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ASSOCIATION**

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

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INTRODUCTION

Since August 2019, the Georgian Young Lawyers' Association (GYLA) has been actively engaged in the implementation of the “Free, Fair, and Equal Election” project across Georgia, which encompasses the electoral political cycle spanning from 2022 to 2025. Among the project's primary objectives is the advancement of the electoral landscape by means of monitoring and evidence-based advocacy. In pursuit of this goal, our organization diligently monitors ongoing policy processes and formulates recommendations that are disseminated to the public and presented to key decision-makers. Presently, we are pleased to introduce Newsletter #52, offering insights into the significant events of January 2024 that have significantly shaped the political environment.

1. CREATION OF THE POSITION OF HONORARY CHAIRMAN IN “GEORGIAN DREAM”

On January 8, the updated charter of the “Georgian Dream” party was published, which was approved by the party congress on December 30.¹ Bidzina Ivanishvili, the founder of “Georgian Dream” party, announced her return to politics on December 30 at the congress of the ruling party.² He took the position of honorary chairman of the party.³ According to the revised charter, Ivanishvili has been granted several formal powers. Specifically, the document stipulates that the honorary chairman serves as the party's primary political adviser.⁴ According to the charter, one of the principal duties of the honorary chairman is to nominate the candidate for the position of the country's prime minister, subject to approval by the political council.⁵ The honorary chairman is also empowered to convene an extraordinary congress of the party.⁶ The party congress can choose a person who has “special merit” to the country and the party as the honorary chairman.⁷

2. RESIGNATION OF THE PRIME MINISTER

On January 29, at a special briefing held in the government administration, Prime Minister of Georgia Irakli Gharibashvili announced his resignation.⁸ Gharibashvili emphasized the importance of intra-party democracy and stressed the significance of providing others with the opportunity to hold the position of Prime Minister.⁹ According to Gharibashvili, he was offered the position of party chairman.¹⁰

On the same day, according to reports in the media, an exchange of positions was announced between the current chairman of “Georgian Dream,” Irakli Kobakhidze, and the Prime Minister, Irakli Gharibashvili.¹¹

According to Mamuka Mdinardze, one of the leaders of “Georgian Dream,” the political council of the party offered Gharibashvili to stay in his position until the active phase of the election marathon, but he himself made

¹ The updated charter of “Georgian Dream” formally grants power to the “honorary chairman”, information portal “Civil.ge”, January 10, 2024, available at: <https://civil.ge/ka/archives/576705>, updated: 20.02.2024.

² “Bidzina Ivanishvili returns to politics in order to “protect the government from human temptations”, information portal “Civil.ge”, December 30, 2023, available at: <https://civil.ge/ka/archives/576223>, updated: 05.02.2024.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ The updated charter of “Georgian Dream” formally grants power to the “honorary chairman”, information portal “Civil.ge”, January 10, 2024, available at: <https://civil.ge/ka/archives/576705>, updated: 20.02.2024.

⁸ “Prime Minister Irakli Gharibashvili resigned”, information portal “Civil.ge”, January 29, 2024, available at: <https://civil.ge/ka/archives/579683>, updated: 20.02.2024.

⁹ Ibid.

¹⁰ Ibid.

¹¹ “Imedi TV Company: Irakli Kobakhidze and Irakli Gharibashvili will exchange positions”, information portal “Civil.ge”, January 29, 2024, available at: <https://civil.ge/ka/archives/579555>, updated: 20.02.2024.

the decision to step down. This decision was made to give the new prime minister an opportunity to utilize the remaining period before the elections to form a new team and approaches.¹²

According to Paata Manjgaladze, one of the leaders of “Strategy Aghmashenebeli,” this change may be detrimental to the country because Irakli Kobakhidze lacks experience or connection with matters concerning the economy, jobs, and employment.¹³

According to Mamuka Khazaradze, the leader of the “Lelo” party, despite the implemented changes, Bidzina Ivanishvili will not be able to save the “sunken ship of the Russian government of dreams”.¹⁴ Gharibashvili himself should be on the defendant’s bench due to corrupt deals, not serving as the chairman of the party.¹⁵

3. CIVIL ORGANIZATIONS RESPONDED TO THE APPROVAL OF THE GOVERNMENT’S PLAN TO IMPLEMENT THE EUROPEAN COMMISSION’S RECOMMENDATIONS

