Georgia

by Paul Rimple

Capital:	Tbilisi
Population:	4.49 million
GNI/capita, PPP:	US$5,790

Source: The data above are drawn from the World Bank's *World Development Indicators 2014.*

Nations in Transit Ratings and Averaged Scores

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Electoral Process	4.75	4.75	4.50	4.75	5.25	5.25	5.00	5.00	4.75	**4.50**
Civil Society	3.50	3.50	3.50	3.50	3.75	3.75	3.75	3.75	3.75	**3.75**
Independent Media	4.25	4.25	4.00	4.25	4.25	4.25	4.25	4.25	4.25	**4.00**
National Democratic Governance	5.50	5.50	5.50	5.75	6.00	6.00	5.75	5.75	5.50	**5.50**
Local Democratic Governance	6.00	5.75	5.50	5.50	5.50	5.50	5.50	5.50	5.50	**5.50**
Judicial Framework and Independence	5.00	4.75	4.75	4.75	4.75	4.75	5.00	5.00	5.00	**5.00**
Corruption	5.75	5.50	5.00	5.00	5.00	5.00	4.75	4.50	4.50	**4.50**
Democracy Score	**4.96**	**4.86**	**4.68**	**4.79**	**4.93**	**4.93**	**4.86**	**4.82**	**4.75**	**4.68**

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

Executive Summary

Civil war and two separatist conflicts impeded the establishment of healthy democratic institutions during Georgia's first 12 years of post-Soviet independence. In 2003, flawed parliamentary elections sparked a campaign of street protests known as the Rose Revolution, forcing President Eduard Shevardnadze and his Citizens' Union of Georgia (CUG) out of office and clearing a path for young reformer Mikheil Saakashvili and the United National Movement (UNM).

President Saakashvili's administration introduced important economic reforms, developed infrastructure, and made notable progress in battling corruption. However, the UNM government failed to create the strong democratic institutions it had promised. Power remained concentrated in the executive branch at the expense of transparency, inclusiveness, and judicial independence. In 2008, Saakashvili led Georgia into a costly war against Russia that resulted in Russian occupation and secession of the breakaway territories of Abkhazia and South Ossetia.

UNM dominated Georgian politics from 2004 until 2012, when growing dissatisfaction with the ruling party's consolidation of power led to a groundswell of support for the Georgian Dream Movement founded by billionaire Bidzina Ivanishvili. Promising a host of democratic reforms, Georgian Dream beat UNM in the October 2012 elections, marking Georgia's first-ever democratic transfer of power by ballot. Saakashvili remained in office until elections in October 2013 awarded the presidency to Georgian Dream's Giorgi Margvelashvili. Prime Minister Ivanishvili, who had previously said that he would leave office as soon as Georgia was "out of danger,"[1] resigned the next month and was replaced by Internal Affairs Minister Irakli Garibashvili.

Georgian Dream took several steps to fulfill its campaign promises in 2013, pushing through legislation to strengthen judicial and media independence. A controversial amnesty law adopted in January also facilitated the release of approximately half of Georgia's prison population, which had swelled far beyond capacity as a result of the former government's zero-tolerance policy on crime and the dominant position of prosecutors in the legal system. The parliament amended Georgia's labor code to bring it in line with international standards and passed a landmark local self-government law.

The controversial investigation and prosecution of former UNM officials on bribery and abuse-of-office charges in late 2012 continued in 2013, though all proceedings were monitored by Transparency International. Anti-Islamic manifestations across the country and a violent attack by thousands of people against gay rights demonstrators in May called into question the government's commitment to protecting minority rights.

National Democratic Governance. The prosecution of former government officials continued in 2013, despite UNM's accusations that the new government is practicing selective justice. Nevertheless, due process in these arrests appears to have been observed. The government has passed laws reforming the constitution and judiciary, and parliament's majority and minority lawmakers worked together at times, despite being deeply divided. Amendments adopted between 2010 and 2012 came into force in late 2013, redistributing several presidential powers between the prime minister and parliament. *Georgia's rating for national democratic governance remains unchanged at 5.50.*

Electoral Process. Elections on 27 October marked the first peaceful transfer of presidential authority via ballot. Despite noted problems, the electoral race saw fewer incidents of voter intimidation and was less polarized than the parliamentary elections of 2012. Due to calm, free, and fair presidential elections, *Georgia's electoral process rating improves from 4.75 to 4.50.*

Civil Society. Civil society organizations were active throughout 2012, taking part in parliamentary committees and helping to draft laws. In March, members of the influential Georgian Orthodox clergy led a crowd of thousands in an attack against a small group of rallying gay rights activists in downtown Tbilisi. *Georgia's civil society rating remains unchanged at 3.75.*

