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

**NEWSLETTER №41**  
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**Supervisor:**

Nanuka Kruashvili

**Author:**

Zurab Shelia

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# INTRODUCTION

Since August 2019, The Georgian Young Lawyers' Association (GYLA) started implementing the project - "Free, Fair and Equal Electoral Political Cycle 2019-2022" throughout Georgia. One of the goals of the project is to promote the improvement of the election environment through monitoring and evidence-based advocacy. In order to achieve this, the organisation will monitor ongoing policy processes and develop recommendations that will be communicated to the public and presented to decision-makers. At the moment we present Newsletter #41, which describes the events of February, that have had an impact on the political environment.

## 1. 2023 MIDTERM AND SNAP ELECTIONS

On April 29, interim elections of the Georgian parliament and municipality councils, as well as snap elections of mayors will be held.<sup>1</sup> The Central Election Commission (CEC) adopted relevant decrees on the appointment of elections on February 20.<sup>2</sup> On April 29, the voters will elect the following: the majority deputy of Poti - Senaki - Khobi, the majority deputies of Gurjaani, Tianeti, Akhaltsikhe, Tkibuli, Kutaisi city councils, as well as the mayors of Tsageri and Terjola in the Parliament of Georgia.<sup>3</sup> Chairman of the "Georgian Dream" party, Irakli Kobakhidze, at the briefing held on February 22, presented the candidates for the April 29 parliamentary deputy and snap elections of mayors.<sup>4</sup>

The interim elections of the Parliament will also be held in October 2023. On February 6, Giorgi Khojevanishvili, a member of the "For Georgia" party of the former Prime Minister of Georgia, the majority deputy of Gori and Kaspi, announced that he is ending his political activities, leaving the parliament and the party, and continuing his work in the private sector.<sup>5</sup> After Giorgi Khojevanishvili leaves his seat in the Parliament, by-elections will be held in Gori-Kaspi majority district. According to electoral legislation, if a member of parliament, elected from a majority electoral district, leaves his/her seat in the period from January 15 to June 15, mid-term elections must be held in October of the same year. And if this happens in the period from June 15 to January 15, then elections will be held in April.<sup>6</sup>

## 2. RULES FOR HOLDING ELECTIONS USING ELECTRONIC TECHNOLOGIES

On December 22, 2022, Parliament adopted amendments to the Election Code,<sup>7</sup> by which Georgia will use electronic technologies at the elections, which involves the digitization of procedures for registration and identification of voters arriving at the polling station, counting of votes, and preparation of summary reports of the results. In addition, in areas where there will be no electronic registering and counting equipment, the ballots showing the votes will be fully digitized and uploaded to the official web portal of the Central Election Commission.<sup>8</sup>

<sup>1</sup> Midterm/snap elections will be held on April 29, website of the Central Election Commission of Georgia (CEC), February 20, 2023, available at: <https://bit.ly/41Qrj3M>, updated: 06.03.2023.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> "Georgian Dream Presents Candidates for April 29 By-elections", information portal "Civil.ge", April 22, 2023, available at: <https://civil.ge/archives/526719>, updated: 06.03.2023.

<sup>5</sup> "'For Georgia' MP Leaves Parliament and Party", information portal "Civil.ge", February 6, 2023, available at: <https://civil.ge/archives/524374>, updated: 10.03.2023.

<sup>6</sup> Article 198 of the "Election Code" of the Organic Law of Georgia.

<sup>7</sup> "Parliament adopted amendments to the "Election Code of Georgia" and the organic laws "On political associations of citizens", website of the Parliament of Georgia, December 22, 2022, available at: <https://bit.ly/3CKikWW>, updated: 13.01.2023.

<sup>8</sup> "The Committee on Legal Affairs reviewed the amendments to the "Election Code" and the Law "On Political Unions of Citizens" in the first reading", the official website of the Parliament of Georgia, October 3, 2022, available at: <http://bit.ly/3Omutq1>, updated: 13.01.2023.

