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Freedom in the World 2012 - Georgia

2012 Scores

Status: Partly Free
Freedom Rating: 3.5
Civil Liberties: 3
Political Rights: 4

Overview

Georgia's political scene was shaken in 2011 by the emergence of Bidzina Ivanishvili, a billionaire who returned to Georgia after years abroad and announced plans to form his own political party ahead of parliamentary elections in 2012. Separately, Georgia finally relented on its long-standing objections to Russia's entry into the World Trade Organization. More than three years after invading Georgia during an August 2008 war, Russian troops continued to occupy the breakaway republics of Abkhazia and South Ossetia, which are recognized as Georgian territory by all but a handful of countries.

Georgia gained its independence from Russia in 1918, only to become part of the Soviet Union in 1922. In 1990, shortly before the Soviet Union's collapse, an attempt by the region of South Ossetia to declare independence from Georgia and join Russia's North Ossetia republic sparked a war between the separatists and Georgian forces. Although a ceasefire was signed in 1992, South Ossetia's final political status remained unresolved.

Following a national referendum in April 1991, Georgia declared its independence from the Soviet Union. Nationalist leader and former dissident Zviad Gamsakhurdia was elected president in May. The next year, he was overthrown by opposition militias and replaced with former Georgian Communist Party head and Soviet foreign minister Eduard Shevardnadze. Parliamentary elections held in 1992 resulted in more than 30 parties and blocs winning seats, with none securing a majority.

In 1993, Georgia was shaken by the violent secession of the Abkhazia region and an insurrection by Gamsakhurdia loyalists. Shevardnadze legalized the presence of some 19,000 Russian troops in Georgia in return for Russian support against Gamsakhurdia, who reportedly committed suicide after his defeat. In early 1994, Georgia and Abkhazia agreed to a ceasefire under which Russian-led troops were stationed along the de facto border.

In 1995, Shevardnadze and his Citizens' Union of Georgia (CUG) party won presidential and parliamentary polls. The CUG won again in the 1999 parliamentary elections, and observers from the Organization for Security and Cooperation in Europe (OSCE) concluded that, despite some irregularities, the vote was generally fair. In the 2000 presidential poll, however, Shevardnadze's wide margin of victory led to accusations of fraud that were supported by election monitors.

Shevardnadze faced growing opposition from prominent members of the CUG, including Justice Minister Mikheil Saakashvili, who criticized the president's failure to contain widespread corruption. While Shevardnadze resigned as CUG chairman in 2001, Saakashvili left to form his own party, the National Movement.

Flawed parliamentary elections in November 2003 sparked a campaign of street protests known as the Rose Revolution. OSCE observers reported a variety of electoral violations, Shevardnadze was forced to resign, and the Supreme Court cancelled the election results. Saakashvili won a snap presidential election in January 2004, running virtually unopposed and capturing 96 percent of the vote. Fresh parliamentary elections in March gave two-thirds of the seats to the National Movement and allied parties.

Georgia's relations with Russia soured as Saakashvili quickly reestablished Tbilisi's control over the semiautonomous southwestern region of Ajaria and pledged to reintegrate the separatist enclaves of Abkhazia and South Ossetia, which were tacitly supported by the Kremlin.

Mounting frustration with Saakashvili's dominance of the Georgian political scene culminated in large street protests in late 2007. Demonstrations in November drew between 50,000 and 100,000 people, prompting a violent police crackdown and the imposition of a November 7-16 state of emergency that barred opposition media from the airwaves and restricted freedom of assembly. Responding to opposition demands for elections, Saakashvili scheduled an early presidential vote for January 5, 2008, giving his opponents little time to prepare.

Saakashvili won with roughly 53 percent of the vote, but his main challenger alleged fraud, and OSCE observers noted an array of irregularities. The ruling party and its allies captured 119 of the 150 seats in May parliamentary elections, with the opposition again declaring that the balloting was rigged.

Armed conflict erupted in South Ossetia in early August, and an ensuing Russian invasion pressed deep into Georgian territory. A French-brokered ceasefire took hold after more than a week of fighting, and by fall Russian forces had largely withdrawn to the confines of South Ossetia and Abkhazia. Russia recognized the territories' independence in the wake of the conflict, but few other countries followed suit. Russia also established a substantial, long-term troop presence in both territories, despite the fact that the ceasefire deal called for a withdrawal of all forces to their positions before the fighting. A European Union (EU) report released in September 2009 assigned blame to both Russia and Georgia for the 2008 hostilities.

Opposition leaders demanded the president's resignation in April 2009, and his refusal led to a series of street protests, beatings, and arrests that lasted into the summer. Some opposition members were accused of plans to foment violence during the year, and a tank battalion allegedly launched an abortive mutiny in early May. Political and security conditions eased considerably in 2010, and the frequent protests that characterized the preceding three-year period were largely absent.

In October 2011, Georgian billionaire Bidzina Ivanishvili announced plans to establish his own opposition political party. However, he had lived abroad for years, acquiring French and Russian citizenship. Within days of his announcement, his Georgian citizenship was revoked on the grounds that he had not obtained the requisite permission for multiple citizenships. Under Georgian law, only citizens may form or finance political parties, or run for elective office. At year's end, Ivanishvili was seeking a remedy in the courts.

Russian troops continued to occupy South Ossetia and Abkhazia, and Georgia's relations with Russia generally remained fraught. Nevertheless, the countries managed to reach an agreement that would allow Russia to join the World Trade Organization, following a protracted period during which Georgia effectively blocked Russia's entry.

