdf](#) (parliament.ge), "Regarding the postponement of the implementation of the legislative changes adopted within the framework of the obligation assumed by the DCFTA in the agricultural sector", Majority - 6, Opposition - 0, available at: [tor-dcfta.pdf](#) (parliament.ge), "Assessment of the effectiveness of school educational resources in the process of ensuring quality teaching and learning", Majority - 6, Opposition - 1, available at: [saskolo-resursebi-tor.pdf](#) (parliament.ge), "Regarding the study of access to quality education for ethnic minorities", Majority - 7, Opposition - 0, available at: [etnikuri-tor.pdf](#) (parliament.ge), "Women's access to financial resources", Majority - 4, Opposition - 3, available at: [tor.pdf](#) (parliament.ge), "In order to study the state of fortifications (fortresses, castles, towers) in the territory of Georgia, their protection and development prospects", Majority - 5, Opposition - 2, available at: [tor.pdf](#) (parliament.ge), "Opportunities and challenges of decarbonization in Georgia", Majority - 5, Opposition - 1, available at: [ToR-Decarbonization.pdf](#) (parliament.ge), "About access to infrastructure (road, transport, internet, water) for women and girls", Majority - 6, Opposition - 1, available at: [tor-infrastruktura.pdf](#) (parliament.ge), "About the state and development prospects of the digital economy", Majority - 6, Opposition - 2, available at: [TOR-tsipruli-ekonom.pdf](#) (parliament.ge), "Access to education adapted to market demand with modern

the existing forces in Parliament.⁴⁷² **Therefore, the groups should be formed based on the named principle.**

7.5.3. Number of members in a group

The Rules of Procedure do not determine the number of members of the thematic inquiry group. In total, during the period from the Fall Session of 2021 to the Fall Session of 2022, one group was created with 11 and one with 9 members, respectively, with 8 members – 2 groups, with 7 deputies in total 6 different groups were created, and 6 members had in total 3 groups.⁴⁷³ The thematic inquiry group should be flexible to provide the committee or the permanent board with timely expert positions on the issue of concern. In the X Parliament, there is a tendency to create small groups, which is welcomed. **It is recommended to create small groups of thematic inquiry, with the number of members not exceeding 1/3 of the members of the creating entity.**

7.5.4. Group membership

Any deputy can become a member of the thematic inquiry group, and the Rules of Procedure do not impose any restrictions in this regard. GYLA's position is that a member of a group can only be a member of the entity that created it.⁴⁷⁴ This principle was violated in 2 of the groups created in the Fall Session of 2021 (members of other committees participated in the thematic group created by one committee), it was violated in 5 groups in the Spring Session of 2022, and in 1 in the Fall Session of the same year.⁴⁷⁵ In total, in all three sessions, the mentioned principle was violated in 8 groups. Also, it should be noted that 2 groups were formed at the mentioned sessions with the participation of members of different committees.⁴⁷⁶ In such a case, when several committees express a desire to create a group on the same issue, then the Bureau must decide on their merger.⁴⁷⁷ This did not happen with the groups in question and the committees created a group as a result of holding a joint session.⁴⁷⁸ This is a violation of the requirements of the Rules

agricultural and environmental directions", Majority – 6, Opposition – 3, available at: TOR TI 03.10.- ინტეგრირებული.docx (parliament.ge), all links are accessed on: 13.04.23.

⁴⁷² Ibid.

⁴⁷³ Ibid.

⁴⁷⁴ Vakhusthi Menabde and others, cited paper, 71.

⁴⁷⁵ "On sustainable management of inert waste in Georgia" Majority - 10, Opposition - 1, „Regarding the availability and effectiveness of state programs supporting martyrdom “Produce in Georgia”, Majority – 6, Opposition – 1, „Mainstreaming gender equality issues in government policy,” Majority – 5, Opposition – 1, „Public Debt and Fiscal Stability under the Impact of the Covid Pandemic”, Majority – 6, Opposition – 2, “Regarding the postponement of the implementation of the legislative changes adopted within the framework of the obligation assumed by the DCFTA in the agricultural sector”, Majority – 6, Opposition - 0, „Assessment of the effectiveness of school educational resources in the process of ensuring quality teaching and learning”, Majority – 6, Opposition – 1, “Regarding the study of access to quality education for ethnic minorities”, Majority – 7, Opposition – 0, “Women’s access to financial resources”, Majority – 4, Opposition – 3, „In order to study the state of fortifications (fortresses, castles, towers) in the territory of Georgia, their protection and development prospects”, Majority – 5, Opposition – 2, „Opportunities and challenges of decarbonization in Georgia”, Majority – 5, Opposition – 1, „About access to infrastructure (road, transport, internet, water) for women and girls”, Majority – 6, Opposition – 1, „About the state and development prospects of the digital economy”, Majority – 6, Opposition – 2, “Access to education adapted to market demand with modern agricultural and environmental directions”, Majority – 6, Opposition – 3.

⁴⁷⁶ Ibid.

⁴⁷⁷ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 4.

⁴⁷⁸ "On sustainable management of inert waste in Georgia" Majority - 10, Opposition - 1, „Regarding the availability and effectiveness of state programs supporting martyrdom “Produce in Georgia”, Majority – 6, Opposition – 1, „Mainstreaming gender equality issues in government policy,” Majority – 5, Opposition – 1, „Public Debt and Fiscal Stability under the Impact of the Covid Pandemic”, Majority – 6, Opposition – 2, “Regarding the postponement of the implementation of

of Procedure. It is recommended, on the one hand, that the members of the group be members of the creating entity at the start of the thematic inquiry, and, on the other hand, comply with the requirements of the Rules of Procedure when creating it.

