



USAID
FROM THE AMERICAN PEOPLE



**GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION**

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

NEWSLETTER №57
June, 2024

Tbilisi, 2024

Supervisor:

Nanuka Kruashvili

Author:

Mate Bubashvili

This newsletter was made possible by the generous support of the American People through the United States Agency for International Development (USAID). The contents of this newsletter are the sole responsibility of “Georgian Young Lawyers’ Association” (GYLA) and do not necessarily reflect the views of USAID or the United States Government.



USAID
FROM THE AMERICAN PEOPLE

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. Currently, we are pleased to introduce Newsletter #57, presenting insights into the significant events of June 2024 that have significantly shaped the political environment.

1. EVENTS RELATED TO “RUSSIAN LAW”

On June 3, 2024, the Chairman of the Parliament, Shalva Papuashvili, signed the so-called “Russian Law”. The law came into force on June 4.¹ According to Article 10 of the law, the Minister of Justice must adopt the by-laws necessary for its implementation within 60 days after the law comes into effect.² The act adopted by the Minister should regulate the issues related to registration and data submission by organizations as agents of foreign influence. Non-governmental organizations have stated that they do not intend to register.³

In parallel with these processes, following the adoption of the “Russian Law”, “angry citizens against the law” confronted the deputies of the Georgian Dream in various ways.⁴ In particular, the words “traitor” and “slaves” were written on the doors and walls of the house of deputies of the “Georgian Dream”. Additionally, citizens called MP Viktor Japaridze a “slave” on the street and Eliso Bolkvadze a “slave” at the airport, leading to verbal altercations.⁵ In response to this, on May 30, unknown persons wrote threatening inscriptions on the walls of opposition parties and non-governmental organizations, the author of which, according to his Facebook post, is Georgian Dream MP Dimitri Samkharadze.⁶ In the same post, he published a list of non-governmental organizations and opposition parties, which are the alleged targets of the government.⁷ Among them is GYLA. In addition, cases of intimidation continue, mostly in the form of threatening phone calls and damage to private property.⁸ High-ranking officials of the Ministry of Internal Affairs, parliamentarians, and official media representatives are discussing the anticipated repressions.⁹ The facts of physical violence against civil activists have also been recorded. Amnesty International calls on the authorities to immediately stop the persecution of dissidents and to investigate the incidents immediately.¹⁰

In response to the current events, the permanent representatives of 36 countries at UN agencies in Geneva published a joint statement calling on the authorities to cancel the “Russian Law” and stop the campaign of intimidation against the opposition. They also demanded a full and impartial investigation into the cases of legal violations.¹¹

¹ “Papuashvili signed the Russian law - the law will enter into force on June 4”, information portal “Tabula”, June 3, 2024, available at: <https://tabula.ge/ge/news/718897-papuashvilma-rusul-kanons-kheli-moacera-kanoni>, updated: 01.07.2024.

² Law of Georgia “On Transparency of Foreign Influence”, 4194-XIVms-Xmp, 28.05.2024, Article 10 (1), Legislative Herald of Georgia.

³ “We declare disobedience — No to Russian law! Yes, to Europe!” — Statement of non-governmental organizations”, information portal “On.ge”, May 28, 2024, available at: <https://shorturl.at/bv1g6>, updated: 01.07.2024.

⁴ “After the adoption of the law on “foreign agents”, citizens confront the deputies of “Georgian Dream”, “Civil.ge” information portal, June 1, 2024, available at: <https://civil.ge/ka/archives/610925>, updated: 01.07.2024.

⁵ Ibid.

⁶ “MP Dito Samkharadze admits that he is the organizer of the insulting inscriptions”, information portal “On.ge”, May 31, 2024, available at: <https://shorturl.at/TITuA>, updated: 01.07.2024.

⁷ “Otsneba” talks about repression, the campaign of intimidation of opponents continues”, information portal “Civil.ge”, June 1, 2024, available at: <https://civil.ge/ka/archives/611011>, updated: 01.07.2024.

⁸ Ibid.

⁹ Ibid.

