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**GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION**

Free, Fair and Equal Electoral-Political 2019-2022 Cycle in Georgia

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INTRODUCTION

In August 2019, the Georgian Young Lawyers' Association (GYLA) has commenced implementation of the project "Free, Fair and Equal Electoral-Political 2019-2022 Cycle in Georgia", which covers the area of Tbilisi, Kakheti, Mtskheta-Mtianeti, Kvemo Kartli, Shida Kartli, Imereti, Samegrelo-Zemo Svaneti, Guria and Adjara. One of the goals of the project is to support improvement of the electoral environment through monitoring and evidence-based advocacy. To this end, the organization will monitor ongoing political processes and develop recommendations, which will be presented to the public and decision-makers.

OSCE/ODIHR Statement of Preliminary Findings and Conclusions

OSCE Office for Democratic Institutions and Human Rights published a Statement on October 31 elections preliminary findings and conclusions.¹ According to the document, October 31 elections was held in the competitive environment with respect of fundamental freedoms, however, pressure on voters and blurring of the line between the ruling party and the state reduced public confidence in some aspects of the process.²

According to OSCE/ODIHR, the elections were conducted within the revised legislative framework, which created solid base for holding fair elections, but further effort is required, as certain number of recommendations are still unfulfilled.³

The report highlights the problem regarding single-mandate constituencies, which undermines the equality of the vote.⁴ In particular, the boundaries for the 30 single-member constituencies resulted in the significantly unequal distribution of registered voters, at odds with the principle of equal suffrage.⁵

Amid to COVID-19 pandemic, the activities of the election administration was assessed positively: the Central Election Commission (CEC) acted in line with the law and effectively managed elections technical aspects.⁶ Nevertheless, similarly to previous reports, the OSCE/ODIHR refers to the challenges of the election administration in terms of its independence and impartiality.⁷ As per statement, dominant representation of the ruling party in the election administration, especially at lower levels, negatively impacted the public perception.⁸

According to OSCE/ODIHR, there are challenges in funding of the election campaign.⁹ The ODIHR LEOM identified significant discrepancies between actual and reported spending.¹⁰ Additionally, according to the organization, the State Audit Office's capacity to effectively oversee the integrity of campaign financing remains limited.¹¹

OSCE/ODIHR highlights the problems in terms of polarized media environment and women political participation.¹² However, according to them, the latter has undergone positive changes with introducing a mandatory gender quota for candidate lists.¹³

¹ Report on preliminary findings and conclusions, OSCE Office for Democratic Institutions and Human Rights, 01.11.2020, Available at: <https://bit.ly/3oFGmcF>, updated on: 11.12.2020.

² Ibid, page 1.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid, page 2.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

Moreover, the longstanding ODIHR and Venice Commission recommendations to simplify the complaints and appeals process, and bring it further in line with international standards and good practice have not been addressed.¹⁴ In respect of the elections, the impartial and effective review of complaints by the election commissions, courts and law-enforcement bodies remains to be a challenge.¹⁵

Furthermore, the statement overviews political context, election system and the legislative framework.¹⁶ The document also provides an assessment of the activities of election administration and pre-election environment.¹⁷ The election legislation reform received positive assessment as previous OSCE recommendations were fulfilled.¹⁸ According to the OSCE, the fundamental freedoms were followed during the campaign, however significant violations were observed such as misuse of administrative resources, pressure on representatives of the opposition and public officials, damaging the pre-election offices and interference in placement of pre-election materials.¹⁹ Furthermore, line between the ruling party and the state was often blurred, contrary to OSCE commitments and good practice.²⁰ The representatives of GD made several statements during the electoral campaign, which facilitated such perceptions and these statements were perceived as vote-buying.²¹

OSCE/ODIHR election mission did not observe election day proceedings in a systematic or comprehensive manner.²² The mission members visited a limited number of polling stations in 28 of the 64 municipalities. In the stations observed the voting process was transparent and procedures were mostly followed.²³ Nevertheless, Intimidating presence of party coordinators and activists, often tracking voters, was observed outside most polling stations visited.²⁴