Independent Media. In May, Parliament passed amendments to media legislation that increased the transparency of broadcaster ownership, reduced political influence on the Georgian Public Broadcaster (GPB), and made the preelection "Must Carry/Must Offer" law applicable, year-round. In the run-up to the October presidential elections, media monitors noted that connections between the major broadcast outlets and political parties and figures were no longer apparent. *Georgia's independent media rating improves from 4.25 to 4.00.*

Local Democratic Governance. Local authorities remain highly dependent on funding from the central government and continue to be excluded from much of the decision-making process. Decentralization is a proclaimed priority of the Georgian Dream government, which pushed through a local self-governance bill in 2013. Pending evidence of the new legislation's effectiveness, *Georgia's local democratic governance rating remains unchanged at 5.50.*

Judicial Framework and Independence. In 2013, the Georgian government introduced changes to the legislature intended to reduce executive influence on the courts. The year also saw an increase in the number of cases won against the state, indicating a growing separation between the judiciary and the prosecutor's office. Having promised to improve conditions in Georgia's chronically overcrowded prison system and free political prisoners, the Georgian Dream parliamentary

majority passed a controversial amnesty law used to free over 8,000 inmates. In July, the interior ministry announced the discovery of some 24,000 video and audiotapes that had been recorded without court authorization, revealing the scale and systematic nature of the illegal surveillance under the previous government. *Georgia's rating for judicial framework and independence remains unchanged at 5.00.*

Corruption. Aggressive enforcement of anticorruption policies over the past four years has effectively eliminated low-level graft, most notably in the civil service. While people may no longer bribe civil servants, the sector continues to be vulnerable to unscrupulousness. Following the 2012 parliamentary elections, many civil servants were reportedly forced to resign, replaced by persons without formal qualifications. Payment processes in the public sector also lack transparency, as do certain large government tenders. *Georgia's rating for corruption remains unchanged at 4.50.*

Outlook for 2014. Georgia is entering uncharted territory as Mikheil Saakashvili and Bidzina Ivanishvili exit the political scene, leaving the country without a dominant leader. Georgia's new president and prime minister are unobtrusive technocrats representing the Georgian Dream majority parliamentary faction, a diverse coalition of parties. With a more parliamentary system in place, some fear the legislature may break down should the coalition split, particularly as the minority UNM party loses members.

The key test of this more pluralistic system will be whether lawmakers can continue to push through reforms to strengthen democratic institutions. The continued persecution of UNM officials raises concerns the new government's priorities is the punishment of its adversaries. Local elections in June will be a further test of the government's commitment to free elections.

Georgia's goals for European Union and NATO membership appear unchanged, and the country plans to sign the European Association Agreement in 2014. Meanwhile, Georgia's policy of normalizing relations with Russia will remain extremely challenging. Although Russia resumed the imports of many Georgian products in 2013, it also began establishing the South Ossetian administrative border by erecting barbed-wire fences through Georgian villages.

Main Report

National Democratic Governance

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
5.50	5.50	5.50	5.75	6.00	6.00	5.75	5.75	5.50	5.50

From 2004 to late 2012, Georgia operated under a de facto one-party presidential system dominated by President Mikheil Saakashvili's United National Movement (UNM). The defeat of UNM by billionaire Bidzina Ivanishvili's Georgian Dream in October 2012 transformed the political landscape, creating a multiparty system in which UNM held only 65 seats[2] to Georgian Dream's 85. Members of Georgia's 150-seat Sakartvelos Parlament'i (Parliament) are elected to four-year terms—77 of them via party lists, and 73 in single-mandate majoritarian constituencies.

Tensions ran high in 2013 between President Saakashvili, whose term in office did not end until October, and Prime Minister Ivanishvili, whose inaugural promise had been to punish the abuses committed by high-level officials under previous governments.[3] By September, 35 former Saakashvili government officials had been investigated and charged with bribery or abuse of office.[4] The first to be convicted was Georgia's former minister of defense (2009–12) and internal affairs (July–September 2012), Bacho Akhalaia. Several other UNM officials left the country to avoid prosecution. David Kezarashvili, another former defense minister, was arrested in France on 14 October and was awaiting extradition at year's end.

Saakashvili and the UNM condemned the investigations and prosecutions as bogus and politically motivated,[5] and international observers cautioned Ivanishvili against applying selective justice, particularly against Saakashvili himself.[6] Ivanishvili insisted his government was restoring justice transparently and in full accordance with the rule of law.[7]

In his last days in office, Saakashvili pardoned 248 prisoners, including Akhalaia—who remained in custody on different charges—and several other members of his former government.[8] Sozar Subari, Georgia's minister of correction and legal assistance, criticized the president for making a "morally unjustified" political decision.[9]

Presidential elections in October marked the end of the awkward "cohabitation" between Saakashvili and the Georgian Dream government. When the election was over, constitutional amendments from 2010 to 2013 entered into force, distributing the presidential powers between the prime minister and Parliament. The president remains head of state and commander-in-chief and represents Georgia in foreign relations but needs government agreement to appoint or dismiss military commanders. The president can no longer initiate draft laws, suspend acts issued by the government, or convene emergency sessions of Parliament. The prime minister, however, now has the authority to appoint or dismiss members of the

government, including ministers, while Parliament directs and executes foreign and domestic policies and also appoints or dismisses provincial governors.

