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YOUNG
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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 implementation of the “Free, Fair and Equal Election” project across Georgia, which encompasses the electoral political cycle spanning from 2020 to 2025. Among the project’s primary objectives is the advancement of the electoral landscape by means of monitoring and evidence-based advocacy. In pursuit of this goal, our organization diligently monitors ongoing policy processes and formulates recommendations that are disseminated to the public and presented to key decision-makers. Presently, we are pleased to introduce Newsletter #53, offering insights into the significant events of February 2024 that have notably shaped the political environment.

1. NEW PRIME MINISTER AND THE GOVERNMENT

1.1. Nomination of the Candidate

At the Party’s Congress of 1 February, the “Georgian Dream” party officially nominated Irakli Kobakhidze as the country’s new Prime Minister.¹ At the same Congress, Irakli Garibashvili, who had announced his resignation from the post of Prime Minister on 29 January, was endorsed by the Political Council as the Chairman of the “Georgian Dream”.²

1.2. Hearings of the Candidates for Ministers in the Parliamentary Committees

On 7 February, the Committees of Foreign Relations, European Integration, Diaspora and Caucasus Issues at the joint sitting discussed the declaration of confidence in the composition of the Government and the Governmental Program “For Building the European State”.³ The Committees heard the candidate for Minister of Foreign Affairs, Ilia Darchiashvili.⁴

During the hearing, Giorgi Vashadze, along with several other opposition MPs, posed a question to the Minister of Foreign Affairs concerning the voting rights of Georgian citizens residing abroad.⁵ According to Vashadze, since 2012 approximately 800,000 Georgian citizens have left the country, therefore, to ensure the realization of their voting rights, it is crucial to maximize the quantity of polling stations.⁶ The responsibility for opening polling stations abroad lies with the Ministry of Foreign Affairs and Election Administration of Georgia (CEC).⁷ The MP was interested in the possibility of opening polling stations in those cities where significant number of Georgian citizens reside, despite the absence of the Georgian consulate.⁸ In his response, Ilia Darchiashvili assessed the questions and opinions of opposition MPs as political speculation and outlined that polling stations abroad would open “in accordance with established procedures” as it “has happened before”.⁹

¹ “Irakli Kobakhidze Officially Nominated as New Prime Minister”, Information Portal “Civil.ge”, 01.02.2024, available at: <https://civil.ge/archives/580111>, updated: 13.03.2024.

² Ibid.

³ “Joint Committees’ Hearing of Candidate for Minister of Foreign Affairs”, Information Portal “Civil.ge”, 07.02.2024, available at: <https://civil.ge/archives/581033>, updated: 13.03.2024.

⁴ Ibid.

⁵ “The Joint Hearing of the Committees”, YouTube Page of the Parliament of Georgia, 07.02.2024, available at: <https://www.youtube.com/watch?v=R41yhUIk2fk&t=4937s>, updated: 13.03.2024.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ “The Joint Hearing of the Committees”, YouTube Page of the Parliament of Georgia, 07.02.2024, available at: <https://www.youtube.com/watch?v=ixveVCBSUvc>, updated: 13.03.2024.

1.3. Confirmation of the Prime Minister and the newly formed Government

On 8 February, the Parliament of Georgia endorsed the newly formed Government¹⁰, and confirmed Irakli Kobakhidze as the new Prime Minister.¹¹ 11 Ministers out of 12 have retained their posts.¹² The Minister of Defence, Juansher Burchuladze resigned.¹³ Subsequently, the position was assumed by “Georgian Dream” MP Irakli Chikovani.¹⁴ Among 105 deputies in attendance of the session, 84 voted for the new government composition, while 10 voted against.¹⁵ All attending MPs of the ruling party supported the new government composition.¹⁶