¹⁰ „Georgia: Authorities must immediately investigate attacks on government critics”, Amnesty International, June 11, 2024, available at: <https://shorturl.at/Y3Cpa>, updated: 01.07.2024.

¹¹ “36 countries call on the government to stop attacks on opponents”, information portal “civil.ge”, June 19, 2024, available at: <https://civil.ge/ka/archives/614880>, updated: 01.07.2024.

2. ELECTORAL RISKS ASSESSED BY EXPERT DOCUMENT

On May 31, 2024, the German Marshall Fund published a document by Laura Thornton titled “2024 Parliamentary Elections of Georgia: Pre-Election Risk Assessment”.¹² The document assesses the pre-election environment, detailing key events that could impact the elections or the pre-election atmosphere. According to the assessment, developments surrounding the law “On Transparency of Foreign Powers” pose a risk of an “unstable and escalating crisis that confronts the government against its people” during the pre-election process.¹³ The document includes other risks as well:¹⁴

- Civil unrest is anticipated due to further violence against the Georgian people, civil society, journalists, and opposition representatives; an increasing number of arrests and detentions; and heightened intimidation;
- Cancellation or limitation of efforts to observe the main non-partisan elections in Georgia (due to fines, arrests, lack of accreditation and/or difficulties in recruiting observers); Limited or no oversight of all aspects of the election (pre-election, election day, counting);
- Limited media coverage of the election campaign due to pressure on journalists and media outlets or fines; Uneven coverage of election candidates, limitation of investigative journalism in violations;
- Failure to implement electoral reforms in order to restore some independence for the electoral administration and remove the prohibition of electoral blocs and/or high thresholds; There remains a party election commission that questions the process and fair hearing of complaints;
- The defeat of the united opposition platform, which further distorts the electorate and causes the “loss” of votes due to the high threshold;
- Georgian Dream’s information campaigns about war and threats to territorial integrity, attempts to present the West as a “global war party” and false narratives around “Russian law” scare and confuse voters; It is not possible to provide voters with accurate information about this propaganda and misinformation;
- Disputed election results and the possibility of post-election instability and civil unrest.

The document also provides recommendations for the Georgian civil sector, advising them to combat Kremlin propaganda and anti-European narratives within the country. It suggests strengthening information campaigns about electronic elections, offering political candidates various platforms that cover the entire territory of Georgia, and presenting data from election observation in a unified and clear manner after the elections.¹⁵

Experts recommend international donors to “give a strong response” to the ruling party and strengthen the civil sector.¹⁶

3. JOURNALISTS WERE BANNED FROM WORKING IN THE PARLIAMENT

At the request of Georgian Dream MP Nino Tsilosani, the journalists of the opposition TV channels - Formula and Mtavari TV were banned from working in the parliament building for 6 months.¹⁷ The MP requested the suspension of the journalists’ activities after the journalists tried to record the interview despite her refusal.¹⁸

¹² „Georgia’s 2024 Parliamentary Election: Pre-Election Risk Assessment”, GMF, May 31, 2024, available at: <https://www.gmfus.org/news/georgias-2024-parliamentary-election-pre-election-risk-assessment>, updated: 11.07.2024.

¹³ „Georgia’s 2024 Parliamentary Election: Pre-election risk assessment”, By Laura Thornton with contributions from Tamara Sartania, May 31, 2024, available at: <https://www.gmfus.org/sites/default/files/2024-06/Georgia%20Election%20Analysis.pdf>, p. 1.

¹⁴ Ibid, p. 9.

¹⁵ „Georgia’s 2024 Parliamentary Election: Pre-election risk assessment”, By Laura Thornton with contributions from Tamara Sartania, May 31, 2024, available at: <https://www.gmfus.org/sites/default/files/2024-06/Georgia%20Election%20Analysis.pdf>, p. 10.

¹⁶ Ibid, p. 10.

¹⁷ “At the request of Nino Tsilosani, critical journalists were banned from working in the parliament building”, information portal “civil.ge”, June 4, 2024, available at: <https://civil.ge/ka/archives/611423>, updated: 01.07.2024.