Procedural issues related to the use of electronic technologies, election day restrictions and other procedures for combatting possible technical difficulties during election day have not been regulated by the organic law. Although, on February 6, the CEC adopted legal acts, which regulated the rules and conditions of conducting voting by electronic means,<sup>9</sup> and a list of the precincts where the 2024 elections will be held using electronic means appeared.<sup>10</sup>

According to the decision of the CEC on February 6, almost 90% of registered voters will cast their votes using electronic technologies in the 2024 parliamentary elections.<sup>11</sup> According to the decree, for every 700 voters, at least 1 voter verification device should be provided, and there should be at least 2 main ballot boxes with a special electronic vote counting device installed on it, in case of non-use of a verification device or vote counting device, registration and vote counting will be done by the traditional method.<sup>12</sup>

According to the decision of the CEC, the 2024 elections will be held using electronic means in all self-governing cities, and at all polling stations in the territory of the administrative centres of municipalities of self-governing communities. Also, in those election precincts, where the distance between the address of the relevant Precinct Election Commission and the address of the District Election Commission will not be more than 20 km and, at the same time, the number of registered voters is more than 300.<sup>13</sup>

### 3. EU-GEORGIA RELATIONS

The European Commission published analytical reports on the compliance of Georgia, Moldova and Ukraine with the EU acquis.<sup>14</sup> The reports complement opinions published by the European Commission in June 2022, which only address a few key areas of cooperation. These reports assess the readiness of each country for EU membership.<sup>15</sup>

They are based on questionnaires sent to the three countries, as well as the information received in the framework of an intensive dialogue conducted over many years.<sup>16</sup> According to the report, Georgia, Moldova, and Ukraine are positively evaluated.<sup>17</sup>

Ambassador of the European Union to Georgia Pawel Herczynski noted that the result is very positive and appreciates the readiness of Georgia to accept the responsibilities of membership in the European Union.<sup>18</sup> However, he added that there is still progress to be made in some areas.<sup>19</sup>

Speaking about the 12 recommendations, the EU ambassador emphasized the importance of the parties' involvement in the process and called on the government and the opposition to take a constructive approach.<sup>20</sup> In this context, he emphasized the need for the opposition to be involved in parliamentary activities.<sup>21</sup>

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<sup>9</sup> Resolution N7/2023 of the Central Election Commission of Georgia (CEC) of February 6, 2023 “On determining the rules and conditions for conducting voting using electronic means”, available at: <https://www.matsne.gov.ge/ka/document/view/5713266?publication=0>, updated: 10.03.2023.

<sup>10</sup> CEC Decree No. 5/2023 of February 6, 2023 “On determining election precincts where the 2024 elections of the parliament of Georgia will be held using electronic means”, available at: <https://bit.ly/3yz7zUV>, updated: 10.03.2023.

<sup>11</sup> “90% of Voters Will Vote Electronically in 2024 Parliamentary Elections”, information portal Civil.ge, February 7, 2023, available at: <https://civil.ge/archives/524496>, updated: 10.03.2023.

<sup>12</sup> Resolution N7/2023 of February 6, 2023 of the Central Election Commission of Georgia (CEC) “On determining the rules and conditions for conducting voting using electronic means”.

<sup>13</sup> “90% of Voters Will Vote Electronically in 2024 Parliamentary Elections”, information portal “Civil.ge”.

<sup>14</sup> “EC Publishes Analytical Reports on Alignment with the Acquis”, information portal “Civil.ge”, February 3, 2023, available at: <https://civil.ge/archives/523783>, updated: 10.03.2023.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> “EU Ambassador Calls on Georgian Politicians “to Cooperate””, information portal “Civil.ge”, February 13, 2023, available at: <https://civil.ge/archives/525445>, updated: 10.03.2023.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

In the resolution adopted on February 21, the Euronest Parliamentary Assembly calls on the European Commission and the EU member states to grant Georgia the status of a candidate country and to start accession negotiations with Moldova, Ukraine and Georgia.<sup>22</sup>

On February 23, the “People’s Power” group, which is part of the parliamentary majority, initiated a draft law, according to which all organizations which have a foreign source of income should be registered in a register of foreign influence agents.<sup>23</sup> The registration of the draft law was met with concern at both the local and international levels. Some member states of the European Union criticized the draft law on “agents of foreign influence” developed by the parliamentary majority.<sup>24</sup> According to the press speaker of the European Commission’s External Action Service, Peter Stano, the bill submitted to the Parliament by “People’s Power” is alarming.<sup>25</sup> According to him, creating and maintaining a favourable environment for civil society and ensuring freedom of the media is the basis of democracy.<sup>26</sup>

## 4. PUBLIC ATTITUDES IN THE NATIONAL DEMOCRATIC INSTITUTE (NDI) SURVEY

On February 2, the US National Democratic Institute (NDI) published the results of a public opinion survey, according to which a large majority of respondents (81%) are committed to the country’s European integration. The same trend applies to NATO, 73% of respondents are in favour of the country joining the North Atlantic Alliance.<sup>27</sup>