NDI report on 2020 parliamentary elections

On November 2, The National-Democratic Institute (NDI) published analysis of the environment and procedures surrounding Georgia's 2020 parliamentary elections.²⁵ "Irregularities in results protocols, widespread reports of potentially intimidating behavior in or around polling stations, delays in the publication of results, and persistent perceptions of pre-election abuses of power detracted from notable improvements in the legal framework and administrative procedures for Georgia's October 31, 2020 parliamentary elections."- states the report.²⁶

According to the report, the voting process on the voting day was conducted mainly in accordance with the law, however, together among other issues, international and local observers highlighted the irregularities related to results protocols and vote secrecy.²⁷

On the voting day "they reported instances of physical confrontations outside of polling stations, obstruction of the work of journalists and observers, allegations of vote buying and vote rigging, and the intimidating presence of party coordinators and activists outside most polling stations".²⁸

NDI positively assessed constitutional and legislative reforms carried out in 2020 and noted that new legislative

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid, page 3-5.

¹⁷ Ibid, page 5-8.

¹⁸ Ibid, page 8.

¹⁹ Ibid, page 9-10.

²⁰ Ibid.

²¹ Ibid.

²² Ibid, page 16.

²³ Ibid.

²⁴ Ibid. Page 17.

²⁵ The analysis is based on the in-depth interviews with representatives of the Government of Georgia, political parties, election administration, civil society, media, local and international observer organizations and diplomatic community and considers NDI experience gained over 25 years of operation in Georgia.

²⁶ Report on 2020 Parliamentary elections, National Democratic Institute (NDI), 02.11.2020, Available at: <https://bit.ly/39uQA9C>, updated on: 11.12.2020.

²⁷ Ibid. page 2.

²⁸ Ibid.

framework created solid basis for holding the democratic elections.²⁹ As stated by the report, the election administration was generally competent, transparent and acted in line with the law, however, the opposition and civil society constantly criticized the political party bias, especially in lower-level commissions.³⁰

According to NDI, the election campaign was open and pluralistic, however, tensions and incendiary attacks increased as election day approached.³¹ The report refers to the cases of violence and intimidation during the campaign,³² as well as the misuse of state recourses and vote buying.³³

According to NDI, Georgia has made significant steps towards greater inclusivity and diversity in politics.³⁴ The mandatory gender quotas are highlighted in this regard.³⁵ Nevertheless, according to the organization, vulnerable groups remain under represented in the new parliament as well as in the party organizations and their platforms.³⁶

Separate chapters are given in the report to significant issues such as is the political context, voting day procedures, election system and administration, pre-election campaign, gender and engagement of less represented groups etc.³⁷

NDI report provides 35 recommendations for improving election environment of Georgia.³⁸ The recommendations are addressed to the parties involved in the election processes and together with the general issues, aims at improving the environment before the second round.³⁹ In this regard, the mission urges the addressees to make more efforts for more prompt review of complaints, to recount the votes on relevant stations if required.⁴⁰ According to the organization, it is also important for the parties and candidates to submit evidences on electoral violations and follow available procedures for seeking redress.⁴¹

IRI Technical Election Assessment Mission interim report

On November 16, International Republican Institute (IRI) published interim report of its Technical Election Assessment Mission (TEAM) in Georgia.⁴² According to IRI, regardless of the fact that October 31 elections was conducted in a peaceful environment and in line with the law, the violations observed during pre-election period and on the voting day has undermined the confidence in election process.⁴³ „However, the spirit of the reforms — aimed at encouraging multiparty democracy and coalition rule — were affected by credible reports of irregularities in the campaign period and on Election Day” – the report indicates.⁴⁴ According to the organization, the most concerning irregularities reported by observers were allegations regarding the misuse of state administrative resources, vote buying, intimidation of voters and observer groups, manipulation of precinct-level summary protocols.⁴⁵

The report reviews pre-election period, inter alia, electoral system, activities of the electoral administration, pre-election campaign and funding, engagement of more or less represented groups, media environment.⁴⁶

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid, page 2-24.