7.5.5. The term of authority and the result of a group

The term of authority of the thematic inquiry group is 3 months, which may be extended by no more than 2 months.⁴⁷⁹ 2 groups created in the Fall Session of 2021 produced results in violation of the deadline, and one did not even create a final document.⁴⁸⁰ Both groups submitted their results to the Bureau.⁴⁸¹ The result of one of the groups should've been sent to the committee because the corresponding group was created by the committee.⁴⁸² The Standing Parliamentary Council on Gender Equality created the second group and its result was sent to the Bureau.⁴⁸³ The Bureau included the results submitted to it in the agenda of the Parliament session.⁴⁸⁴ Parliament heard the conclusion on September 21, 2022,⁴⁸⁵ but did not develop recommendations.

Only 2 of the groups created during the Spring Session of 2022 managed to produce results within the additional term established by the Rules of Procedure.⁴⁸⁶ The committee created the first group, and two committees created the other in a joint session.⁴⁸⁷ The report of the first group

the legislative changes adopted within the framework of the obligation assumed by the DCFTA in the agricultural sector", Majority – 6, Opposition - 0, „Assessment of the effectiveness of school educational resources in the process of ensuring quality teaching and learning", Majority – 6, Opposition – 1, "Regarding the study of access to quality education for ethnic minorities", Majority – 7, Opposition – 0, "Women's access to financial resources", Majority – 4, Opposition – 3, „In order to study the state of fortifications (fortresses, castles, towers) in the territory of Georgia, their protection and development prospects", Majority – 5, Opposition – 2, „Opportunities and challenges of decarbonization in Georgia", Majority – 5, Opposition – 1, „About access to infrastructure (road, transport, internet, water) for women and girls", Majority – 6, Opposition – 1, „About the state and development prospects of the digital economy", Majority – 6, Opposition – 2, "Access to education adapted to market demand with modern agricultural and environmental directions", Majority – 6, Opposition – 3.

⁴⁷⁹ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 8.

⁴⁸⁰ The thematic inquiry group on "on sustainable management of inert waste in Georgia" completed work on the report in April 2022 and it was sent to the Bureau on 20 April 2022. Letter N2-5265/22 of the Committee on Environment Protection and Natural Resources to the Bureau of Parliament, available at: <https://info.parliament.ge/file/1/BillReviewContent/298665?>, accessed on: 30.01.23. The thematic inquiry group "Regarding the accessibility and effectiveness of state programs supporting martyrdom "Produce in Georgia" has increased the term of authority by one month 3 times, while the Rules of Procedure allow the term to be extended by no more than 2 months. Nevertheless, the group has not prepared a report. Letters N2-1551/22, 2-3623/22 and 2-5227/22 of the Committee on Sectoral Economy and Economic Policy, available at: <https://info.parliament.ge/file/1/BillReviewContent/294639?>, <https://info.parliament.ge/file/1/BillReviewContent/297282?>, <https://info.parliament.ge/file/1/BillReviewContent/298602?>, updated: 30.01.23. The thematic inquiry group on "Mainstreaming gender equality issues in government policy" applied 3 times to the Bureau for extension of the term of authority. According to the Rules of Procedure, its possible to extend the term by no more than 2 months. Finally, the group prepared a report and submitted it to the Bureau on June 22, 2022. Accordingly, it violated the terms stipulated by the Rules of Procedure.

⁴⁸¹ Ibid.

⁴⁸² Rules of Procedure of the Parliament of Georgia, art. 155, sec. 8.

⁴⁸³ Ibid.

⁴⁸⁴ Ibid.

⁴⁸⁵ Minutes of the plenary session of the Parliament of Georgia on September 21, 2021 regarding the adoption of the results of the thematic inquiry group, the website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/306349?>, accessed on: 30.01.23.

⁴⁸⁶ At the meeting of October 10, 2022, the thematic inquiry group's report and relevant recommendations for state agencies were approved. Nino Tsilosani's letter to Parliamentary Bureau N2-15564/22, available at: <https://info.parliament.ge/file/1/BillReviewContent/307919?>, accessed on: 30.01.23. Letter N2-15641/22 of the Committee on Education and Science, available at: <https://info.parliament.ge/file/1/BillReviewContent/307953?>, accessed on: 30.01.23.

⁴⁸⁷ Ibid.

was to be submitted to the committee, however, it was delivered to the Bureau.⁴⁸⁸ And the result of the second group had to be submitted to the Bureau for it to be included in the agenda of the plenary session of Parliament, however, the result was approved by the relevant committees at the joint meeting and it was sent to the relevant entities.⁴⁸⁹ In the same session, 3 groups created their final documents in violation of the deadline.⁴⁹⁰ Two of them were created by the committee, but their results were sent to the Bureau instead of the respective committees.⁴⁹¹ The third group was created by the Parliamentary Council and the submission of its result to the Bureau as per the requirements of the Rules of Procedure.⁴⁹² The Bureau included the result in the agenda of the plenary sessions, which Parliament was supposed to discuss between December 13-16, 2022.⁴⁹³ However, Parliament did not discuss the result. Out of the remaining 3 groups created at that session, 2 have not produced results, and the term of authority of one has not expired.⁴⁹⁴

In the Fall Session of 2022, the terms 2 out of 3 groups have not expired yet, and one has expired, however, the results were adopted late.⁴⁹⁵

Similar to the IX Parliament,⁴⁹⁶ in the current Parliament the Rules of Procedure are violated by the thematic inquiry groups. The groups are not able to produce results within the established terms. Therefore, **it is recommended that the Rules of Procedure create the possibility to determine the term of authority of a group in each specific case depending on the specifics of the issue.**⁴⁹⁷ In addition, the results of the thematic inquiry group are often sent to the wrong entity. The final document of the groups created by the committee was not sent to the relevant committee, but to the Bureau, which does not comply with the requirements of the Rules of Procedure.⁴⁹⁸ The groups created by the committee must send **their results to the appropriate committee.** Based on the result, the committee/plenary session makes recommendations, which are sent to the relevant bodies.⁴⁹⁹ As a result of the analyzed sessions, it was revealed that this requirement was met by the committee only once. **It is necessary to produce recommendations and send them**

⁴⁸⁸ Ibid.