Despite the high level of antagonism between Georgian Dream and the UNM parliamentary minority, deputies from the two parties proved capable of working together on several pieces of legislation in 2013, including a constitutional amendment limiting the president's powers[10] and an amendment to the Liberty Charter on displaying symbols of Georgia's Soviet past.[11]

In January, Parliament passed an amnesty law[12] that decreased the country's prison population by more than half, from 21,420 in October 2012 to 9,349 by early July 2013.[13] The Venice Commission of the Council of Europe noted that the law failed to comply with several principles of the rule of law, including the separation of powers, as Parliament assumed the functions of the judiciary.[14]

After November's presidential inauguration, a constitutional amendment adopted in 2010[15] went into force, increasing the number of deputy votes needed to pass future constitutional amendments from a two-thirds parliamentary majority to one of three-fourths and requiring that the vote be conducted in two rounds, rather than one. Georgian Dream had proposed an amendment to keep the threshold at two-thirds, which is closer to—though still higher than—the ruling party's majority in Parliament. The Venice Commission called this proposal "a step back."[16]

The new Georgian Dream government has made efforts to restore economic and cultural ties with Russia, toning down the aggressive anti-Russian rhetoric of the last several years. In July, Russia lifted its seven-year ban on Georgian wine and mineral water, signaling a possible détente, but three months later the Kremlin erected barbed-wire fences through Georgian villages to demarcate the South Ossetian administrative border. In September, Ivanishvili announced the possibility of joining the Kremlin-initiated Eurasian Union, which shocked the opposition, who feared he intended to make a complete reversal in the country's foreign policy.[17] Ivanishvili claimed his comments had been taken out of context, but also noted that joining the Eurasian Union need not in any way conflict with Georgia's plan to join NATO or the European Union (EU).[18]

Electoral Process

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
4.75	4.75	4.50	4.75	5.25	5.25	5.00	5.00	4.75	4.50

In late 2013, Giorgi Margvelashvili, a previously unknown philosopher who served as education minister for the Georgian Dream government, became the first presidential candidate in the Georgia's history to replace an incumbent through a peaceful election. The election, while imperfect, was favorably assessed by international observers, who noted a "political maturity" and improvements in transparency, competitiveness, and administration.[19]

An unprecedented 23 presidential hopefuls competed on 27 October,[20] though only three were considered serious contenders: Margvelashvili, representing Georgian Dream, won 62.12 percent of the vote;[21] Davit Bakradze of UNM came in second with 21.72 percent of the vote; and Nino Burjanadze, a former interim president and UNM speaker of Parliament and current leader of the Democratic Movement–United Georgia, received 10.19 percent.[22] Eleven weeks before the start of the campaign, Zurab Kharatishvili, the well-respected chairman of the Central Election Commission (CEC), made headlines by resigning from his position in order to compete for the presidency on behalf of "a new, political center," but he ultimately received only a few thousand votes.[23]

The presidential campaign was much calmer than the previous year's highly charged parliamentary contest, even with tensions between Georgian Dream and UNM running high as trials against ex-UNM officials continued. By election day, a number of key officials from previous UNM governments had been arrested on charges of bribery or abuse of office. A number were being held in pretrial detention, including the party's general secretary, former prime minister Vano Merabishvili.

The Tbilisi-based International Society for Fair Elections and Democracy (ISFED) monitored the 2013 campaigns and reported a number of violations, mostly committed by the ruling Georgian Dream. These included the coercion of district commission members, physical assault, and misuse of state resources.[24] In the regions, there were also reports of civil servants' violating electoral law by attending campaign rallies during working hours.[25] UNM representatives reported many cases of intimidation and harassment at their rallies, resulting in 17 arrests on charges of hooliganism.[26] However, the number of such cases pales in comparison to the systematic harassment and intimidation of Georgian Dream supporters by the UNM in the 2012 elections. Approximately 60 cases of violations were reported during the 2013 pre-election period, while in 2012 the number was around 300.[27]

A less polarized media environment improved the balance of presidential campaign coverage. The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) complained that campaign coverage lacked "critical analysis and analytical reporting."[28] However, news stories were largely neutral and followed ethical norms.[29] In September, a struggle between the Georgian Public Broadcaster (GPB) and UNM over the latter's right to air a number of critical campaign commercials ended with a victory for the opposition. Originally, GPB refused to broadcast six of UNM's campaign commercials on the grounds that they were not clearly identified as campaign materials, as required by law.[30] UNM accused the broadcaster of bowing to government pressure and undermining "principles of a democratic, free, and fair election."[31] Days later, GPB agreed to air the commercials, unedited, stipulating that the UNM—not the public broadcaster—would be held responsible for the content.