³⁸ Ibid, page 5, 9, 10, 12, 15, 16, 18.

³⁹ Ibid, page 5.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² International Mission on Technical Assessment of Elections: interim report of 2020 parliamentary elections, International Republican Institute, 16.11.2020, Available at: <https://bit.ly/3bNUMUP>, updated on: 11.12.2020.

⁴³ Ibid, page 3.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid, page 6-10.

According to the report, the work of the election administration was mostly well received by both international and local organizations, however, the trust of the society towards the CEC is low.⁴⁷ Additionally, some of the representatives of civil society organizations and political parties expressed doubts regarding the neutrality and impartiality of members of PECs.⁴⁸

IRI was informed about the violations such as attacks on party activists, damaging items/property intended for the campaign and other provocative actions, e.g. recruiting of “athletes” to intimidate voters.⁴⁹ Furthermore, the cases of abuse of administrative recourses, public servants campaigning during working hours, threats to withhold social services from opposition supporters and intimidation from local security services were also reported.⁵⁰

According to IRI, the October 31 elections was conducted in competitive environment and mostly respecting the main constitutional rights.⁵¹ The CEC activities were carried out within the framework of law and technical and administrative activities were effective.⁵² However, this does not concern election result management process.⁵³

According to the report, serious procedural flaws were observed, such as: violation of marking procedures, taking photos by voter at the voting booth, which represents the violation of secrecy of vote, obscurity of powers of members of PECs, weak compliance with COVID-10 regulations and cases of manipulation with summary protocols.⁵⁴

Within the framework of international support and further promotion of electoral processes, the IRI offers the Government of Georgia, political parties, civil society and media representatives to consider their recommendations.⁵⁵ In order to solve the existing political crisis the organization urges the parties to engage in constructive dialogue as well as to refrain from heated rhetoric and to encourage their supporters to abstain from violence, provocation or intimidation.⁵⁶ Other recommendations are addressed to timely and unbiased resolution of complaints, pressure on voters, facts of violence and elimination of existing flaws for the second round of elections.⁵⁷

Post 2020 election developments

An opposition boycott

According to the official parliamentary election results the GD received 48,22% of votes and the election bloc “United National Movement – Strength is in Unity” obtained the majority of votes from the opposition, 27,18%.⁵⁸ In total 8 opposition parties have overcome the 1% threshold.⁵⁹

On November 3, opposition parties⁶⁰ signed the agreement, through which they declared rejection on the parliamentary mandates.⁶¹ According to them, the parliamentary elections were held in light of violence, intimidation and large-scale vote-buying, hence, the results do not reflect voters’ will.⁶² The opposition remains

⁴⁷ Ibid, page 6.

⁴⁸ Ibid.

⁴⁹ Ibid, page 7.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid, page 11.

⁵⁴ Ibid, page 13.

⁵⁵ Ibid, page 4.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Results of 2020 elections, Central Election Administration webpage, Available at: <https://bit.ly/2KeDrs8>, updated on: 11.12.2020.

⁵⁹ Ibid.

⁶⁰ Signatories: “United National Movement – United Opposition”, “European Georgia”, “Strategy Builder”, “Lelo for Georgia”, “Girchi”, “Labour Party of Georgia”, “Republic Party”, “State for People”, “European Democrats”, “Free Democrats”, “United Georgia”, “Party Freedom”, “Tribune”, “Wining Georgia”, “Party for Fairness”, “Party Law and Justice”, “Christian-Democratic Movement”.

⁶¹ “The Opposition signed agreement, they rejected the mandates”, information portal „on.ge”, 03.11.2020, Available at: <https://bit.ly/344LpLt>, updated on: 11.12.2020.

⁶² Ibid.

committed to the boycott and their main requirements are as follows: new elections, resignation of CEC Chair and the release of “political prisoners”.