On January 9, ten non-governmental organizations,¹⁶ including GYLA, responded with a joint statement to the action plan developed by the government to implement the EU recommendations.¹⁷ We are talking about the document published by the Government of Georgia on December 25, 2023,¹⁸ which includes the steps determined by the European Commission, the activities to be implemented, the deadlines for implementation and the list of responsible agencies.¹⁹ Non-governmental organizations consider the approval of the document as an “important step” towards implementing the European Commission’s recommendations. However, they express concern that the process was conducted without their involvement, despite the European Commission prioritizing the involvement of civil society in decision-making processes.²⁰

According to the Ambassador of the European Union Pawel Herczynski, free and fair elections are an integral part of the nine steps defined by the European Commission, therefore, the European Union will closely monitor both the election day and the entire election campaign.²¹ He also noted the Georgian government’s request to send a long-term observation mission to OSCE/ODIHR, which, according to the ambassador, is supported by EU member states.²² According to him, member states of the European Union are presently deliberating on the extent and manner of the European Union’s involvement in election observation. The ambassador expresses hope that all political parties will be afforded adequate opportunities to present their programs and conduct pre-election campaigns in a peaceful environment.²³

According to Herczynski, since “only a few weeks” have passed since the nine-step agreement, “it is too early to

¹² “Gharibashvili’s resignation was followed by responses from politicians”, information portal “Civil.ge”, January 30, 2024, available at: <https://civil.ge/ka/archives/579806>, updated: 20.02.2024.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ “Civil Society Foundation”, “Center for Social Justice”, “Sapari”, “Guardian of the Court of Georgia”, “Georgian Young Lawyers’ Association (GYLA)”, “International Society for Fair Elections and Democracy (ISFED)”, “Georgian Democratic Initiative (GDI)”, “Governance Monitoring Center (GMC)”, “Democracy Research Institute (DRI)”, “Freedom of Information Development Institute (IDFI)”.

¹⁷ “Civil organizations react to the approval of the government’s plan to implement the recommendations of the European Commission”, website of the Georgian Young Lawyers’ Association, January 9, 2024, available at: <https://www.gyla.ge/ge/post/samoqalaqo-organizaciebi-ekhmaurebian-evrokomiis-rekomendaciebis-shesasruleblad-samtavrobo-gegmis-damtkicebas#sthash.i5VIBrEb.dpbs>, updated: 20.02.2024.

¹⁸ “A plan of measures to implement the steps defined for Georgia in the European Commission’s communication on the 2023 enlargement policy.”

¹⁹ “Action Plan for the Implementation of the Steps Defined for Georgia in the Communication on the European Commission’s 2023 Enlargement Policy”, Official Website of the Government of Georgia, December 25, 2023, available at: https://www.gov.ge/index.php?lang_id=GEO&sec_id=288&info_id=86884, updated: 20.02.2024.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ Ibid.

talk about progress.”²⁴ However, he expressed hope that progress will be made quickly. According to Herczynski, attaining candidate status is not the culmination but merely the inception of the arduous task that Georgia faces in its journey toward European Union membership. He emphasized that reforms were not undertaken to appease Brussels or any external entity, but rather to bolster Georgia’s strength, stability, and democracy.²⁵ Pawel Herczynski expressed hope that the country will move to the stage of accession negotiations, which will be based on the progress made in the nine steps.²⁶

4. A WORKING MEETING WAS HELD IN THE PARLIAMENT REGARDING THE RECOMMENDATIONS OF THE EUROPEAN UNION

On January 29, a working meeting was convened in the parliament between representatives of the ruling party, the opposition, and the national platform of the Eastern Partnership Civil Society Forum to discuss the implementation of the nine recommendations of the European Union.²⁷

According to Shalva Papuashvili, the Speaker of the Parliament of Georgia, the meeting’s agenda included discussions on all issues arising from the nine steps that fall within the Parliament’s jurisdiction.²⁸

The opposition party “Lelo” announced a boycott of the meeting.²⁹ Party representative Ana Natsvlishvili stated that the party would present its action plan the following day.³⁰ According to the statement, which was made prior to the meeting by “United National Movement” member Davit Kirkitadze, his party also intends to present its own action plan. The party has already held discussions with non-governmental organizations regarding this plan.³¹ According to the deputy, participation in the meeting is crucial to ensure that the process does not appear delayed due to the absence of the opposition.³²