Georgia's State Audit Office (SAO), which is responsible for tracking the financial activities of political parties and issuing fines, fined Nino Burjanadze's Democratic Movement, the UNM, and several independent individuals for funding

violations in 2013. At the same time, OSCE/ODIHR criticized the SAO for exercising a low level of oversight during the campaign period.[32] In October, after a squabble with the organization's chairperson, UNM suspended its participation in the Inter-Agency Task Force for Free and Fair Elections (IATF), another body established to monitor alleged campaign violations and refer them to the relevant state agencies.[33] After amendments to the election code in July, the IATF moved from under the National Security Council to the justice ministry.

In June 2013, Prime Minister Ivanishvili reiterated his campaign promise to leave politics as soon as Georgia was "out of danger."[34] Days after the presidential election, he named 31-year-old interior minister Irakli Garibashvili as his successor. Garibashvili was confirmed through a parliamentary vote three days after President Saakashvili left office.

Civil Society

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
3.50	3.50	3.50	3.50	3.75	3.75	3.75	3.75	3.75	3.75

The new Georgian Dream government pledged to engage with and strengthen civil society, which had weakened in the years since the Rose Revolution. Many leading civil society figures became part of the Saakashvili government, creating a vacuum of policy and advocacy expertise in the nongovernmental sector. Over the next few years, funding for nongovernmental organizations (NGOs) was increasingly redirected through the state, making many groups too dependent on government funding to constructively engage policymakers on key issues. As the government focused on centralizing power, the civic sector also found itself marginalized in political decision-making.

Local NGOs seemed reenergized by the run-up to the 2012 parliamentary elections and played a critical role in securing legislative changes that improved the fairness of the campaigns. Among the most important of these was a "must-carry" law requiring cable operators to carry all television stations with news programs in order to increase the public's access to information in the preelection period.[35] The law was extended permanently in Parliament's 2013 spring session. Civil society representatives were also invited to actively engage in drafting a local self-governance bill that passed in December 2013.[36]

In February, Ivanishvili organized a summit with Georgia's leading human and legal rights groups, inviting feedback on his first 100 days in office. The prime minister was at pains to emphasize that civil society's watchdog function was all the more important now that UNM was refusing to offer "constructive" criticism of government policies.[37] Some of the feedback offered by summit attendees concerned the mass amnesty process and the government's failure to respond to protests, some of them violent, led by Georgian Dream supporters demanding the resignation of municipality heads who were UNM members.[38] Groups also

discussed reform initiatives and the need to protect minority rights, particularly in light of religious confrontations that occurred in Nigvziani in October 2012 and Tsintskaro in December 2012.[39]

The Georgian Orthodox Church continues to exert significant influence over Georgian society, with 83 percent of citizens identifying themselves as Orthodox Christians.[40] A controversial 2002 concordat guarantees the church's special role and status in the country, and church leadership is usually consulted on major decisions affecting religious groups, particularly in the area of education. In 2013 alone, the church received 25 million lari (nearly $15 million) in government subsidies, an increase of 3 million lari (about $1.7 million) from the previous year.[41] The state also gave the church 144,000 square meters of real estate through a program that unloaded property for the symbolic sum of 1 lari (65 cents).[42]

Although it claims political neutrality, the church has become increasingly vocal on political issues. Many elements in the church are pro-Russian and view Georgia's western orientation as a threat to the country's traditions. The clash of ideologies came to a head over the matter of an LGBTI (Lesbian, Gay, Bisexual, Transgender, Intersex) rally planned for 17 May, the International Day Against Homophobia.[43] Patriarch Ilia II called on authorities to ban the demonstrations, which he called "a violation of majority's right" and "an insult" to Georgian traditions.[44] When the government did not acquiesce, Orthodox Christian activists and priests organized a counter-rally attended by thousands of people who broke police barriers and attacked a small group of gay rights activists, chasing them through the center of Tbilisi. Fourteen of the reported 28 people injured in the melee were hospitalized. Seven people (out of an estimated 20,000) were eventually charged with misdemeanor crimes, including two Orthodox priests.[45] Local NGOs Identoba and Women's Initiatives Supporting Group launched an online petition declaring the violence an attack on LGBTI rights and Georgian statehood, attracting more than 13,400 signatures.[46] A week later, they organized a "No to Theocracy" rally in Tbilisi. Nevertheless, a poll conducted one month later revealed a 93 percent approval for Georgia's patriarch.[47]