The country has entered the severe crisis situation due to disagreement between the opposition and the Government. In order to overcome the crisis, with the assistance of facilitator Ambassadors, the the parties launched negotiation process. The first round of negotiations were held on November 12, 2020.⁶³ Leaders of political parties which have overcome the mandatory 1% threshold, gathered in the residence of the Ambassador of the US in Georgia and exchanged the arguments.⁶⁴ Carl Hartzell, the Ambassador of EU in Georgia also attended and facilitated the meeting.⁶⁵ The first meeting took about four hours.⁶⁶ The ruling party representative Archil Talakvadze stated after the meeting that “It is a positive beginning of political consultations.”⁶⁷ According to David Bakradze, the Chair of European Georgia, noted that in light of political crisis in the country, “responsible” political forces should seek the compromise.⁶⁸ Giorgi Vashadze, Zurab Japaridze and Aleko Elisashvili, the leaders of “Strategy Agmashenebeli”, “Girchi” and “Citizens” respectively, underlined the unanimity of the opposition during the meeting.⁶⁹ According to them, all demands and planned protest actions remains unchanged.⁷⁰ Grigol Vashadze, whose comments made several days earlier on taking the political processes to the negotiations table lead to controversy, also attended this meeting.⁷¹

The second round of negotiations with facilitation of the Ambassador of the US and Ambassador of EU was held after two days, on November 14 in the residence of the US Ambassador.⁷² According to the leaders of the opposition holding new elections are their main demand.⁷³

On November 20, leaders of 8 opposition parties, who have overcome 1% threshold at October 31 elections, as well as Nino Burjanadze, the Chair of “United Georgia” individually met the Ambassador of the US, Kelly Degnan and the Ambassador of the EU in Georgia, Carl Hartzell prior to the next round of negotiations.⁷⁴ According to the opposition, purpose of individual meetings was to prepare for the third round.⁷⁵ Following the individual meetings, Grigol Vashadze, the Chair of the “United National Movement” noted that he repeated the demands on new elections, resignation of the Chair of CEC and release of “political prisoners”.⁷⁶ Giorgi Vashadze, the leader of “Strategy Agmashenebeli” pointed out that the GD holds the “solution mechanism” of the current situation and not the opposition.⁷⁷

On November 25, the leaders of the political parties met Kelly Degnan and Carl Hartzell individually one more time.⁷⁸

Despite the several rounds of negotiations, the parties failed to reach the agreement. The agreed to hold a third round of negotiations.

⁶³ “Political dialogue was commenced between the opposition and he ruling party”, information portal „civil.ge”, Available at: <https://bit.ly/3nq99RT>, updated on: 17.12.2020.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² “Second round of negotiations is held between the opposition and ruling party”, information portal „civil.ge”, Available at: <https://bit.ly/2KAY8P5>, updated on: 17.12.2020.

⁷³ Ibid.

⁷⁴ “Archive: parliamentary elections October 31, 2020”, information portal „civil.ge”, Available at: <https://bit.ly/2KBowss>, updated on 17.12.2020.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

Assessment of the international partners

The Spokesperson of European External Action Services of the EU has made a statement regarding the parliamentary elections held in Georgia.⁷⁹ Based on the pre-findings and conclusions of the OSCE/ODIHR, European Council and NATO Parliamentary Assemblies, the Spokesperson stated that the elections were held in competitive environment and overall fundamental freedoms were respected.⁸⁰ However, the allegations related to the pressure on voters have influenced the elections.⁸¹ Furthermore, blurring of the line between the ruling party and the State throughout the campaign and on election day, reduced public confidence in some aspects of the process.⁸²