1.4. Appointment of Vice Prime Ministers by the Prime Minister

On 12 February, the first cabinet meeting of the Government took place. At the meeting, Prime Minister Irakli Kobakhidze appointed Minister of Economy Levan Davitashvili as the First Vice Prime Minister.¹⁷ The newly appointed Minister of Defence, Irakli Chikovani, was also chosen as the Vice Prime Minister.¹⁸ Minister of Culture Thea Tsulukiani retained her position as Vice Prime Minister.¹⁹ Kobakhidze appointed Mikheil Peikrishvili as the Head of the Government’s Department of Strategic Communications, succeeding Nino Giorgobiani in this post.²⁰

2. THE ROLE OF THE PRESIDENT OF GEORGIA IN EUROPEAN INTEGRATION

2.1. Annual Report of the President

On 6 February, Salome Zourabichvili delivered her final annual report as the President to the Parliament of Georgia.²¹ During her address, Zourabichvili overviewed a myriad of pressing issues, including the challenges of Georgian democracy, Russia’s hybrid war, the occupation of Georgian territories, the European Union integration process, and underscored the pivotal role of mobilizing Georgian society in this endeavor.²²

Zourabichvili underscored the importance of ending tensions between the representatives of the opposition.²³ According to her, this kind of discord fosters societal nihilism.²⁴

¹⁰ Minister of Economy and Sustainable Development of Georgia and First Vice Prime Minister – Levan Davitashvili; Minister of Foreign Affairs – Ilia Darchiashvili; Minister of Defence – Irakli Chikovani; Minister of Internal Affairs – Vakhtang Gomelauri; Minister of Finance – Lasha Khutsishvili; Minister of Regional Development and Infrastructure – Irakli Karseladze; Minister of Environmental Protection and Agriculture – Otar Shamugia; State Minister of Georgia for Reconciliation and Civic Equality – Tea Akhvlediani; Minister of Internally Displaced Persons from Occupied Territories, Labor, Health and Social Affairs – Zurab Azarashvili; Minister of Education, Science, and Youth – Giorgi Amilakhvari; Minister of Justice – Rati Bregadze; Minister of Culture, Sport and Youth – Thea Tsulukiani.

¹¹ “Parliament Confirms PM Kobakhidze and his Cabinet of Ministers”, Information Portal “Civil.ge“, 08.02.2024, available at: <https://civil.ge/archives/581317>, updated: 13.03.2024.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Among them were: Armaz Akhvlediani (without faction), Levan Bezhashvili (National Movement), Tinatin Bokuchava (National Movement), Giorgi Vashadze (Strategy Aghmashenebeli), Davit Kirkitadze (National Movement), Ana Tsitlidze (National Movement), Devi Tchankotadze (National Movement), Levan Khabeishvili (National Movement), Davit Khajishvili (National Movement) and Teimuraz Janashia (National Movement). See “the voting results”, the Official Webpage of the Parliament of Georgia, 08.02.2024, available at: <https://parliament.ge/legislation/voting-results/sessions/27204>, updated: 13.03.2024.

¹⁶ Ibid.

¹⁷ “Kobakhidze Appoints Vice PMs, Vows Inclusive Governance, Anti-Corruption Efforts in First Cabinet Meeting”, Information Portal “Civil.ge“, 12.02.2024, available at: <https://civil.ge/archives/581921>, updated: 13.03.2024.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ “The Last Annual Report of Salome Zourabichvili as President”, YouTube Page of “Radio Tavisupleba”, 06.02.2024, available at: <https://www.youtube.com/watch?v=UWTnHm5U678&t=1454s>, updated: 13.03.2024.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

The President called on the citizens to actively participate in 2024 October Parliamentary Elections.²⁵ Zourabichvili asserted that while “the future of the country is being decided today”, abstaining from participation in shaping this future constitutes a “crime”.²⁶ As stated by Salome Zourabichvili, the Georgian citizens residing in the diaspora bear an equal responsibility in shaping the country’s future and they need to be aware of their rights in order to promptly undergo the consular registration and advocate for the swift establishment of new polling stations.²⁷ The President urged Georgian citizens residing abroad to request an extension of election days similar to other European countries.²⁸ Zourabichvili promised immigrants to personally act as the defender of their electoral rights.²⁹