The events of 17 May also highlighted ideological fault-lines within the diverse coalition of parties that make up Georgian Dream. David Saganelidze, the leader of the Georgian Dream parliamentary majority, blamed the activists for the violence and demanded they be punished.[48] By contrast, parliamentary speaker Davit Usupashvili of the Republican Party condemned the attack.[49] Usupashvili was also one of the few members of the government to speak out against the removal of a minaret in a southern Georgian village in August—one of a series of controversies surrounding the treatment of Georgia's Muslim minority in 2013.[50]

Labor organizations remain extremely weak in Georgia, and workers' rights are poorly protected. Until recently, the labor code was in violation of Georgia's commitment to international conventions, but June 2013 saw the passage of a new labor code that meets the International Labor Organization's minimum standards.[51]

Independent Media

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
4.25	4.25	4.00	4.25	4.25	4.25	4.25	4.25	4.25	4.00

Georgia has some of the most progressive legislation in the region and a wide range of media outlets. Historically, political influence over private media, particularly broadcast outlets, has been a major problem, with nearly all outlets taking a strong pro- or antigovernment position. However, in the run-up to the October presidential elections, media monitors noted that connections between the major broadcast outlets, such as Rustavi-2 and Imedi TV, and political parties and figures were no longer apparent.[52] Rather than coordinating coverage of political content along party lines, broadcasters focused on producing competitive editorial content,[53] even if the result was not as analytical as could be desired.

Television remains the main source of political information for 97 percent of the population.[54] Until recently, four TV stations provided news programming on a national level: Rustavi 2, Imedi-TV, TV9, and the state-owned Georgian Public Broadcaster (GPB) Channel 1. On 20 August, TV9's staff pulled the station off the air. The day before, Prime Minister Bidzina Ivanishvili announced his intention to shut down the station, which was owned by his wife. Ivanishvili had established the station in April 2012 to even the electoral playing field by countering the government's control over other television outlets. With presidential elections months away, Ivanishvili said he wanted to prevent a perception among voters that his TV station would provide biased coverage of his party's candidate.[55]

In May, Parliament adopted amendments to the Law on Broadcasting, expanding the mandate of the June 2012 "Must Carry/Must Offer" law beyond preelection periods and introducing measures to increase transparency in media advertising. The "Must Carry/Must Offer" legislation is particularly significant as it ensures media pluralism and accessibility to alternative sources of information for cable network subscribers. Legislation adopted in May also revised the governance structure of the public broadcaster, reducing the direct influence of the executive branch. The president of Georgia no longer has the right to select GPB board members; instead, members are selected by the parliamentary majority and minority, and one is nominated by the public defender. Previously, GPB had been considered biased in favor of the Saakashvili government. The new law aims to establish more transparency and plurality at the public broadcaster. Finally, the 2013 amendments address the longstanding problem of Adjara TV's financing and governance structure. Adjara TV will now function on a public broadcaster model, as a GPB affiliate, and will no longer operate under the direction of the Autonomous Republic of Adjara.[56]

GPB itself was embroiled in several controversies during the year. In February, Giorgi Baratashvili was dismissed just two months into his tenure as GPB's general director. Baratashvili, who had been elected by a 13-member board in December 2012, sued for illegitimate dismissal, and was reinstated in April, only to be fired

again in September. The reason given for his dismissal was failure to effectively manage the broadcaster's budget,[57] but Baratashvili maintains that 9 UNM board members pushed him out before the elections, for political reasons.[58] Two weeks later, two talk show hosts at GPB Channel 1 were fired. They, too, claimed their firing was politically motivated as they were considered sympathetic to the opposition UNM.[59] In October, two of GPB's board members resigned, leaving the board without a quorum. Two sitting board members claimed the departures were due to political pressure and that an interior ministry employee moonlighting as a GPB security advisor had offered "rewards" in exchange for voting against Baratashvili's dismissal.[60]

By law, GPB was required to broadcast free campaign advertisements for no more than 60 seconds an hour throughout the preelection period. A few days after Baratashvili's final dismissal, the broadcaster's interim director refused to air six election advertisements submitted by the UNM on the grounds that "the electoral subject" (UNM) could not be seen anywhere in the ads.[61] Under pressure from NGOs, the decision was reversed soon afterwards.