⁴⁸⁹ MP Nino Tsilosani's letter N2-15564/22 of October 11, 2022 to the Bureau of Parliament, available at: <https://bit.ly/3LJYhNK>, accessed on: 30.01.23.

⁴⁹⁰ Letter N2-15838/22 of the Committee on Education and Science, available at: <https://info.parliament.ge/file/1/BillReviewContent/308186?>, accessed on: 30.01.23. The group notified the Bureau on November 10, 2022 that the mandate was extended by 1 month. However, as of January 30, the report was not submitted. Ana Natsvlishvili N2-17738/22 letter to Parliament Bureau, available at: <https://info.parliament.ge/file/1/BillReviewContent/310960?>, accessed on: 30.01.23. The group posted the conclusion later on the website. Report of the group, available at: <https://web-api.parliament.ge/storage/files/shares/tematuri-mokvleva/genderuli/qalebis-cvdoma/genderuli-finansebis-mokvleva.pdf>, accessed on: 27.02.23. Letter N2-20006/22 of the Culture Committee to the Bureau of Parliament, available at: <https://info.parliament.ge/file/1/BillReviewContent/315862?>, accessed on: 30.01.23.

⁴⁹¹ Ibid.

⁴⁹² Rules of Procedure of the Parliament of Georgia, art. 155, sec. 8.

⁴⁹³ Thematic inquiry report of the Permanent Parliamentary Gender Equality Council "Access to infrastructure (roads, transport, Internet, water) for women and girls", website of the Parliament of Georgia, available at: <https://bit.ly/3z19br2>, updated: 30.01.23.

⁴⁹⁴ The 3-month term of authority of the thematic inquiry group expired on May 8, 2022. It extended the term for 1 month on May 5, 2022, which it informed the Bureau. Letter N2-6097/22 of the Budget and Finance Committee, available at: <https://info.parliament.ge/file/1/BillReviewContent/299382?>, accessed on: 30.01.23. The group has not submitted a report. The term of authority of another group was extended by two months, expiring on February 20, 2023. Environment and Natural Resources Committee letter N2-18614/22, available at: <https://info.parliament.ge/file/1/BillReviewContent/312808?>, accessed on: 30.01.23.

⁴⁹⁵ Ibid.

⁴⁹⁶ For detailed analysis see: Vakhusthi Menabde and others, cited paper, 74-76.

⁴⁹⁷ GYLA has been advocating for this position for years. See: Vakhusthi Menabde and others, cited paper, 72.

⁴⁹⁸ Rules of Procedure of the Parliament of Georgia, art. 155, sec. 8.

⁴⁹⁹ Ibid.

to the appropriate addresses. Otherwise, the work of the thematic inquiry group will resemble academic activity, which does not serve the purposes of parliamentary control.⁵⁰⁰

7.6. Working groups

7.6.1. The creation of working groups

The committee is authorized to create a working group to work on individual issues. As a result of GYLA's advocacy, the regulatory norm of this issue has been improved and most of the previous recommendations have been taken into account.⁵⁰¹ According to the current regulation, a committee creates a group and must make a decision (produce an act) about it.⁵⁰² This document should define the group's composition, goals, and terms of authority.⁵⁰³ The decision of the committee must be published on the website of Parliament within 14 days of its adoption.⁵⁰⁴ The norm received its new wording as a result of the amendments of June 7, 2022. Accordingly, the old regulation was still in force during the Fall Session of 2021 and the Spring Session of 2022. It only regulated the possibility of creating a group and left open several issues related to the group.⁵⁰⁵

Fall Session of 2021

In the Fall Session of 2021, 4 committees created working groups.⁵⁰⁶ The Human Rights and Civil Integration Committee created a working group on September 23, 2021,⁵⁰⁷ whose term was set for 2 months.⁵⁰⁸ The initiator of its creation was the Chairman of the committee and its creation was supported by 6 members of the committee, who represent the Parliamentary majority.⁵⁰⁹ The group was created to analyze the state of deprivation of rights based on probation and the Law of Georgia "On Combating Drug Crimes" and to study the possibility of improving the legal status of those charged with drug offenses.⁵¹⁰

The Legal Issues Committee created 3 working groups to facilitate the determination of the compliance of candidates for the chairperson and a judge of the Supreme Court of Georgia with the requirements of the Constitution of Georgia and/or other laws.⁵¹¹ The issue of creating the first group was heard by the committee on September 9, 2021,⁵¹² the second - on November 18, 2021,⁵¹³ and the third - on December 22, 2021.⁵¹⁴ In each case, the committee voted positively to

⁵⁰⁰ Vakhusti Menabde and others, cited paper, 76.

⁵⁰¹ Ibid, 79-82.

⁵⁰² Rules of Procedure of the Parliament of Georgia, art. 46, sec. 1.

⁵⁰³ Ibid, sec. 3.

⁵⁰⁴ Ibid.

⁵⁰⁵ For the analysis of the norm edition before the changes of June 7, 2022, see Vakhusti Menabde and others, cited paper, 79-82.

⁵⁰⁶ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia.

⁵⁰⁷ Ibid.

⁵⁰⁸ Letter N6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

⁵⁰⁹ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia.

⁵¹⁰ Ibid.

⁵¹¹ Ibid.

⁵¹² Minutes of the meeting N47 on September 9, 2021 of the Legal Issues Committee, the website of the Parliament of Georgia, available at: <https://tinyurl.com/3v663rdv>, accessed on: 14.07.22.

⁵¹³ Minutes of the meeting N51 on November 18, 2021 of the Legal Issues Committee, the website of the Parliament of Georgia, available at: <https://tinyurl.com/2p8v8x4v>, accessed on: 14.07.22.

⁵¹⁴ Minutes of the meeting N64 on December 22, 2021 of the Legal Issues Committee, the website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9xdj3y>, accessed on: 14.07.22.

create groups. The decision was supported by 9, 11, and 10 members of the committee, respectively.