According to the President, October 2024 Parliamentary Elections “will not be ordinary elections”, where voters choose one party instead of another and make a choice between this or that election program or leader, but rather these elections would profoundly shape the future of Georgia.³⁰ The President called on citizens to support “new governance model, new economy and new European state”.³¹

During the annual report, the President proposed the establishment of a collaborative platform.³² She invited the representatives from political spectrum and the civil society to join this initiative.³³

Following the President’s address, one of the leaders of Party Lelo, Davit Usupashvili, referred to Salome Zourabichvili urging her to ensure free and fair elections.³⁴ Usupashvili stressed the vital importance of citizens’ trust in the confidentiality of their votes during elections, highlighting the significant role the president must assume in overcoming societal nihilism.³⁵

According to the assessments of Irakli Kobakhidze, the President’s address practically confirmed the plans that had been discussed by the representatives of the ruling party.³⁶ As stated by Kobakhidze, the President intends to create a “pseudo middle” political force. For this purpose, she will resign from her post and become a candidate in the elections.³⁷ Kobakhidze reckons that the sole individual who has to answer the questions is Salome Zourabichvili herself, who is characterized by “violating the Constitution”, acting against the “state” and “European Integration” of the country.³⁸

Georgian Dream MP Mamuka Mdinardze assessed the President’s address as a typical speech of “a radical opposition member”, noting that in her extensive speech the President did not say a word regarding the country’s success.³⁹

The representative of the “United National Movement” party, Tina Bokuchava described the President’s messages, compared to her previous ones, as courageous, clear and sincere.⁴⁰ According to the MP, the country needs to transition from a system dominated by one person or one party to a European-style coalition governance model, which essentially requires a change in the government.⁴¹

As outlined by the representative of “Lelo for Georgia” party, Salome Samadashvili, the President’s vision is fully in line with Lelo’s vision.⁴² In her opinion, MP outlined that the Georgian citizens should duly note the President’s

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ “Plenary Session of the Parliament”, YouTube Page of the Parliament of Georgia, 06.02.2024, available at: <https://www.youtube.com/watch?v=-aiB9c7IFRk&t=3030s>, updated: 13.03.2024.

³⁵ Ibid.

³⁶ “Reactions to President Zurabichvili’s Annual Address to Parliament”, Information Portal “Civil.ge”, 07.02.2024, available at: <https://civil.ge/archives/580873>, updated: 13.03.2024.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

messages regarding the oligarchic regime of Bidzina Ivanishvili, corruption, the ties with Russia and the obstacles for EU integration process.⁴³

2.2. President's Meetings within Unity Platform

On 7 February, President of Georgia Salome Zourabichvili held her first meetings with representatives of the opposition parties within the framework of the “Unity Platform for Europe”, which she had initiated on 6 February during her annual parliamentary address.⁴⁴ At the Orbeliani Palace, the President met with the leaders of party “Lelo”, Mamuka Khazaradze and Badri Japaridze. The meetings also took place with a member of fraction “Reform Group”, Teona Akubardia, the leaders of the alliance of “Girchi – More Freedom” and “Droa”, Zurab Japaridze and Giga Lemonjava.⁴⁵

On 8 February, the President of Georgia welcomed the leader of “Euro-optimists”, Roman Gotsiridze and the leader of “Conservative Party”, Zviad Dzidziguri.⁴⁶ On 9 February, President Zourabichvili met with former leader of the main opposition party “United National Movement”, Nika Melia, and the members of the “Citizens,” Aleko Elisashvili and Ketevan Turazashvili.⁴⁷ The President also held the meetings with the representatives of the civil society.⁴⁸