Despite important improvements to the legal environment for free media, a number of problems persist. The level of professionalism among Georgia's media remains low. In early October, Prime Minister Ivanishvili invited 16 journalists from major new outlets to his home for a televised chat, only to berate them for "dilettantism" and lack of responsibility.[62] The incident prompted Transparency International Georgia and the International Society for Fair Elections and Democracy (ISFED) to release a joint statement expressing concern that the prime minister's "tone and his instructions on how reporters should formulate questions can be considered an undue interference in the work of the media."[63]

The internet, which is free from government or corporate censorship, plays an increasing role in people's lives as access grows. In June 2012, the Georgian National Communications Commission (GNCC) reported there were more than 1.6 million internet users in Georgia—an increase of 46 percent over the previous year.[64] In a recent survey, 25 percent of Georgians reported they receive their political information online, where there are an increasing number of news outlets.

Local Democratic Governance

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
6.00	5.75	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50

Georgian legislation outlines three levels of governance: national, regional, and local. The country is divided into nine regions, governed by presidential appointees. Five cities are self-governing: Tbilisi, Kutaisi, Batumi, Rustavi, and Poti. With the exception of Tbilisi, local city councils (*sakrebulos*) elect the mayors. Tbilisi is the only city in Georgia whose mayor is directly elected by voters.

Adjara remains the only regional entity with limited autonomy. Abkhazia and South Ossetia are the two separatist regions that have remained outside of Tbilisi's control since the violent conflicts of the 1990s and are ruled by de facto

governments. The head of Adjara's regional government is elected by the local Supreme Council but proposed by the president of Georgia. The president currently has extensive rights to dismiss Adjara's parliament and government. Income tax is the key revenue source for Adjara, which has the ability to plan and implement regional development policies.[65]

On 25 July, the Adjara regional government approved amendments[66] to its 2013 budget that increased funding to Goderdzi resort, the Adjara TV-Radio Department, the Environmental Division, and the Healthcare Ministry. These amendments violate Article 49 (point 3) of Georgia's election code, which prohibits the implementation of projects previously not included in state or local government budgets in the period between the announcement of an election and the end of the vote count.[67] Increasing funding for existing budgetary programs, initiating unplanned budgetary transfers, or increasing the amount of planned transfers is also prohibited during this period. Aleksandre Chitishvili, chairman of the Commission for Financial-Budgetary and Economic Issues at the Adjara Supreme Council, argued that Georgia's election code does not apply to the autonomous republic, but several legal watchdog groups disagreed, stating the autonomous republic cannot separate its budget from the state or local budgets.[68]

Legal amendments adopted in 2010 increased the independence of local governments by granting greater financial guarantees, but the funding provided to individual regions is comprehensively unequal in per capita calculations. Local self-governing units continue to lack the financial resources to fulfill their responsibilities. As of January 2013, total local budget revenues (including Tbilisi) made up just 14.4 percent (approximately $700 million) of the consolidated budget of Georgia, while the total amount excluding Tbilisi was 6.5 percent (approximately $315 million).[69] Local self-governments rely heavily on the central government to provide funds from the Regional Development Projects Implementation Fund allocated annually in the state budget.

Having made self-government reform a priority, the Georgian Dream tasked the Ministry of Regional Development and Infrastructure (MRDI) with administering the decentralization policy. MRDI Minister David Narmania and his first deputy, Tengiz Shergelashvili, are acknowledged local self-government experts,[70] and the government spent the year discussing and drafting ambitious laws to improve the decentralization process. In March, the government approved the MRDI's Main Principles of Decentralization and Self-Government Development Strategy for 2013–14, a plan specifying reform measures to be introduced before the upcoming local elections of May–June 2014. Despite recommendations from the Council of Europe, the NGO National Association of Local Authorities of Georgia (NALAG)—founded in 2004 to improve local self-governance and the decentralization process—was excluded from the plan's drafting process.[71] NALAG drafted its own version of the strategy for review by a special parliamentary committee, which considered it together with the MRDI draft. In October, NALAG hosted an open conference in which the two versions were discussed with the aim of arriving at a unified proposal.

Relations between NALAG and the government broke down after a series of violent demonstrations in the regions by Georgian Dream activists trying to force UNM mayors and council chairs to resign following the 2012 parliamentary elections. In some cases, protesters vandalized and occupied civic buildings.[72] By September 2013, the heads (*gamgebelis*) of 68 of the 69 municipalities had been replaced due to mounting pressure,[73] even though local elections are not scheduled to occur until 2014. On 13 December, Parliament passed the first reading of the self-governance reform bill,[74] which provides for the direct election of mayors in 12 towns in addition to the direct election of all local gamgebelis in Georgia, starting with 2014 local elections. They will be elected for three-year terms with an increase to four-year terms in 2017. Sakrebulos will have the authority to directly impeach elected mayors or gamgebelis if 50 percent of its members request proceedings, or on written request of at least 20 percent of their voters. A sakrebulo will need a two-thirds majority to vote out a mayor or gamgebeli. Local sakrebulos will manage land, natural resources, buildings, and infrastructure. Each municipal and regional self-governing unit will have its own independent budget. Finances are expected to increase considerably due to the income tax that employed residents will pay to the municipality. At the municipality level, the borders of self-governing units will change. Currently, there are 69 self-governing municipalities. This figure is expected to increase; but to create a new municipality, a proposal must be drafted by a special interagency commission, endorsed by the government, and then confirmed by the parliament. The status of self-governance will be given to those cities with a minimum population of 15,000.