¹⁸ Ibid.

According to the Speaker’s Order 2023 “On Accreditation and Rules of Conduct for Parliamentary Journalists”, a journalist is required to terminate the interview attempt if the person being interviewed refuses to participate.¹⁹ At the request of “People’s Power” deputy Sozar Subari, the same sanction was also extended to the journalist of TV Pirveli.²⁰ As a sanction, the journalists were banned from working for six months.²¹

According to the June 6 statement from the Charter of Journalistic Ethics of Georgia, Parliament is using the amendments to the rules of media conduct as punitive tools. The Charter also notes that the treatment of journalists and their working conditions in Parliament have deteriorated sharply.²²

4. STATEMENT OF THE CEC ON THE ALLEGATIONS

On June 6, 2024, the Central Election Commission published a statement addressing what it described as “unverified, groundless, and damaging statements” regarding the election process that had been directed at the CEC.²³ The CEC did not specify which statements were made by whom.²⁴ The statement notes that the CEC operates in accordance with the principles of independence and impartiality and is committed to successfully conducting electronic elections. It emphasizes that the CEC’s efforts are focused on preventing political discourse and influence from affecting the election processes.²⁵

Accordingly, the CEC, in its statement, calls on interested parties, including representatives of local and international organizations, to remain impartial and objective, and to “facilitate the holding of elections in a fair and transparent environment.”²⁶

5. THE PRESIDENT’S VETO OF THE LAW ON AMENDMENTS TO THE ELECTION CODE

On June 13, President Salome Zuerabichvili vetoed the Law on Amendments to the Election Code, which provided for the reduction of the 2/3 quorum to a simple majority for the decision of the CEC.²⁷ By the same bill, the advisory group of the CEC, which united the public defender, local and international monitoring organizations, will be abolished.²⁸ According to the motivational remarks of the President, the abovesaid draft law limits the possibility of the opposition to participate in the decision-making process.²⁹ On June 27, the Parliament overcame the President’s veto on the said law.³⁰

¹⁹ Ibid.

²⁰ “Another critical journalist was banned from working in the Parliament building”, information portal “civil.ge”, June 5, 2024, available at: <https://civil.ge/ka/archives/611658>, updated: 01.07.2024.

²¹ “At the request of Nino Tsilosani, critical journalists were banned from working in the parliament building”, information portal “civil.ge”, June 4, 2024, available at: <https://civil.ge/ka/archives/611423>, updated: 01.07.2024.

²² “The Parliament of Georgia persecutes and confronts journalists from critical media outlets”, Charter of Journalistic Ethics of Georgia, June 6, 2024, available at: <https://shorturl.at/D2APn>, updated: 01.07.2024.

²³ “Statement of the Election Administration”, the official website of the Central Election Commission, June 6, 2024, available at: <https://cesko.ge/ge/siakhleebi/pres-relizebi/singleview/11033443-saarchevno-administratsiis-gantskhadeba>, updated: 11.07.2024.

²⁴ “The CEC speaks about the spread of “damaging baseless accusations” before the elections”, information portal “civil.ge”, June 7, 2024, available at: <https://civil.ge/ka/archives/612052>, updated: 11.07.2024.

²⁵ Ibid.

²⁶ Ibid.

²⁷ “The President vetoed the amendments to the Election Code”, information portal “Radio Freedom”, June 13, 2024, available at: <https://www.radiotavisupleba.ge/a/32991893.html>, updated: 11.07.2024.

²⁸ Draft Organic Law of Georgia “On Amending the Organic Law of Georgia - “Election Code of Georgia”, Parliament of Georgia, May 2, 2024, available at: <https://www.parliament.ge/legislation/28538>, updated: 11.07.2024.

²⁹ Motivated remarks of the President of Georgia “On Amendments to the Organic Law of Georgia “Election Code of Georgia” on the Organic Law of Georgia, President of Georgia, June 13, 2024, available at: <https://www.parliament.ge/legislation/28783>, updated: 11.07.2024.