Despite the increase in the positive assessment of the government’s activities, the dissatisfaction of the population towards the ruling and opposition parties has increased.<sup>28</sup> According to the results of the survey, the number of supporters of the country’s joining the European Union increased from 75% to 81%.<sup>29</sup> Compared to the previous survey, the number of those who evaluate the government’s activities positively has increased by 10 percentage points - from 41% to 51%.<sup>30</sup> 39% of respondents state that no party is close to their views. 25% name “Georgian Dream”, 6% “United National Movement”, and 13% name other parties.<sup>31</sup>

## 5. THE CASE OF MIKHEIL SAAKASHVILI

### 5.1. Health condition of Mikheil Saakashvili

On February 6, the judge of the Tbilisi City Court, Giorgi Arevadze, did not release the imprisoned ex-president of Georgia, Mikheil Saakashvili, due to the deterioration of his health, nor did he commute the sentence.<sup>32</sup>

The Minister of Justice of Georgia, Rati Bregadze, stated at a press conference held on February 1 that the impris-

<sup>22</sup> “Public Attitudes in NDI Survey”, information portal “Civil.ge”, February 2, 2023, available at: <https://civil.ge/archives/523658>, updated: 10.03.2023.

<sup>23</sup> “Georgian Dream Will Vote for the “Foreign Agent” Law”, information portal “Civil.ge”, February 21, 2023, available at: <https://civil.ge/archives/526385>, updated: 16.03.2023.

<sup>24</sup> “EU Member States Criticize Georgia’s “Foreign Agent” Draft Law”, information portal “Civil.ge”, February 27, 2023, available at: <https://civil.ge/archives/527586>, updated: 16.03.2023.

<sup>25</sup> “EU is Concerned by the Draft Law on Foreign Agents”, information portal “Civil.ge”, February 23, 2023, available at: <https://civil.ge/archives/526927>, updated: 16.03.2023.

<sup>26</sup> Ibid.

<sup>27</sup> “Euronest Parliamentary Assembly adopts a resolution on “Support for the accession of Georgia, Ukraine and Moldova to the European Union””, information portal “Civil.ge”, February 3, 2023, available at: <https://civil.ge/ka/archives/526775>, updated: 10.03.2023; Public Sentiments in Georgia, National Democratic Institute (NDI), February 3, 2023, available at: <https://bit.ly/42dvQ0G>, updated: 10.03.2023.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> “The Judge Has Ruled against Release of Saakashvili or Deferral of his Sentence”, information portal “Civil.ge”, February 6, 2023, available at: <https://civil.ge/archives/524327>, updated: 10.03.2023.

oned former president Mikheil Saakashvili is taking steps towards “self-harm”.<sup>33</sup>

According to the statement of the President of Georgia, Salome Zourabichvili, by the decision of the court in the ex-president’s case, the Georgian people were “punished to go around in a closed circle and remain hostage to this situation”.<sup>34</sup>

The European Parliament, by 577 votes against 33, adopted a resolution on the situation of the imprisoned ex-president of Georgia, Mikheil Saakashvili, calling on the Georgian government to release Saakashvili.<sup>35</sup> The resolution states that the Saakashvili case is a litmus test of the Georgian government’s commitment to European values and declared European aspirations, including the commitment of the Georgian government to EU candidate status.<sup>36</sup> The resolution also states that the lack of progress in improving Mikheil Saakashvili’s condition will damage Georgia’s reputation and hinder its prospects for EU membership.<sup>37</sup>

Irakli Kobakhidze, Chairman of “Georgian Dream”, called the text of the resolution “absurd”.<sup>38</sup> According to Shalva Papuashvili, the resolutions of the European Parliament have become a source of misinformation and a means of attacking Georgia.<sup>39</sup>

On February 22, the doctors of the “Vivamed” clinic held a press conference, where they talked about Mikheil Saakashvili’s health condition and said that it is getting worse.<sup>40</sup>

A report was published on ex-president Saakashvili’s health condition by a group of experts created by the public defender, on February 27. According to the report, Saakashvili’s condition has significantly worsened since the previous visit in December.<sup>41</sup>