On October 15, 2021, the Culture Committee created one working group, which works on the reform of art education.⁵¹⁵ The initiator of the creation of the working group was the chairwoman of the committee.⁵¹⁶ Its creation was supported by 10 deputies, including 7 from the Parliamentary majority and 3 from the Parliamentary opposition.⁵¹⁷

On September 21, 2021, the Sports and Youth Issues Committee created one working group on the topic “Development of state policy of sports infrastructure”.⁵¹⁸ The initiator of the creation of the working group was the chairman of the committee, Mikheil Kavelashvili.⁵¹⁹ Its creation was supported by 7 deputies, including 6 from the Parliamentary majority and 1 from the Parliamentary opposition.⁵²⁰

*Spring Session of 2022*⁵²¹

In the Spring Session of 2022, 5 committees created 13 groups in total.⁵²²

On March 11, 2022, the Agrarian Issues Committee created a working group about the concept of the state policy of agro-insurance.⁵²³ The initiator of the creation of the group was the committee itself.⁵²⁴ Its creation was supported by 10 deputies, including 8 from the Parliamentary majority, and 2 from the Parliamentary opposition.⁵²⁵

The Human Rights and Civil Integration Committee created 5 working groups. The initiator of all of them was the Chairman of the committee, Mikheil Sarjveladze.⁵²⁶ The first group was created by the committee at the meeting of March 10, 2022, whose purpose was to study the feasibility of considering the proposals of the report of the Public Defender of Georgia “On the state of protection of human rights and freedoms in Georgia in 2020” presented to Parliament of Georgia.⁵²⁷ The creation of the group was supported by 7 members of the committee and all of them represented a Parliamentary majority.⁵²⁸ The committee created the second group at the meeting on May 6, 2022, whose purpose was to study the feasibility of considering the proposals of the report of the Public Defender of Georgia “On the state of protection of human rights and freedoms in Georgia in 2021” presented to Parliament of Georgia.⁵²⁹ Its creation was supported by 6 members of the committee and all of them represented the Parliamentary majority.⁵³⁰ The third group was created at the meeting on May 18, 2022, whose purpose was to analyze court practice and the control of the enforcement of legislative acts regulating the disposal of children’s property.⁵³¹ The

⁵¹⁵ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia.

⁵¹⁶ Ibid.

⁵¹⁷ Ibid.

⁵¹⁸ Ibid.

⁵¹⁹ Ibid.

⁵²⁰ Ibid.

⁵²¹ In this case, the reporting period includes the period until September 1, 2022.

⁵²² Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁵²³ Ibid.

⁵²⁴ Ibid.

⁵²⁵ Ibid.

⁵²⁶ Ibid.

⁵²⁷ Ibid.

⁵²⁸ Ibid.

⁵²⁹ Ibid.

⁵³⁰ Ibid.

⁵³¹ Ibid.

creation of the group was supported by 6 members of the committee, all of whom represented a Parliamentary majority.⁵³² The fourth group was created by the committee at the meeting on July 11, 2022, to develop a draft law on the proactive use of the decisions of the European Court of Human Rights by Georgian courts.⁵³³ The creation of the group was supported by 8 members of the committee, including 6 members from Parliamentary majority, and 2 members from the Parliamentary opposition.⁵³⁴ The fifth group was created on July 11, 2022, to study the recommendations and suggestions made to Georgia in the report of The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published on June 16, 2022 (CPT/Inf (2022) 11).⁵³⁵ The creation of the group was supported by 8 members of the committee, including 6 members of Parliamentary majority, and 2 members of the Parliamentary opposition.⁵³⁶

The Defense and Security Committee at the meeting of July 18, 2022, created a working group to assess the current situation in the field of fighting organized crime, correct shortcomings and develop proposals for further strengthening the fight against organized crime.⁵³⁷ The committee supported its creation.⁵³⁸

On August 2 the Procedural Issues and Rules Committee created a working group whose mandate was to work on strengthening Parliamentary control mechanisms, one of the recommendations of the European Commission.⁵³⁹

On August 4, 2022, the Legal Issues Committee created 5 working groups, whose purpose is to prepare a relevant legislative amendment to be implemented to grant the EU membership candidate status to Georgia.⁵⁴⁰ In particular, working groups were created: on the issue of de-oligarchization,⁵⁴¹ judicial reform,⁵⁴² the revision of the election code per the opinions of the OSCE/ODIHR and the Venice Commission,⁵⁴³ anti-corruption measures,⁵⁴⁴ and on further institutional strengthening of the Special Investigation Service and the Personal Data Protection Service.⁵⁴⁵ The committee created each working group and 12 deputies voted for each.⁵⁴⁶

⁵³² Ibid.

⁵³³ Ibid.

⁵³⁴ Ibid.

⁵³⁵ Ibid.

⁵³⁶ Ibid.

⁵³⁷ Ibid.

⁵³⁸ The number of supporters and opponents isn't specified in the committee's decision. In addition, the ratio of the opposition and the majority among the supporters of the decision is unknown. Decision N2-11371/22 of July 28, 2022 of the Defense and Security Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2fakzw3r>, accessed on: 28.09.22.

⁵³⁹ The number of supporters and opponents isn't specified in the committee's decision. The decision of the Procedural Issues and Rules Committee of the Parliament of Georgia of August 2, 2022 on the establishment of the committee's working group, the website of the Parliament of Georgia, available: <https://bit.ly/3ZbALgv>, accessed on: 01.03.2023.

⁵⁴⁰ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁵⁴¹ Decision N2-12263/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9hn7sk>, accessed on: 28.09.22.

⁵⁴² Decision N2-12264/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2bbc9kns>, accessed on: 28.09.22.

⁵⁴³ Decision N2-12265/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/ydnb28xv>, accessed on: 28.09.22.

⁵⁴⁴ Decision N2-12266/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/yc6a5mev>, accessed on: 28.09.22.

⁵⁴⁵ Decision N2-12268/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9yny9s>, accessed on: 28.09.22.

⁵⁴⁶ Minutes of the meeting N97 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/yxt9rex8>, accessed on: 29.09.22.