Following the meeting, Nika Melia expressed his hope that the opposition spectrum would be able to reach a common ground. Melia outlined that the President's visions, in particular regarding the judiciary and the fight against corruption, coincide with his own. Melia also stated that he will participate “in all processes that serve and aim at the ‘formation of a state.’”⁴⁹

The party of former Prime Minister Giorgi Gakharia, “for Georgia” does not intend to join the President's platform. The representative of the party, Mikheil Daushvili stated that the President's platform is joined by the people, “for whom the country's European Integration is based on the release, pardoning of Mikheil Saakashvili or something like this.” As mentioned by him, this is unacceptable for his party.⁵⁰

3. PARLIAMENT APPROVED AMENDMENTS REGARDING THE STAFFING PROCEDURE OF THE CEC IN THE THIRD READING

On 20 February, the Georgian Parliament approved amendments to the Election Code (with 81 votes) in the third reading, altering the process for selecting the Chairperson and designated professional members of the Election Administration of Georgia (CEC).⁵¹ The amendments also abolished the position of the Deputy Chairperson of the CEC, which was intended for the representative of the opposition.⁵²

Consequent to the amendments, the Chairperson and members of the CEC are nominated by the Speaker of the Parliament.⁵³ If a candidate fails to obtain votes of 90 MPs initially, they will have two subsequent opportunities to garner support of 76 MPs and serve a term of 5 years.⁵⁴ Should the candidate still fall short of 76 votes, the matter

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ “President's ‘Unity Platform for Europe’ Kicks off with First Talks with Opposition”, Information Portal “Civil.ge”, 07.02.2024, available at: <https://civil.ge/archives/581049>, updated: 13.03.2024.

⁴⁶ “Meetings Continue in the Framework of President's ‘Unity Platform for Europe’”, Information Portal “Civil.ge”, 09.02.2024, available at: <https://civil.ge/ka/archives/581749>, updated: 13.03.2024.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ “Parliament Passes Amendments to CEC Staffing Rules”, Information Portal “Civil.ge”, 20.02.2024, available at: <https://civil.ge/archives/583340>, updated: 13.03.2024.

⁵² Ibid.

⁵³ Rules of Procedure of the Parliament of Georgia, Article 221¹.

⁵⁴ Election Code of Georgia, Article 10(7).

will be handed to the President for reaching a decision,⁵⁵ nevertheless, the likelihood of this scenario is minimal given the dominance of a single-party majority.

4. VISIT OF INTERNATIONAL ASSESSMENT MISSION OF THE NATIONAL DEMOCRATIC INSTITUTE (NDI)

From 19-25 February, the pre-election assessment mission of NDI visited Georgia.⁵⁶ The delegation⁵⁷ represented the first of two planned pre-election assessment missions for 26 October 2024 Elections. The second delegation will be dispatched shortly before the day of the elections.⁵⁸ Over the course of five days, the delegation held meetings with government officials, political parties, members of the civil society, media representatives, and diplomatic corps.⁵⁹

NDI Mission published the recommendations concluded for 26 October Parliamentary Elections.⁶⁰

The report in terms of election process raises the pressing challenges, which need to be addressed, such as polarization, verbal attacks on civil society (including observers), fears about the possible misuse of administrative resources for political advantage, and concerns around the implementation of new electoral technologies.⁶¹ According to the report, with eight months until parliamentary elections and six months until campaigns begin, there are some positive signs, including broad public support for democracy, human rights and rule of law. The public impression of the police is also assessed positively.⁶² Additionally, positive feedback was given to the efforts to improve transparency by resuming the publication of government decrees; and innovations to improve the efficiency of election day processes.⁶³

According to the assessments of NDI mission, the recent amendments to the Election Code are inconsistent to the recommendations of Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and Venice Commission. As opinionated by the members of the delegation, 20 February 2024 amendments regarding the composition of CEC are likely to further erode trust in the CEC.⁶⁴ This will also pose an obstacle to achieving political consensus in the decision-making process.⁶⁵

As per the assessment of former Head of European Union Delegation to Georgia, Per Eklund, 2024 Parliamentary elections will be the country's first elections since gaining European candidate status, therefore, this gives the Georgian Government, and all political stakeholders the opportunity to demonstrate their commitment to the principles of inclusive, transparent and accountable elections as well as their adherence to democratic values.⁶⁶

The Delegation member and NDI Regional Director for Eurasia, Eva Busza, noted that there remains significant

⁵⁵ Election Code of Georgia, Article 10(6).