Political Rights and Civil Liberties

Georgia is not an electoral democracy. In recent election cycles, including the 2008 presidential and parliamentary elections, OSCE monitors have identified problems including the abuse of state resources, reports of intimidation aimed at public employees and opposition activists, and apparent voter-list inaccuracies. In its report on municipal polls held in 2010, the OSCE noted some progress toward meeting international election standards, but warned that "further efforts in resolutely tackling recurring misconduct are required in order to consolidate the progress and enhance public trust before the next national elections."

Parliament has 150 seats, with half chosen by party list and the other half in single-member districts. According to the constitution, the president appoints the cabinet and serves up to two five-year terms, though current president Mikheil Saakashvili – first elected in 2004 – was reelected in 2008 after calling an early vote. The cabinet's membership under Saakashvili has been fairly unstable; in 2009 he named Nikoloz Gilauri to serve as his fifth prime minister. Under a package of constitutional amendments adopted in October 2010, the bulk of executive authority will shift from the president to the prime minister in 2013, and new rules surrounding votes of no confidence will make it difficult for Parliament to remove the prime minister. The opposition claimed that the amendments were designed to allow Saakashvili to remain in power by becoming prime minister after the end of his second presidential term. Saakashvili has not categorically ruled out such a move.

In late December 2011, Parliament approved a new electoral code that aimed to address the shortcomings observed in past elections. While it was seen as an improvement on some fronts, with provisions that could benefit smaller parties, it failed to address key problems identified by the Council of Europe's Venice Commission, including the drastically varying sizes of the single-member parliamentary districts. The full impact of the new code would only become clear during the 2012 parliamentary elections.

Saakashvili's National Movement has been the dominant party since 2004, and although a number of key Saakashvili allies have defected to the opposition in recent years, the fragmented opposition parties have struggled to form a stable alliance that could successfully challenge the president. Bidzina Ivanishvili brought

new impetus to the opposition's efforts with his 2011 announcement that he was entering politics.

Corruption remains a challenge in Georgia. While notable progress has been made with respect to lower- and mid-level corruption, particularly in comparison with the country's neighbors, efforts to combat high-level corruption have stalled. The government's achievements have included an overhaul of the police force and university-level education reforms that curbed bribery in admissions and grading. However, implementation of a 2005 plan aimed at improving the transparency and effectiveness of the civil service, in part by strengthening the role of inspectors general within public agencies, has been lacking. Georgia apparently continues to suffer from corruption at elite levels, and the administration's insularity has fostered opportunities for cronyism and insider deals.

The constitution provides guarantees for press freedom, and the print media offer a range of political views. The state television and radio outlets were converted into public-service broadcasters in 2005, but critics maintain that the stations show a progovernment bias. The private broadcast media feature a degree of pluralism, though each station tends to favor a specific political camp, and progovernment stations are dominant. To help address the lack of ownership transparency, Parliament in 2011 adopted legal amendments that banned ownership of broadcasters by offshore firms and required stations to reveal their ownership structures. The measure was set to take effect in 2012. The authorities do not restrict access to the internet, but high-speed connections are prohibitively expensive for many citizens.

Freedom of religion is respected for the country's largely Georgian Orthodox Christian population and some traditional minority groups, including Muslims and Jews. However, members of newer groups, including Baptists, Pentecostals, and Jehovah's Witnesses, have faced harassment and intimidation by law enforcement officials and Georgian Orthodox extremists. The government does not restrict academic freedom.

Freedoms of association and assembly were generally respected in 2011, though the year was marred by a high-profile incident in May, when five days of antigovernment protests organized by former Parliament speaker Nino Burjanadze ended in violent clashes between police and demonstrators. The protesters had refused to disperse or relocate after their permit expired, and some reportedly assaulted police, touching off the violence. Nevertheless, an inquiry by the authorities found that police had used excessive force, and several officers were fired or demoted. At least two people were killed in connection with the protests, allegedly struck by an opposition motorcade that was fleeing the violence. Two other men were found dead, with their hands bound, in the aftermath of the protests, though it was unclear whether their deaths were directly related to the demonstrations.

Nongovernmental organizations (NGOs) are able to register and operate without arbitrary restrictions. They play an active role in public debate, but their influence has been limited by the general unwillingness of the current administration to engage with civil society on a consistent basis. Funding for civil society organizations is a challenge. Local business support for charities has developed over the years, but this tends not to be directed toward organizations that work on government policy and reform issues. A law adopted in 2011 will allow the government to provide financial support for projects administered by NGOs and universities.

The constitution and the Law on Trade Unions allow workers to organize and prohibit antiunion discrimination. The Amalgamated Trade Unions of Georgia, the successor to the Soviet-era union federation, is the principal trade union bloc. It is not affiliated with and receives no funding from the government. While Georgia replaced its Soviet-era labor code with a new framework in 2006, union influence remains marginal in practice.

The judiciary continues to suffer from significant corruption and pressure from the executive branch. The government has taken some measures designed to improve the independence and capacity of the judiciary, such as pay increases for judges and the implementation of jury trials, the first of which began in 2011, but more comprehensive reforms have yet to be enacted. The human rights ombudsman has repeatedly accused the police of abusing and torturing detainees. Prison conditions in Georgia continue to be abhorrent.

The government generally respects the rights of ethnic minorities in areas of the country that are not contested by separatists. Freedom of residence and freedom to travel to and from the country are observed.

Societal violence against women is a problem, and cases of rape and domestic violence are believed to be underreported. A 2006 law on domestic violence allows victims to file immediate protective orders against their abusers, and permits police to issue a temporary restrictive order against suspects. However, these orders are rarely utilized, and the penalties for violating them are relatively mild. Georgia remains primarily a source country for trafficking in persons, but the government's efforts to combat the problem place it in Tier 1 in the U.S. State Department's annual Trafficking in Persons Report.

Explanatory Note:

The numerical ratings and status listed above do not reflect conditions in South Ossetia or Abkhazia, which are examined in separate reports.