Fall Session of 2022

During the Fall Session of 2022, only 2 committees established 3 working groups. In particular:

The Human Rights and Civil Integration Committee the meeting of September 19, 2022, created: a working group to plan/define measures promoting the prevention of femicide (initiator - chairman of the committee and chairman of the Gender Equality Council) and another group for studying issues related to checking the level of knowledge of the state language and Georgian history and the basic foundations of law when granting Georgian citizenship (initiator - chairman of the committee).⁵⁴⁷ 6 deputies endorsed the creation of both groups (nobody was against them).⁵⁴⁸

At the meeting of November 7, 2022, by the decision of the Sports and Youth Issues Committee, a state youth policy development working group was created (initiator - committee member Givi Mikanadze).⁵⁴⁹ The minutes of the committee meeting do not contain information on the number of deputies supporting the issue.⁵⁵⁰

It is welcome that in the X Parliament, the committees, based on voting, create a working group by the act of the committee. This is to the requirements of the Rules of Procedure.

7.6.2. The Membership of working groups

According to the current Rules of Procedure, the working group, at the discretion of the committee, may include members of Parliament, representatives of state agencies, and specialists in the relevant field, as well as other interested persons.⁵⁵¹ According to the previous edition, members of Parliament and experts in the field could be part of the group.⁵⁵² The current edition repeats the approach of the previous norm that the inclusion of field specialists in the working group is not mandatory, but optional. Therefore, **GYLA's recommendation is still in place that the members of the group must be both experts in the field and members of Parliament.**⁵⁵³

Fall Session of 2021

All of the groups created in the Fall Session of 2021, except for the one created in the Culture Committee, consisted of Members of Parliament and representatives of the executive government.⁵⁵⁴ However, only the Committees on Legal Issues and Sports and Youth Issues considered

⁵⁴⁷ Minutes of the meeting No. 94 on September 19, 2022 of the Human Rights and Civil Integration Committee of the Parliament of Georgia; Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁴⁸ Minutes of the meeting No. 94 on September 19, 2022 of the Human Rights and Civil Integration Committee of the Parliament of Georgia.

⁵⁴⁹ Decision of the Sports and Youth Issues Committee of the Parliament of Georgia of November 7, 2022, website of the Parliament of Georgia, available: <https://bit.ly/3KLwvPX>, accessed on: 10.04.2023; Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁵⁰ Minutes of the meeting No. 40 of November 7, 2022 of the Sports and Youth Issues Committee of the Parliament of Georgia.

⁵⁵¹ Rules of Procedure, art. 46, sec. 1.

⁵⁵² Rules of Procedure, art. 46 (the edition before the amendments of June 7 2022).

⁵⁵³ Vakhushthi Menabde and others, cited paper, 81.

⁵⁵⁴ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia. Also, "Sports and Youth Issues Committee Begins Work on Sports Infrastructure Management Model", 21 December, 2021, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p997abs>, accessed on: 14.07.22. The agenda of the meeting of the Human Rights and Civil Integration Committee on September 23, 2021, the website of the Parliament of Georgia, available at: <https://tinyurl.com/hjj7dbsw>, accessed on: 14.07.22.

the inclusion of experts in the field.⁵⁵⁵ This is a good practice. **It is recommended that other committees also follow it.**

In addition to experts and Members of Parliament, the working group of the Culture Committee includes the committee's staff.⁵⁵⁶ This approach is contrary to the requirements of the Rules of Procedure. **It is recommended that the committees form groups only with Members of Parliament and experts in the field.**

Spring Session of 2022

Out of 13 groups created during the Spring Session of 2022, 9 were composed on a mixed basis⁵⁵⁷ and 4 – were only by deputies.⁵⁵⁸ It is welcome that in the Spring Session of 2022, the majority of groups were formed together with Members of Parliament, as well as experts in the field. However, **it is better that in all cases the group be composed on a mixed basis.** It should be noted here that GYLA participated as a member in the working groups created by the Procedural Issues and Rules Committee, the Human Rights and Civil Integration Committee, and the Legal Issues Committee.

Fall Session of 2022

Initially, 15 deputies and 9 representatives of NGOs were included in the working group for planning/defining measures to prevent femicide, created by the Human Rights and Civil Integration Committee,⁵⁵⁹ but after 1 month, 3 more representatives of NGOs were added to it.⁵⁶⁰ The working group studying issues related to checking the level of knowledge of the state language and Georgian history and the basic foundations of law consisted of 10 deputies (1 deputy was added later), and the Administration of the President, the Ministry of Justice, State Security Service and

⁵⁵⁵ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia. Also, "Sports and Youth Issues Committee Begins Work on Sports Infrastructure Management Model".

⁵⁵⁶ Letter No. 6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

⁵⁵⁷ The composition of the working group of the concept of the state policy of agro-insurance under the Agrarian Issues Committee, the website of the Parliament of Georgia, available at: <https://tinyurl.com/ybn45nsr>. Decision N5(5) of the Human Rights and Civil Integration Committee on the creation of the working group, the website of the Parliament of Georgia, available at: <https://tinyurl.com/yynyh745z>. Decision N2-11371/22 of June 28, 2022 of the Defense and Security Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2fakzw3r>. Decision N2-12266/22 of August 18, 2022 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/yc6a5mev>. Decision N2-12263/22 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9hn7sk>. Decision N2-12264/22 of August 18, 2022 of August 18, 2022 of the Legal issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2bbc9kns>. Decision N2-12265/22 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/ydnb28xv>. Decision N2-12268/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9yny9s>, all links in this footnote accessed on: 28.09.22.

⁵⁵⁸ Meeting N72 of the Human Rights and Civil Integration Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/525835sk>. Decision N3(3) of the Human Rights and Civil Integration Committee on the creation of the working group, the website of the Parliament of Georgia, available at: <https://tinyurl.com/29xtx67d>. Decision N4(4) of the Human Rights and Civil Integration Committee on the creation of the working group, the website of the Parliament of Georgia, available at: <https://tinyurl.com/24969n64>. Decision N6(6) of the Human Rights and Civil Integration Committee on the establishment of the working group, website of the Parliament of Georgia, available at: <https://tinyurl.com/4xuc95py>, all links in this footnote accessed on: 29.09.22.