The authors of the bill rolled back on several key points of the original draft after it was sharply criticized by the patriarch of the Georgian Orthodox Church and extraparliamentary opposition members, who feared that more local power would encourage separatism.[75] As a result, Parliament rescinded its plan to introduce direct democracy through a village assembly, which would have been a legal entity of law with the power to elect an assembly chairperson and council of representatives. The central government will continue to appoint provincial governors; however, their function will significantly change. The office of the "state trustee—governor" will be called the "regional union of municipalities" This office will no longer provide legislative supervision of self-government bodies, but will create and adopt strategies for regional development, including supervising roads and cultural institutions and recycling solid waste.

Judicial Framework and Independence

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
5.00	4.75	4.75	4.75	4.75	4.75	5.00	5.00	5.00	5.00

Georgia's constitution and national legislation guarantee fundamental political, civil, and individual rights. Since 2004, the government has increased budget funding to the judiciary, resulting in substantial improvements in regards to salaries,

infrastructure, equipment, and staff. However, despite implemented reforms and a commitment to using the European Convention on Human Rights as a model, the judiciary has continued to suffer from the undue influence of the Prosecutor's Office and the executive branch during the adjudication of criminal cases, particularly when the political leadership's interests are at stake.

A month after its 2012 victory, the Georgian Dream parliamentary majority initiated a package of legislative changes intended to break down the links between the executive and judicial branches, reform the educational institution of judges, and improve transparency in the system. In May 2013, amendments to the Organic Law on Courts of General Jurisdiction changed the rule of composition of the High Council of Justice, a constitutional institution that administers the judiciary system. The 15-member council appoints and dismisses judges, oversees the qualification process, and manages reform in the judiciary system. Georgia's president no longer has exclusive authority to appoint members; instead, the eight judicial members are elected by the Conference of Judges, a self-governing body of nine judges from the common courts of Georgia. Parliament elects six non-judicial members, who cannot be parliamentary deputies. The president elects two members, while the chairman of the Supreme Court chairs the High Council of Justice. This is a major step in freeing the council of members of direct political affiliation.

Increased rights were also given to the Conference of Judges at the expense of the chairman of the Supreme Court. The Conference of Judges now has exclusive authority to elect the Independent Board of the High School of Justice and judicial members of the disciplinary board. All voting is by secret ballot. The Administrative Committee, established to facilitate the Conference of Judges' work, also has had much of its power distributed to the conference. While further improvements in these areas are needed, local and international monitoring groups, including the Venice Commission, have assessed these reforms positively.

The controversial arrest and investigation of UNM members, including former members of the Saakashvili government, continued throughout 2013. By year's end, the Prosecutor's Office had questioned more than 6,000 people in connection with the investigations of some 35 former government officials suspected of abuse of power, misuse of state funds, and money laundering. UNM insists the investigations are politically motivated, a concern echoed by many in the international community. Transparency International Georgia monitored the ensuing legal proceedings from February to July 2013, reporting that both the defense and prosecution had enjoyed equal opportunities to present their cases.[76] Some high-profile cases, including a number of the charges against former defense minister Bacho Akhalaia, even resulted in acquittals.[77] Brigadier-General Giorgi Kalandadze, who had been arrested with Akhalaia, was acquitted of all charges against him. Former ministers Nika Gvaramia and Aleksandre Khetaguri were also found not guilty on corruption charges. However, the court's decision to suspend Tbilisi Mayor Gigi Ugulava pending charges against him raised concerns.[78]

According to the Georgian branch of Transparency International, the first six months of 2013 saw markedly more acquittals in cases brought by the Prosecutor's

Office than in the previous year—a positive sign in Georgia's heavily prosecution-driven system.[79] In June, the Prosecutor's Office gained full independence from the justice ministry, meaning that the justice minister can no longer detain and prosecute government officials, including the head of the Supreme Court. This is now the responsibility of the chief prosecutor, a separate, non-political office.