According to Mikheil Daushvili, representative of the “For Georgia” party, based on the information received at the meeting, “Georgian Dream” does not appear to be committed to implementing substantial and structural reforms on crucial matters such as electoral issues, justice, and anti-corruption reform.³³

“Euro-Optimists” member Roman Gotsiridze assessed the ongoing process, stating that there are certain issues or recommendations that the ruling party will never implement, particularly those related to reducing power-related levers. Gotsiridze indicated that some issues may be partially fulfilled, while others will be met, as he believes the EU has set low standards in some cases. Overall, Gotsiridze expressed concerns that crucial and significant issues, such as recommendations concerning elections and justice, may not be implemented.

Several influential non-governmental organizations, including “Transparency International - Georgia,” Georgian Young Lawyers’ Association, the International Society for Fair Elections and Democracy, were not invited to participate in the meeting.³⁴ According to the Chairman of the Parliament, Shalva Papuashvili, cooperation with non-governmental organizations is occurring within the framework of the civil organizations platform of the Eastern Partnership, from which these organizations have withdrawn.³⁵ The chairman of the parliament also stated that the aforementioned organizations sent him a letter requesting individual participation in the meeting, to which he declined. They insisted on participating only through the platform.³⁶

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ “A working meeting regarding EU recommendations was held in the Parliament”, information portal “Civil.ge”, January 29, 2024, available at: <https://civil.ge/ka/archives/579659>, updated: 20.02.2024.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

Non-governmental organizations working to strengthen democracy and the rule of law in Georgia³⁷ issued a statement on January 30 regarding the issue.³⁸ According to the statement, although the signatory organizations are not members of the platform, they have been working for years on the issues outlined by the EU 9 conditions. Therefore, their involvement is crucial for the integrity of the process.³⁹

According to GYLA, the statement made by the Speaker of the Parliament of Georgia contradicts the recommendation of the European Commission, which emphasizes the involvement of civil society organizations. Membership in any platform cannot be a mandatory condition for an organization to engage in this or that particular work process. There are many coalitions, platforms, unions in Georgia, and the organization itself decides which union it wants to be a member of. Among them there are a number of qualified, experienced organizations that are not members of this platform. According to the organization’s assessment, the Parliament has a responsibility to ensure a genuinely inclusive work process and to broaden the scope of cooperation with the civil sector, allowing all interested organizations the opportunity to participate in Georgia’s European integration process. GYLA has used every opportunity to participate in working formats and the organization will try to find another way to voice its recommendations and deliver them to the public in the future.

5. THE PARTY “FOR GEORGIA” PLANS TO RUN INDEPENDENTLY IN THE 2024 PARLIAMENTARY ELECTIONS

Giorgi Gakharia, the leader of the “For Georgia” party, clarified that the party has no intention of forming alliances with any other political entities prior to the elections.⁴⁰ Gakharia stated that such rumors aim to „associate“ the party with particular factions, but in reality, there will be no alliances formed.⁴¹

³⁷ The statement is signed by: Georgian Young Lawyers’ Association (GYLA), Sapari, Center for Social Justice, Democracy Research Institute (DRI), European-Georgian Institute (EGI), Freedom of Information Development Institute (IDFI), Open Space Caucasus, Rights Georgia, Fair Elections and International Society for Democracy, Human Rights Center.

³⁸ NGOs Advocate for Broadening Cooperation Format to Address EU’s Nine Conditions,” reported by news portal “Civil.ge” on January 30, 2024, available at: <https://civil.ge/ka/archives/579872>, updated: 20.02.2024.

³⁹ Ibid.

⁴⁰ “Gakharia: we will go to these elections alone and we will win alone”, information portal “Radio Freedom”, January 22, 2024, available at: <https://www.radiotavisupleba.ge/a/32787204.html>, updated: 20.02.2024.

⁴¹ Ibid.

7. THE RULING PARTY CONTINUES TO ATTACK NON-GOVERNMENTAL ORGANIZATIONS

8. LEGAL ENTITIES WERE PROHIBITED FROM GIVING DONATIONS TO PARTIES

9. STATEMENT OF THE CEC REGARDING THE CREATION OF ELECTION PRECINCTS ABROAD