⁵⁵⁹ Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁶⁰ Decision No. 13(13) of the Human Rights and Civil Integration Committee on adding members to the composition of the working groups of the Committee", website of the Parliament of Georgia, available: <https://bit.ly/40SBFzj>, accessed on: 10.04.2023.

LELP the Service Development Agency were asked to nominate members to participate in the working group.⁵⁶¹

As for the third working group created at this session, 3 members of the Parliament of Georgia were determined as part of the working group for the development of state youth policy, and 32 organizations were allowed to nominate no more than 2 representatives each (including not only those working in the field but also international organizations and state agencies).⁵⁶²

7.6.3. The organization of the working groups and terms of authority

After the change of the regulation norm of the working group, according to the Rules of Procedure, the committee was obliged to write down the composition, goals, and terms of authority in its own decision when creating the group.⁵⁶³ The emergence of this clause is the result of the work of GYLA with Parliament. Therefore, sharing the NGO's recommendations by the legislative body is welcomed. However, in the Fall Session of 2021 and the Spring Session of 2022, the old norm was still in effect, which did not regulate the organization of the working group in such detail.

Fall Session of 2021

It is worth noting that only the Sports and Youth Issues Committee developed the statute of the working group out of all the groups created in the Fall Session of 2021.⁵⁶⁴ The statute determines the purpose, the composition and work rules, the technical support of the group, and cases of termination of authority.⁵⁶⁵ The committee created the group for an indefinite period and left the leverage of its termination in its own hands.⁵⁶⁶

The working group created in the Culture Committee is working on the reform of art education.⁵⁶⁷ The group was created for an indefinite period and the committee decides on its termination.⁵⁶⁸ No statute was made for the group at its creation.⁵⁶⁹ Indeed, this requirement was not mandatory according to the then-active edition, although it would be desirable if the committee created it on its initiative. According to the current edition, in whose refinement contributed GYLA, when creating the group, the committee is obliged to define its composition, goals, and terms of work.⁵⁷⁰

Groups created for indefinite periods are bad practices. The purpose of the group is to assist the committee in processing current issues. Finally, its results will be presented again to a committee. This document is published on the website of Parliament within 14 days after its submission to a committee.⁵⁷¹ Members of the group created indefinitely may, for various reasons, postpone

⁵⁶¹ Decision No. 9(9) of the Human Rights and Civil Integration Committee regarding the establishment of the working group of the Committee, website of the Parliament of Georgia, available: <https://bit.ly/41fDKVT>, accessed on: 10.04.2023.

⁵⁶² Decision of the Sports and Youth Issues Committee of the Parliament of Georgia of November 7, 2022, website of the Parliament of Georgia, available: <https://bit.ly/3o1V02q>, accessed on: 10.04.2023.

⁵⁶³ Rules of Procedure of the Parliament of Georgia, art. 46, sec. 3.

⁵⁶⁴ Letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia.

⁵⁶⁵ Regulation of the working group State Policy Development for Sports Infrastructure of the Sports and Youth Issues Committee of the Parliament of Georgia, letter N6093/2-7/22 of July 7, 2022 of the Parliament of Georgia.

⁵⁶⁶ Ibid.

⁵⁶⁷ Ibid.

⁵⁶⁸ Ibid.

⁵⁶⁹ Letter No. 6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

⁵⁷⁰ Rules of Procedure, art. 46, sec. 3.

⁵⁷¹ Ibid, sec. 7.

the submission of their results to the Committee indefinitely. This will halt the quick work of the committee. Therefore, the committee must set a deadline for the group and extend it if necessary. Unlike the previous edition, which was in effect in the Fall Session of 2021, the current rule obliges the committee to determine the term of authority.⁵⁷² This is a positive change. Therefore, about working groups created within the framework of the current norm, similar problems will probably no longer exist.

The Human Rights and Civil Integration Committee reflected the purpose of the working group, created to analyze the state of deprivation of rights based on probation and the Law of Georgia “On the fight against drug crime” and to study the possibility of improving the legal status of those charged with drug offenses, in the committee’s decision, and determined the term of authority for 2 months.⁵⁷³ After the expiration of the mandate of the group, by agreement with the committee, its term was extended and it has not yet completed its work.⁵⁷⁴ The committee did not make a separate decision on the extension of the term.⁵⁷⁵ This approach is contrary to the requirements of the Rules of Procedure. The working group is created by the decision of the committee and its authority is terminated upon the expiration of its mandate. If the committee considers it appropriate to extend its term, this should be done by an appropriate decision. Therefore, the committee violated the regulations in this regard. It is necessary to eradicate similar cases in the future.

The purpose of the certain working groups created in the Legal Issues Committee is determined by the Rules of Procedure. The committee created them to facilitate the determination of the compliance of candidates for the chairperson and a judge of the Supreme Court of Georgia with the requirements of the Constitution of Georgia and/or other laws.⁵⁷⁶ The Rules of Procedure do not specify the terms of a group created for such a purpose, although it is logical that the group is dissolved after the work is completed. **It is recommended that such a note appears in the regulations.**

Spring Session of 2022⁵⁷⁷

The Agrarian Issues Committee has created a statute for the working group about the concept of the state policy of agro-insurance, which includes its composition, goals, structure, working method, and terms of termination of authority.⁵⁷⁸ November 30, 2022, was set as the term of termination of the group’s mandate.⁵⁷⁹ At the meeting on December 22, 2022, the committee supported the recommendations developed by the working group about the concept of the state policy of agro-insurance.⁵⁸⁰ The mentioned group completed its work (it exceeded the set deadline by 3 weeks).

The term of authority for the working group created in the Human Rights and Civil Integration

⁵⁷² Ibid, sec. 2.