The Embassy of the US in Georgia has made a statement regarding the October 31 elections and welcomed the dedication of Georgian nation towards the democracy despite the Covid-19 pandemic.⁸³ The Embassy of the US shares opinion with OSCE/ODIHR initial assessment.⁸⁴ The statement also indicates that the attempts to disrupt electoral process, such as intimidation of voters, violation of secrecy of vote, not clear boundaries between the partisan and official activities, violence towards the observers and media while not sufficient to invalidate the results, continue to mar Georgia's electoral process and are unacceptable.⁸⁵ Furthermore, the Embassy calls on the next parliament to enact additional reforms in order to address the shortcomings recorded by ODIHR in its election assessments.⁸⁶

Members of the European Parliament (MEP) also responded to the parliamentary elections and congratulated Georgia, as key ally of the EU with successful conduct of the elections.⁸⁷ The statement indicates that the elections in general were competitive and the fundamental rights were respected.⁸⁸ However, according to them the cases of pressure on voters remained the challenge, as well as blurred boundaries between the ruling party and the State both over the pre-election period as well as on the voting day.⁸⁹ The statement also discusses the funding of election campaign among other subjects.⁹⁰ According to MEPs, alignment of the rules regulating the pre-election campaigns with the OSCE/ODIHR is required.⁹¹ According to them, ensuring enjoyment of right to vote of persons in self-isolation and quarantine and compromise between the democracy and the healthcare should be appreciated.⁹²

According to Tiny Kox, **the Head of Supervisory Group of the Parliamentary Assembly of the Council of Europe (PACE)**, questioning the results of elections on the voting day and calling for protest rallies a developed democracies.⁹³ According to Kox, these parliamentary elections were mainly free, however, the European Council expresses regret that campaign funding rules are not properly regulated, which is reflected negatively on fairness of elections.⁹⁴ In particular, the rules for funding the pre-election campaigns are not transparent and the funding amount is unlimited.⁹⁵ He urged the Parliament to gather as soon as possible.⁹⁶

⁷⁹ "Statement of the Spokesperson of European External Action Services of the EU", EU delegation of Georgia, 01.11.2020, Available at: <https://bit.ly/2N1BosZ>, updated on: 11.12.2020.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ "US Embassy Statement on the elections of Georgia", US Embassy in Georgia, official web-page, 01.11.2020, Available at: <https://bit.ly/37YdTle>, updated on: 11.12.2020.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ "Joint statement by leading MEPs on EU-Georgia relations on the first round of the parliamentary elections held on 31 October in Georgia", 01.11.2020, Available at: <https://bit.ly/3oK6P8v>, updated on: 11.12.2020.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ "Calling for protest rallies on the voting day is not a sign of respect of voters - Kox", information portal "Netgazeti", 01.11.2020, Available at: <https://bit.ly/3m6Wke3>, updated on: 11.12.2020.

⁹⁴ "We call on Parliament to gather as soon as possible — PACE", information portal "Netgazeti", 01.11.2020, Available at: <https://bit.ly/2KgOr8g>, updated on: 11.12.2020.

⁹⁵ Ibid.

⁹⁶ Ibid.

Viola Von Cramon, the **Member of the European Parliament** also responded to the elections and stated that “the elections were competitive and overall free”, however, “it was a pity to see the pressure on voters”.⁹⁷ Urmas Paet, **the Member of the European Parliament** and former Foreign Minister of Estonia also congratulated Georgia with the elections, however, according to him, certain flaws need to be eliminated.⁹⁸

Hubert Knirsch, **the Ambassador of Germany to Georgia** stated that the international partners will facilitate the dialogue between the opposition and the Government.⁹⁹ According to him, he was pleased to see that the leading politicians on both sides expressed the initiative for dialogue between the parties.¹⁰⁰

Carl Hartzell, **the Ambassador of the EU to Georgia** welcomed the urges for dialogue between the parties and expressed the readiness for support. “Welcome recent calls from political leaders and NGOs for dialogue to resolve current impasse and to advance the democratic agenda.” – Hartzell tweeted.¹⁰¹