⁵⁶ "NDI Assessment Mission Publishes Recommendations for 26 October Parliamentary Elections", Information Portal "Interpressnews", 25.02.2024, available at: <https://www.interpressnews.ge/ka/article/789151-ndi-is-sadamkvirveblo-delegacia-26-oktombris-saparlamento-archevnebstvis-shemushavebul-rekomendaciebs-akveqnebs/>, updated: 13.03.2024.

⁵⁷ The Delegation included: Ann Linde, former Minister for Foreign Affairs of Sweden; Per Eklund, former Head of the European Union Delegation to Georgia; Michael Posner, former Assistant Secretary for the Bureau of Democracy, Human Rights, and Labor at the U.S. Department of State; Daniel Gottfried, Legislative and Policy Analyst for Chairman Cardin at the Senate Foreign Relations Committee; Eva Busza, NDI Regional Director for Eurasia; and Richard L. Klein, NDI Global Director of Elections.

⁵⁸ "NDI Assessment Mission Publishes Recommendations for 26 October Parliamentary Elections", Information Portal "Interpressnews", 25.02.2024, available at: <https://www.interpressnews.ge/ka/article/789151-ndi-is-sadamkvirveblo-delegacia-26-oktombris-saparlamento-archevnebstvis-shemushavebul-rekomendaciebs-akveqnebs/>, updated: 13.03.2024.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ "The Recent Amendments to the Election Code are Inconsistent with OSCE Recommendations – NDI Mission", Information Portal "Radio Tavisupleba", 25.02.2024, available at: <https://tinyurl.com/365kmbft>, updated: 13.03.2024.

⁶⁵ Ibid.

⁶⁶ "NDI Assessment Mission Publishes Recommendations for 26 October Parliamentary Elections", Information Portal "Interpressnews", 25.02.2024, available at: <https://www.interpressnews.ge/ka/article/789151-ndi-is-sadamkvirveblo-delegacia-26-oktombris-saparlamento-archevnebstvis-shemushavebul-rekomendaciebs-akveqnebs/>, updated: 13.03.2024.

time ahead of the October 2024 Parliamentary elections to build an enabling environment around elections that can ensure a step forward on the Georgian democratic journey.⁶⁷

NDI and other international observers will monitor the entire pre-election period.⁶⁸ Following the election, NDI will issue a comprehensive report covering the pre-election period, election day, and post-election procedures, including the resolution of election disputes.⁶⁹

5. EU AMBASSADOR URGES AUTHORITIES TO ENHANCE ENGAGEMENT OF NON-GOVERNMENTAL ORGANIZATIONS IN LEGISLATIVE PROCESSES

On 15 February, during his visit to Marneuli to meet with the local government representatives, the youth and the civic activists, EU Ambassador to Georgia Paweł Herczyński told journalists that the participation of civil society organizations in legislative and decision-making processes is “extremely important” and that it is the government’s responsibility to ensure their fullest possible engagement.⁷⁰ He also talked about the visit of the Prime Minister Irakli Kobakhidze to Brussels the following week, and expressed his hope that Georgia and the EU will agree on exactly what needs to be done so that “we move very swiftly to the next stage, to the opening of accession negotiations.”⁷¹ According to H.E. Herczyński, to commence accession negotiations, it is imperative to attain national consensus on the matter, with the government demonstrating inclusivity and the opposition adopting a constructive stance.⁷² In this context, the EU ambassador emphasized that it falls upon the Georgian authorities to ensure the extensive participation of civil society organizations, irrespective of their membership status within the platform.⁷³