⁵⁷³ Minutes of the meeting N51 of September 23, 2021 of the Human Rights and Civil Integration Committee, the website of the Parliament of Georgia, available at: <https://tinyurl.com/hjj7dbsw>, accessed on: 14.07.22.

⁵⁷⁴ Letter No. 6986/2-7-1/22 of August 2, 2022 of the Parliament of Georgia.

⁵⁷⁵ Ibid.

⁵⁷⁶ Rules of Procedure of the Parliament of Georgia, art. 205, sec. 2.

⁵⁷⁷ Working groups created in July and August 2022 are united in this subsection.

⁵⁷⁸ Statute of the working group on the State Policy Concept of Agro-Insurance of the Agrarian Issues Committee of the Parliament of Georgia, website of the Parliament of Georgia, available at: <https://tinyurl.com/4dt97thy>, accessed on: 05.10.22.

⁵⁷⁹ Ibid, sec. 4.1.

⁵⁸⁰ Minutes of the N46 meeting of December 22, 2022 of the Agrarian Issues Committee of the Parliament of Georgia, the website of the Parliament of Georgia, available: <https://bit.ly/3ZXWicd>, updated: 10.04.2023.

Committee on the development of a draft law on the proactive application of the decisions of the European Court of Human Rights by the courts of Georgia was defined until August 31, 2022.⁵⁸¹ This working group presented its report at the meeting on August 5, and as a result, presented legislative initiatives to Parliament.⁵⁸² The term for the group to study the recommendations and suggestions made to Georgia in the report of The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published on June 16, 2022 (CPT/Inf (2022) 11) was determined until November 28, 2022.⁵⁸³ According to the information provided by Parliament, this working group was functioning during the Fall session.⁵⁸⁴ In the remaining three cases, the committee did not set a specific term of authority for the relevant group and generally indicated that it would submit opinions/recommendations to the committee after the completion of work.⁵⁸⁵ In no case did the committee create a statute for the respective group,⁵⁸⁶ however, the committee determined the composition and objectives each time.⁵⁸⁷

The term for a working group, created in the Defense and Security Committee, to assess the current situation in the field of fighting organized crime, correct shortcomings, and develop proposals for further strengthening the fight against organized crime was established until November 1, 2022.⁵⁸⁸ The document also prescribes the purpose of the group.⁵⁸⁹ At the meeting on October 31, 2022, the committee looked through the results of the work of the working group and decided to transfer the prepared proposals (76 proposals) to the relevant agencies.⁵⁹⁰

The term of authority of the working group on parliamentary control mechanisms created by the Procedural Issues and Rules Committee was set for 1 month.⁵⁹¹ The group ceased to function upon the expiration of this term, and as a result, legislative amendments were developed whose discussion continued in committee format.

⁵⁸¹ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁵⁸² Decision No. 7(7) of the Human Rights and Civil Integration Committee of the Parliament of Georgia on the submission of a legislative initiative, the website of the Parliament of Georgia, available: <https://bit.ly/43o1gSn>, accessed on: 10.04.2023.

⁵⁸³ *Ibid.*

⁵⁸⁴ Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁸⁵ Such groups are: the working group for studying the feasibility of considering the proposals of the report of the Public Defender of Georgia “On the state of protection of human rights and freedoms in Georgia in 2020”, the working group for studying the feasibility of considering the proposals of the report of the Public Defender of Georgia “On the state of protection of human rights and freedoms in Georgia in 2021”, working group on analyzing court practice and the control of the enforcement of legislative acts regulating the disposal of children’s property; Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁵⁸⁶ Letter N8820/2-7/22 of September 21, 2022 of the Parliament of Georgia.

⁵⁸⁷ Decision N5(5) of the Human Rights and Civil Integration Committee on the establishment of the committee working group, the Parliament of Georgia website, available at: <https://tinyurl.com/yynyh745z>, Session N72 the Human Rights and Civil Integration Committee, The Parliament of Georgia website, available at: <https://tinyurl.com/525835sk>. Decision N3(3) of the Human Rights and Civil Integration Committee on the creation of the working group, the website of the Parliament of Georgia, available at: <https://tinyurl.com/29xtx67d>. Decision N4(4) of the Human Rights and Civil Integration Committee on the creation of the working group, the website of the Parliament of Georgia, available at: <https://tinyurl.com/24969n64>. Decision N6(6) of the Human Rights and Civil Integration Committee on the establishment of the working group, website of the Parliament of Georgia, available at: <https://tinyurl.com/4xuc95py>, all links in this footnote accessed on: 09/29/22.

⁵⁸⁸ Decision N2-11371/22 of July 28, 2022 of the Defense and Security Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2fakzw3r>, accessed on: 05.10.22.

⁵⁸⁹ *Ibid.*

⁵⁹⁰ Minutes of the session No. 39 of October 31, 2022 of the Parliament of Georgia, the website of the Parliament of Georgia, available: <https://bit.ly/3KM3W52>, accessed on: 10.04.2023; Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁹¹ The decision of August 2, 2022, of the Procedural Issues and Rules Committee of the Parliament of Georgia on the establishment of the committee’s working group, the website of the Parliament of Georgia, available: <https://bit.ly/3ZbALgv>, accessed on: 01.03.2023.

The terms of the groups created in the Legal Issues Committee have been determined. On the issue of de-oligarchization, the working group had to finish its work by November 29, 2022,⁵⁹² on judicial reform - by December 31, 2022,⁵⁹³ on the revision of the election code - by December 13, 2022,⁵⁹⁴ the working groups on anti-corruption measures and further institutional strengthening of the Special Investigation Service and Personal Data Protection Service worked until December 1, 2022.⁵⁹⁵ Each group's founding document also states the group's purpose. The term of office of several working groups created in this committee was extended until the end of Parliamentary hearings of the relevant legislative amendments, although there is no decision of the committee on this. In addition, as of April 1, 2023, the draft laws on de-oligarchization and judicial reform are still in the process of consideration, and the issue of extending the terms of the respective 2 working groups is unknown.