MEPs Andrius Kubilius, Rasa Jukneviene and Zygimantas Pavilionis, the Member of the Parliament of Lietuva responded to the events in Georgia after October 31 elections and stated that the situation in the country is “disturbing”.¹⁰² Andrius Kubilius, MEP and the former Prime Minister of Latvia, noted in the interview with the “Formula” that 4% error in the results of the elections in Georgia raises rather big question mark and questions the real outcomes of the elections.¹⁰³

Marina Kaljurand, **the Chair of the delegation to the EU-Georgia Parliamentary Association Committee** responded to the events following the parliamentary elections in Georgia. She urged the opposition to participate in the second round of elections and to enter the Parliament.¹⁰⁴ According to her, all the complaints submitted to CEC should be considered in line with higher democratic standards and the legislation.¹⁰⁵ “I strongly believe that this deliberate attempt to impede the proper functioning of an institution vital for democracy is unfortunate. I call on all Georgian political parties and candidates to participate in the second round of the elections and take up their mandates in the Parliament in order to honor the democratically expressed will of the Georgian citizens” – said Kaljurand.¹⁰⁶

US State Department Officials Briefing

Officials of the US Department of State held the press-conference about Georgia along the visit Mike Pompeo, the Secretary of State’s visit to the country.¹⁰⁷

“So many assessed, as did OSCE, that these were competitive elections, better in some ways – less hate speech, less of some of the more aggressive tactics before the elections – but – and that respected fundamental freedoms in terms of freedom of expression and those sorts of things, but that they too observed violations like the vote buying and the voter intimidation that unfortunately have plagued Georgia’s elections for 30 years. ”. – They

⁹⁷ “Viola Von Cramon: “unequal access to administrative and financial resources undermines the democracy”, information portal “Netgazeti”, 01.11.2020, Available at: <https://bit.ly/3qMkLAH>, updated on: 11.12.2020.

⁹⁸ “Urmas Paet on elections: “certain flaws should be eliminated”, information portal “Netgazeti”, 01.11.2020, Available at: <https://bit.ly/375VaLp>, updated on: 11.12.2020.

⁹⁹ “I am glad that both leading politicians of both sides express initiative of dialogue – Knirsch”, information portal “Netgazeti”, 10.11.2020, Available at: <https://bit.ly/2Lh4QKu>, updated on: 11.12.2020.

¹⁰⁰ Ibid.

¹⁰¹ “We welcome recent calls on dialogue – Hartzell”, information portal “Netgazeti”, 10.11.2020, Available at: <https://bit.ly/3oGow9b>, updated on: 11.12.2020.

¹⁰² “The ruling party should immediately start the dialogue with the opposition – MEPs”, information portal “Netgazeti”, 10.11.2020, Available at: <https://bit.ly/39U919w>, updated on: 11.12.2020.

¹⁰³ “Kubilius: 4% error puts question marks on the results of elections”, Thursday, November 12, 2020, 2020 - 23:22 0 comments“, information portal “Tabula”, 12.11.2020, Available at: <https://bit.ly/37THFO5>, updated on: 11.12.2020.

¹⁰⁴ “Marina Kaljurand - I strongly believe that this deliberate attempt to impede the proper functioning of an institution vital for democracy is unfortunate. I call on all Georgian political parties to take up their mandates in the Parliament, information portal TV “Pirveli Arkhi”, 18.11.2020, Available at: <https://bit.ly/37ix5kO>, updated on: 11.12.2020.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ “US Department of State – free and fair election process is vital for Georgia to improve democracy”, information portal “InterPressNews”, 14.11.2020, Available at: <https://bit.ly/39Yuxdf>, updated on: 11.12.2020.

stated on the briefing.¹⁰⁸

According to them, unfortunately the existing judiciary system and the election administration have no trust.¹⁰⁹ These are the institutes, which are in the process of development.¹¹⁰ Notwithstanding the fact, that the opposition appealed the irregularities, as they did not expect to be dealt with accordingly, they requested the new elections right on the next day.¹¹¹