6. LEGISLATIVE INITIATIVE OF PARTY “GIRCHI”

As per the initiative of the parliamentary political group “Girchi”, the legislation should be amended to allow individuals living abroad to register as voters without being required to provide a specific address.⁷⁴ Under the proposed initiative, citizens of Georgia residing abroad would only be required to provide their city of residence during the registration process.⁷⁵ The representatives of the Party clarified that accepting the initiative would enable young men residing abroad, who represent a substantial portion of the electorate, to register as voters without specifying their address, which in turn would boost voter turnout in the elections.⁷⁶ According to the Party’s rationale, young people refrain from pre-registration at the embassy in order not to disclose their residential address and not to be forced to return to Georgia for compulsory military service.⁷⁷

As per the current legislation, the voter’s address is listed alongside other details in the unified list of voters.⁷⁸

⁶⁷ Ibid.

⁶⁸ “NDI Director of Elections - we will dispatch another pre-election delegation shortly before the election day”, Information Portal “Interpressnews”, 25.02.2024, available at: <https://www.interpressnews.ge/ka/article/789154-ndi-is-archevnebis-programebis-direktori-gamovagzavnit-kidev-ert-cinasaachevno-delegacias-archevnebis-dgemde-cota-xnit-adre/>, updated: 13.03.2024.

⁶⁹ Ibid.

⁷⁰ “EU Ambassador Urges Government to Maximize CSO Involvement in Legislative Process”, Information Portal “Civil.ge”, 15.02.2024, available at: <https://civil.ge/archives/582614>, updated: 13.03.2024.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ “Political Group “Girchi” Proposes an Initiative to Register Citizens Living Abroad as Voters without Providing Specific Address”, Official Webpage of the Public Broadcaster, 16.02.2024, available at: <https://1tv.ge/news/politikuri-jgufi-girchi-gamodis-iniciativit-rom-sazghvargaret-mckhovrebi-pirebi-amomrchevlad-misamartis-mititebis-gareshe-daregistrirdnen/>, updated: 13.03.2024.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Election Code of Georgia, Article 31(2)(c).

7. THE VISION OF CIVIL SOCIETY ORGANIZATIONS ON THE FULFILLMENT OF 9 STEPS

On 27 February, a coalition of 12 civil society organizations developed a comprehensive vision for the efficient implementation of the 9 Steps set by the European Commission.⁷⁹ The vision elaborated by CSOs is underpinned by assessments and recommendations of the European Commission and other international organizations, as well as studies and reports prepared by CSOs.⁸⁰

According to the document of the CSOs, addressing a range of issues is vital to guarantee a free, fair, and competitive election process for the 2024 elections, including, drawing a clear line between the ruling party and the state during the pre-election period, avoiding the use of administrative resources and state agencies in favor of the ruling party, eliminating the practice of intimidating/threats, pressuring, and vote-buying, guaranteeing the unrestricted expression of voters' free will and eliminating control mechanisms, also, considering the joint recommendations of the OSCE/ODIHR and the Venice Commission of 18 December 2023, regarding the election of the CEC chairperson and designated professional members.

⁷⁹ “How to Implement the 9 Steps to Start EU Accession Negotiations”, Official Webpage of the Georgian Young Lawyers' Association, 27.02.2024, available at: <https://gyla.ge/ge/post/rogor-unda-she-sruldes-9-nabiji-evrokavshirshi-gatsevrebis-molaparakebis-dasatsyebad?fbclid=IwAR0YrFR51FFuEhJdWzG0uj8DbwAXPJh2VERrSdORJZqvQWgWnlk2iCgSvCQ#sthash.HvgUKYUr.8Y33jWO9.dpbs>, updated: 13.03.2024.

⁸⁰ Ibid.