³⁰ “Parliament overcame the President’s veto on changes to the “Election Code”, news portal “1tv.ge”, June 27, 2024, available at: <https://1tv.ge/news/parlamentma-saarchevno-kodeqsshi-cvlilebebze-prezidentis-veto-dadzlia-3/>, updated: 11.07.2024.

6. “DECLARATION OF UNITY” OF SIX OPPOSITION PARTIES

On June 24, 2024, six opposition parties³¹ signed the “Declaration of Unity” in Brussels.³² This declaration is a continuation of President Zourabichvili’s “National Charter” and is aimed at uniting the parties around the goals of the “National Charter” before and after the 2024 elections.³³ Their main goal is to save Georgia from the current government and return the country to the path of European integration.³⁴ The signatories agree that they will ensure the protection of citizens’ votes in the 2024 elections and will also present a unified presidential candidate.³⁵

7. OPINION OF THE VENICE COMMISSION ON THE ABOLITION OF GENDER QUOTAS

On June 24, 2024, the Venice Commission published a report on “amendments to the Electoral Code regarding the abolition of gender quotas”.³⁶ According to them, the abolition of quotas “raises serious concerns” in an election year.³⁷ In addition, the commission’s conclusion mentions that the introduction of gender quotas was deemed as constitutional by the Constitutional Court of Georgia in accordance with the recommendation of the Venice Commission, and the legislator did not propose any other measures to abolish these quotas.³⁸ Additionally, the document notes that the changes were unnecessary and implemented without the involvement and consensus of stakeholders.³⁹ They cite party autonomy and meritocracy as the reason for this.⁴⁰

8. CHANGE OF THE CHAIRMAN OF “UNITED NATIONAL MOVEMENT” (“UNM”)

On June 8, 2024, Levan Khabeishvili, chairman of the political party “United National Movement”, announced that he is stepping down from his position. He will be succeeded by Tinatin Bokuchava, a member of the United National Movement and the Parliament.⁴¹ Levan Khabeishvili cited health reasons and his doctors’ recommendation, which advised him to refrain from “working in the regime” for 2-3 months, as the basis for his decision.⁴² Khabeishvili relates his situation to his brutal beating during the rallies against the “Russian law”.⁴³

³¹ Among them: Girchi - more freedom, Droa, United National Movement, Akhali, Lelo and Strategy Aghmashenebeli.

³² “Six opposition parties signed the ‘Declaration of Unity’”, information portal “civil.ge”, June 25, 2024, available at: <https://civil.ge/ka/archives/614022>, updated: 11.07.2024.

³³ “We will unite before and after the elections - declaration of unity of 6 opposition parties”, information portal “Tabula”, June 25, 2024, available at: <https://tabula.ge/en/news/719696-gavertiandebit-archevnebis-cin-shemdeg-6>, updated: 11.07.2024.

³⁴ Ibid.

³⁵ “Signing of the ‘Declaration of Unity of the Opposition’ in Brussels”, information portal “1tv.ge”, June 25, 2024, available at: <https://1tv.ge/video/opoziciis-ertobis-deklaraciis-khelnmowera-briuselshi/>, updated: 11.07.2024.

³⁶ OPINION ON AMENDMENTS TO THE ELECTION CODE WHICH ABOLISH GENDER QUOTAS, No. CDL-AD(2024)023, EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION), June 24, 2024, available at: [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2024\)023-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2024)023-e), updated: 11.07.2024.

³⁷ Ibid.

³⁸ “Opinion of the Venice Commission on the abolition of gender quotas”, information portal “civil.ge”, June 25, 2024, available at: <https://civil.ge/ka/archives/614052>, updated: 11.07.2024.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ “Khabeishvili leaves the chairmanship of the National Assembly, Tina Bokuchava will replace him”, information portal “Formulanews”, June 8, 2024, available at: <https://formulanews.ge/News/112696>, updated: 01.07.2024.

⁴² “Levan Khabeishvili will be replaced by Tina Bokuchava as the chairman of the National Movement”, information portal “civil.ge”, June 8, 2024, available at: <https://civil.ge/ka/archives/612102>, updated: 01.07.2024.

⁴³ Ibid.