In that session, in 10 cases out of 13 groups, the definition of terms of authority, members, and goals in the act of creation should be evaluated positively. **It is recommended that each time the terms of authority are defined for a group so that its product can be delivered to the committee in time to help it solve the pressing problem that led to the creation of the group.**

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The Human Rights and Civil Integration Committee set the term of authority of the working group for planning/defining measures to prevent femicide created at the meeting of September 19, 2022, for 3 months.⁵⁹⁶ And, the term was set until December 31, 2022, for a working group on determining the validity of the regulations related to checking the level of knowledge of the state language and the Georgian history, and the basic foundations of law when granting Georgian citizenship.⁵⁹⁷ The groups did not complete their work during the reporting period. The term of the working group on state youth policy development established by the decision of the Sports and Youth Issues Committee was set until October 1, 2024.⁵⁹⁸

7.7. Studying the work of administrative entities

On its initiative or based on a respective application, request, or petition, a committee shall, within its competence, examine the activities of administrative bodies and shall, where necessary, request relevant materials and submit its opinion to Parliament for discussion.⁵⁹⁹ Neither during the Fall Session of 2021 nor the Fall and Spring Sessions of 2022 did any committee use this mechanism.⁶⁰⁰

⁵⁹² Decision N2-12263/22 of August 18, 2022, of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9hn7sk>, accessed on: 28.09.22.

⁵⁹³ Decision N2-12264/22 of August 18, 2022, of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2bbc9kns>, accessed on: 28.09.22.

⁵⁹⁴ Decision N2-12265/22 of August 18, 2022, of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/ydnb28xv>, accessed on: 28.09.22.

⁵⁹⁵ Decision N2-12266/22 of August 18, 2022, of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/yc6a5mev>, accessed on: 28.09.22. Decision N2-12268/22 of August 18, 2022 of the Legal Issues Committee, website of the Parliament of Georgia, available at: <https://tinyurl.com/2p9yny9s>, accessed on: 28.09.22.

⁵⁹⁶ Letter No. 2373/2-7/23 of March 30, 2023, of the Parliament of Georgia.

⁵⁹⁷ Ibid.

⁵⁹⁸ Decision of the Sports and Youth Issues Committee of the Parliament of Georgia, 7 November, 2022, website of the Parliament of Georgia, available: <https://bit.ly/3KLwvPX>, accessed on: 10.04.2023; Letter No. 2373/2-7/23 of March 30, 2023 of the Parliament of Georgia.

⁵⁹⁹ Rules of Procedure of the Parliament of Georgia, art. 37, sec. 3.

⁶⁰⁰ Letters of the Parliament of Georgia No. 3678/2-7/22 of April 21, 2022, N8820/2-7/22 of September 21, and N885/2-7/23 of January 31, 2023.

VIII. RECOMMENDATIONS

After the theoretical and practical analysis of the control mechanisms in the current research, GYLA offers Parliament the following recommendations:

- Even though there is no standard in Georgia for the Government Programs, it is better for the document to be broader, since the Prime Minister and Ministers deliver their reports on the execution thereof and the Program represents the scope of evaluation of the reports;
- The Government Program submitted to Parliament must cover the main principles and directions of the policy in the field of Defense and Security. This will allow Parliament to control the members of the Government properly using appropriate mechanisms;
- It is recommended that during the Annual Report of the Prime Minister, both the Prime Minister and Members of Parliament devote their speeches to the issues prescribed by the Government Program and leave ongoing topics for discussions within the other control mechanism;
- After studying the practice, it is important that the procedures of the Annual Report of the Prime Minister give more time to answering time to the questions of the deputies;
- It is better than the Annual Report of the Prime Minister coincided with the anniversary of the motion of confidence of the Government;
- It is better to establish common practice and a concrete reporting period concerning the Ministerial hours;
- The Rules of Procedure mustn't allow for the proportional reduction of the time during the interpellation when there are more than 2 interpellations in one day so that this mechanism can perform its real function;
- It is recommended that in case of interpellations the written answer of the addressee is delivered to the Members of Parliament with reasonable time before the interpellation so that they can prepare themselves adequately;
- It should not be possible to pose several different questions within one interpellation; in addition, for obtaining concrete information, it is better to use the deputy questions mechanism and leave interpellation for more general questions;
- The Rules of Procedure should define the time for the submission of the written answer to Parliament, which should be at least 3 days before the Plenary sitting so that the deputies can prepare accordingly;
- It is better for the Constitution to share the European experience and establish the possibility of tying the interpellation with the motion of no confidence;
- It is important to eliminate the limits on summoning Officials to a committee hearing and allow a faction, as well as the majority of the present members of the Committee, to summon any official to committee hearings;
- It is essential that the rules on assigning the thematic rapporteurs be revised and allow for the rapporteurs to be assigned only to a respective field;
- To eliminate the different and chaotic practices, it is important to standardize the committee action plans and bring them to the requirements of the Rules of Procedure;

- To distribute the workload equally among the Members of the Committees, it is crucial to distribute topics equally among the members;
- It is important to assign a person as thematic rapporteur indicating their names and not define them as judicial entities or with general terms;
- Whenever a deputy leaves a committee, it is important to reflect these changes in the action plans of committees, which define the identity of a particular thematic rapporteur;
- It is recommended that the thematic rapporteurs carry out their duties responsibly and report to the committees;
- The Defense and Security Committee has to be divided in two;
- It is recommended that the Defense and Security Committee use all control mechanisms actively;
- Trust Group has to be abolished and its functions must be transferred to the Defense and Security Committee;
- It is recommended for the members of the thematic inquiry group to be the members of the creator;
- If there are intercepting topics in committees, the Bureau has to decide on the creation of the joint group;
- The creation of small thematic inquiry groups is recommended so that members thereof do not supersede 1/3 of the members of its creator;
- It is recommended that the Rules of Procedure provide for the opportunity to establish a specific term for a thematic inquiry group considering the graveness of the topic;
- It is important that the thematic inquiry groups created by a committee send their reports back to the respective committee.