Having promised to improve conditions in Georgia's chronically overcrowded prison system and free all political prisoners, in January the Georgian Dream parliamentary majority passed a controversial amnesty law, overturning President Saakashvili's December 2012 veto of the original bill. The first result of the law was the release of 190 persons identified by a special parliamentary working group as political prisoners.[80] The Venice Commission issued a critical opinion of this provision, noting that Parliament had violated the separation of powers by coming up with the list of prisoners to be amnestied, rather than determining the criteria defining a political prisoner and passing them to the judiciary to interpret and apply. The report also noted the nontransparent manner in which the working group had created the list.[81] Over the next two months, the amnesty law was used to release over 8,000 additional inmates.[82]

In July 2013, the interior ministry announced the discovery of some 24,000 video and audiotapes that had been recorded without court authorization, revealing the scale and systematic nature of the illegal surveillance under the previous government.[83] Many of those recorded were political opponents, journalists, and activists. The sexual nature of some of the tapes indicated an intent to blackmail.[84] Georgian Dream's deputy internal affairs minister was dismissed and charged after publishing one of the videos with the clear intent of damaging the reputation of a critical journalist who had been recorded. On 5 September, a special commission established to supervise control of the recordings destroyed 144 files considered "private life" footage, while the remaining tapes are being sorted and stored. Suspecting the existence of copies, the government passed a law making possession of the recordings a criminal offense.

Corruption

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
5.75	5.50	5.00	5.00	5.00	5.00	4.75	4.50	4.50	4.50

In the last several years of its tenure, the Saakashvili administration nearly eradicated low-level graft in law enforcement and other state services. Authorities also zealously pursued organized crime syndicates ("thieves-in-law"), arresting some as others fled abroad. Throughout this process, however, political leaders remained entangled with various nontransparent business and media interests, and many people close to the government became extremely wealthy, including former ministers.[85] Fifteen percent of respondents to a September 2013 survey asserted that corruption had improved since the end of Saakashvili's "zero-tolerance" judicial system, 7 percent said graft had become worse, and 66 percent felt there had been no change.[86]

Georgia's civic sector remains vulnerable to government pressure, particularly in election seasons. Within months of Georgian Dream's 2012 electoral victory, 5,149 civil service employees had left their jobs. Forty-five percent (2,330) of these employees resigned and 11 percent were dismissed.[87] With unemployment in Georgia at 12 percent at the end of 2012,[88] the high number of voluntary resignations raises suspicions that employees had been coerced into leaving. Former employees of the defense ministry, which dismissed 690 employees, reported they were given prewritten resignation letters to sign.[89] In March, an amendment to the criminal code made coercing a staff member into resigning a criminal offense, punishable by a fine or up to two years in prison.

The criteria by which public servants are appointed still lack transparency. After the elections, only 4 percent of some 6,500 new members of the public service were appointed through a competitive process.[90] At the Interior Ministry, 897 people were dismissed and 1,012 others appointed. On 25 January, the ministry established a temporary recruitment rule making it possible to nominate or promote a person without professional training or a corresponding exam within the ministry. This included the heads of police patrol units and the operative department, detectives, district inspector-investigators, and border police officers. The rule remained in force until 31 March 2013.

There is also a problematic lack of transparency in the remuneration of public servants. A 2010 action plan to implement the national anticorruption strategy described a gradual move toward a contracted pay system in 2012–13, but no significant steps were taken in this direction during the year. Civil servants receive a salary, which includes bonuses; however, the legislation has no exact definition of *bonus* or formal guidelines regulating their payment. A lack of predetermined criteria leaves the existing bonus system open for abuse. In 2012, for example, the governor of Samegrelo–Zemo Svaneti earned 46,288 lari ($27,685) for his 11-month term, half of it in bonuses;[91] this is significantly higher than the average annual bonus in developed countries.[92]

Georgia has an online system of assets disclosure for public officials with almost 45,000 declarations;[93] however, disclosure requirements do not apply to all members of the local government, and there is no way to verify the content of the declarations.

In 2010, the government established a unified electronic system of public tendering that can be monitored online. However, the defense ministry and the president's and government's reserve funds are exempt from using the system, leaving the process vulnerable to corruption. According to a July 2013 report, the state spent about 800 million lari ($478 million) through opaque procedures in 2012.[94] Defense spending, which is largely unsupervised, began using the online procurement platform for a number of tenders in 2013. One such tender was awarded in April to Food Line Georgia LLC the day after the company was sold under terms contingent upon winning the defense ministry contract. This was alűóso directly after the appointment of parliamentary deputy Irina Imerlishvili's spouse as Food Line Georgia's director.

Georgia's anticorruption activities are coordinated through the largely ineffectual Interagency Coordinating Council for Combating Corruption, established in December 2008. The agency failed to meet its declared objectives in 2013, including the creation of a report on its action plan. The council met in January 2013 to revise the existing action plan and begin working on the 2014–2016 action plan. The government expressed its desire to improve the planning and implementation process and invited several NGOs to participate.

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