## 5.2. Protests for the solidarity of Mikheil Saakashvili

After the former President of Georgia, Mikheil Saakashvili was left in custody by the Tbilisi City Court on February 6, the “United National Movement” (UNM) announced a boycott of parliamentary activities, switched to “emergency mode” and planned actions in solidarity with Mikheil Saakashvili throughout the country.<sup>42</sup> Prime Minister Gharibashvili criticized the planned actions and stated that “UNM” is a bankrupt, discredited and marginalized radical force.<sup>43</sup>

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<sup>33</sup> “Minister of Justice Insists on Saakashvili “Self-Harm” as EU Parliament Plans Urgent Debate”, information portal “Civil.ge”, February 2, 2023, available at: <https://civil.ge/archives/523511>, updated: 10.03.2023.

<sup>34</sup> „President Zurabishvili Comments on Court Decision Regarding Saakashvili”, information portal „Civil.ge”, February 8, 2023, available at: <https://civil.ge/archives/524555https://civil.ge/ka/archives/524597>, updated: 10.03.2023.

<sup>35</sup> “European Parliament Adopts Resolution on the Situation of Former Georgian President Mikheil Saakashvili”, information portal “Civil.ge”, February 15, 2023, available at: <https://civil.ge/archives/525749>, updated: 10.03.2023.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> “Politicians React to European Parliament’s Resolution on Mikheil Saakashvili”, information portal “Civil.ge”, February 16, 2023, available at: <https://civil.ge/archives/525833https://civil.ge/ka/archives/525818>, , updated: 10.03.2023.

<sup>39</sup> Ibid.

<sup>40</sup> ““Vivamed” Doctors Speak of Saakashvili’s Grave Health Condition”, information portal “Civil.ge”, February 22, 2023, available at: <https://civil.ge/archives/526874>, updated: 10.03.2023.

<sup>41</sup> “The Ombudsmen’s Concilium has published a conclusion on the situation of Mikheil Saakashvili”, information portal “Civil.ge”, February 27, 2023, available at: <https://civil.ge/archives/527678>, updated: 10.03.2023.

<sup>42</sup> “UNM Plans Nationwide Protest Rallies”, information portal Civil.ge, February 8, 2023, available at: <https://civil.ge/archives/524670>, updated: 10.03.2023.

<sup>43</sup> “PM Speaks of Attempts ‘to Open Second Front’, Slams UNM”, information portal “Civil.ge”, 8 February 2023, available at: <https://civil.ge/archives/525195>, updated: 16.03.2023.

## 6. INTERNAL PARTY ELECTIONS IN THE “UNITED NATIONAL MOVEMENT”

After the victory of Levan Khabeishvili in the election of the chairman of UNM, several leaders announced their resignation from the party position.<sup>44</sup> On the second day after the election of the chairman of the “National Movement”, Khatia Dekanoidze announced that she is leaving the position of the chairman of the UNM faction in the parliament.<sup>45</sup>

On January 30, Koba Nakopia resigned from the position of the chairman of the political council of the “National Movement”.<sup>46</sup> Akaki Minashvili and Bacho Dolidze, who held the positions of deputy chairman of the political council and organizational secretary, also left their positions.<sup>47</sup> Giorgi Kirtadze, the head of the Batumi organization, and Giorgi Pataria, the head of the public relations service, left their positions.<sup>48</sup>

On February 5, at the 10th Congress of UNM, the new chairman of the party, Levan Khabeishvili, was approved, as well as the new political council, the chairman of the council and the general secretary of the party were elected.<sup>49</sup> The February 5 congress was criticized by some members of UNM. The former chairman of UNM, Nika Melia, stated that by the decision of the person behind the curtain, the congress in the “National Movement” actually cancelled the election of the political council, the legislative body of the party, because according to the new rule, in fact, nothing is left to be elective or to be elected.<sup>50</sup> Several members of the party refused to become members of the newly elected political council.<sup>51</sup> On February 17, Roman Gotsiridze left the parliamentary faction and the party “UNM”.<sup>52</sup>

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<sup>44</sup> “Leadership Shuffle at UNM as New Leader Takes Charge”, information portal Civil.ge, February 4, 2023, available at: <https://civil.ge/archives/524027>, updated: 10.03.2023.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> “Roman Gotsiridze left the “National Movement””, information portal “BM.GE”, February 17, 2023, available at: <https://bm.ge/ka/article/roman-gociridzem-quotnacionaluri-modzraobaquot-datova/127283/>, updated: 10.03.2023.