Representative of the Department of State urge the opposition to stop boycotting and continue the work in the Parliament in addition to seeking the legal process. “We urge them to enter the Parliament, adopt the electoral changes, based on which the next elections will be better. This is what we seek to support: to sit at one table and seek for solution, work together, them and not us, as they will have to work in the Parliament together”.¹¹²

The briefing highlighted the need for the judicial reform.¹¹³ “Fundamentally, if there were a truly independent judiciary here, those electoral claims that were made could have been resolved in a court and people would have had confidence in the outcome.” – Department of State noted.¹¹⁴

On November 23, the **MEPs**¹¹⁵ responded to the process again and called on the politicians to show responsibility and respect the democratic elections.¹¹⁶ According to the letter, they share the assessments of OSCE/ODIHR, OSCE Parliamentary Assembly, European Council Parliamentary Council, NATO Parliamentary Council and diplomatic services on the first round of elections.¹¹⁷ Furthermore, after the second round, they all expect fair, transparent and detailed review of all well-founded appeals.¹¹⁸ They expressed concern about the opposition not participating in the second round of elections.¹¹⁹

Anne-Kirsti Karlsen, the **Permanent Representative of Norway to the OSCE** positively assessed the Parliamentary elections of Georgia and expressed regret regarding the boycott of the opposition.¹²⁰ “Georgia needs a functioning parliament and, not least, a functioning parliamentary opposition. This is especially important in a time when the country is facing serious challenges due to the pandemic” – notes her statement.¹²¹

A wave of protests

Following the announcement of the election results, opposition launched a wave of the protests.¹²² They organized demonstrations in Tbilisi and in the regions throughout the month.¹²³ Unfortunately, in some cases these gatherings led to the confrontations between the police and protesters, which was followed by the detentions of opposition party members and activists. This further aggravated an already existing crisis in the country.¹²⁴

¹⁰⁸ Senior State Department Officials Briefing to Traveling Press, 18.11.2020, Available at: <https://bit.ly/3qQdmjQ>, updated on: 11.12.2020.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ The signatories of the letter – Chair of the European Parliament’s Foreign Affairs Committee David McAllister, Chair of EP’s delegation for relations with the South Caucasus Marina Kaljurand, Standing Rapporteur on Georgia Sven Mikser, and Viola von Cramon-Taubadel, EP’s lead member for democracy support activities in Georgia .

¹¹⁶ “We call on politicians to show responsibility and respect the democratic choice – MEPs”, information portal „on.ge”, 23.11.2020, Available at: <https://bit.ly/3qMVuqh>, updated on: 11.12.2020.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ “Anne-Kirsti Karlsen, the Permanent Representative of Norway to the OSCE - Georgia needs a functioning parliament and, not least, a functioning parliamentary opposition”, information portal “InterPressNews”, 29.11.2020, Available at: <https://bit.ly/3mfYp7y>, updated on: 11.12.2020.

¹²¹ Ibid.

¹²² See Latsabidze M. and others, IV mid-term report of long-term observatory mission of the 2020 parliamentary elections, Georgian Young Lawyers’ Association, 2020, page 10-14, Available at: <https://bit.ly/3nEVsxR>, updated on: 11.12.2020.

¹²³ Ibid.

¹²⁴ Ibid.

Aggressive actions of the Government were particularly problematic at the November 8 protest in front of the Central Election Commission building, when the Government without prior notice dissolved the peaceful protest using special measures, thus roughly interfered in to the right of peaceful assembly.¹²⁵

Furthermore, there is a protest rally in Adjara, in front of the Government Palace. The protesters blocked the street and set up tents. Law enforcement officers are mobilized at the building. Several persons were detained over the past days administratively.¹²⁶

¹²⁵ “Police force used at November 8 protest was illegal and disproportionate”, Georgian Young Lawyers’ Association, 10.11.2020, Available at: <https://bit.ly/3nKnvfV>, updated on: 11.12.2020.

¹²⁶ “After sending balloons to Rijavadze protester is detained”, information portal “Netgazeti”, available at: <https://bit.ly/2KkRzjS>, updated on: 11.12.2020.