



Freedom in the World 2013 - Georgia

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2013 Scores

Status: Partly Free
Freedom Rating: 3.0
Civil Liberties: 3
Political Rights: 3

Ratings Change

Georgia's political rights rating improved from 4 to 3 due to the country's first peaceful handover of power to an opposition party after parliamentary elections that were judged free and fair by international observers and featured more pluralistic media coverage.

Explanatory Note

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

Overview

Billionaire businessman Bidzina Ivanishvili's Georgian Dream Movement defeated President Mikheil Saakashvili's ruling United National Movement in parliamentary elections in October, leading to the country's first peaceful transfer of power through elections since independence in 1991. A prison abuse scandal that had emerged late in the campaign sparked public anger at the government over long-neglected judicial reforms. After Ivanishvili took office as prime minister, more than 20 members of the previous government were arrested and questioned regarding a variety of alleged offenses, raising concerns about political retribution by the new authorities.

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 cease-fire 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 cease-fire 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 United National Movement (UNM).

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 canceled 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 UNM 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 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 state of emergency. Responding to opposition demands for elections, Saakashvili scheduled an early presidential vote for January 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.

An armed conflict between the government and South Ossetian separatist forces erupted in early August, and an ensuing Russian invasion pressed deep into Georgian territory before a French-brokered cease-fire took hold several days later. Russia recognized the independence of South Ossetia and Abkhazia in the wake of the conflict, but few other countries followed suit. Russia also established a substantial, long-term troop presence in both territories.

Opposition leaders renewed their demands for 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. 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, billionaire businessman Bidzina Ivanishvili announced plans to establish his own opposition political party. The government initially sought to block his participation in politics on

the grounds that he had improperly obtained multiple citizenships while living abroad, but under international and domestic pressure, Saakashvili signed constitutional amendments in May 2012 that cleared the way for Ivanishvili to run in the October parliamentary elections. Meanwhile, in April, Ivanishvili founded the Georgian Dream Movement, a coalition of six opposition parties that would challenge the UNM in the October balloting.

The campaign was highly competitive, but also extremely polarized, with each side criticizing the other rather than presenting distinct policy platforms. A prison abuse scandal that emerged in September helped galvanize voter opposition to Saakashvili's government, and Georgian Dream captured 85 seats, leaving the UNM in the minority with 65. In Georgia's first peaceful transfer of power through elections, Saakashvili conceded defeat and pledged to fully cooperate with the new government, including by reinstating Ivanishvili's Georgian citizenship and approving him as the new prime minister.

A key Georgian Dream campaign promise was to restore the country's frayed economic ties with Russia, but there was little progress by year's end. Saakashvili had unilaterally lifted visa restrictions on Russians traveling to Georgia in March, and Moscow pledged to reciprocate if Tbilisi revised a law that bars entry to South Ossetia and Abkhazia from areas not controlled by Georgia, potentially subjecting those entering from Russia to criminal prosecution. At year's end, no changes had been made to the law, and Russian troops continued to occupy both territories.

Political Rights and Civil Liberties

Georgia is an electoral democracy. International observers generally hailed the October 2012 parliamentary elections as free and fair, noting increased competitiveness and a range of largely peaceful political activities, including mass demonstrations by the opposition. The government's acceptance of the results and the subsequent transfer of power were also welcomed as signs of progress. However, a number of electoral problems persisted, including the abuse of administrative resources, intimidation of opposition supporters, tabulation irregularities, and an apparent progovernment bias in the activities of the State Audit Office.

The unicameral Parliament has 150 seats, with 77 chosen by party list and 73 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 next presidential election is expected in October 2013. 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.

Saakashvili's UNM dominated Georgian politics from 2004 until 2012, when growing dissatisfaction with the ruling party's perceived consolidation of power helped fuel support for the Georgian Dream Movement. The new party merged older opposition factions and benefited from founder Bidzina Ivanishvili's extensive personal wealth.

While notable progress has been made with respect to lower- and mid-level corruption, particularly in comparison with the country's neighbors, Georgia continues to suffer from corruption at elite levels, and the UNM administration's insularity fostered opportunities for cronyism and insider deals. After Georgian Dream took power in late 2012, the authorities arrested and interrogated more than 20 former officials from the previous government on charges ranging from abuse of power to bribery. Several of the allegations related to illegal surveillance of Georgian Dream, prompting the UNM to accuse the new government of pursuing a political vendetta. The international community urged the new leadership to maintain respect for due process, warning that using prosecutions to seek political retribution could jeopardize Georgia's bid for NATO membership. Georgian Dream officials denied that the cases were politically

motivated and invited NATO to monitor the investigations. The probes were ongoing at year's end, and accusations of legal violations were inconclusive.

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 showed a pro-UNM bias that continued even after the 2012 elections. The major private television stations received heavy subsidies from the UNM government and displayed a progovernment slant. In the weeks following the elections, ownership changes reduced the dominance of pro-UNM stations, but the media remained polarized between the two main political camps. Legal amendments that banned offshore ownership of broadcasters and required stations to reveal their ownership structures came into effect in 2012. However, some outlets' ownership remained unclear, with listed owners allegedly serving as stand-ins for others. 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 large Georgian Orthodox Christian majority 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 upheld in 2012, though election observers noted some instances of local officials attempting to interfere in Georgian Dream campaign rallies, particularly in Gori. Georgian Dream held unusually large demonstrations without incident in Tbilisi, drawing an estimated 80,000 participants to one event in May.

Nongovernmental organizations (NGOs) are able to register and operate without arbitrary restrictions. NGOs were active in monitoring the preelection environment. Pushback from civil society groups forced Parliament to revise changes it made in January to the Law on Political Unions, which had allowed the State Audit Office to monitor the finances of all groups – including NGOs – that were "directly or indirectly" linked to political parties. The revision limited monitoring to groups with declared electoral goals. Civil society was also instrumental in the passage of a "must carry, must offer" rule at the end of June that obliged cable providers to broadcast all television channels for the 60-day period prior to the elections, giving the public access to more diverse information. Obtaining funding for NGOs is a challenge; local business support for charities tends not to be directed toward organizations that work on government policy and reform issues. A 2011 law allows 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. Union influence remains marginal in practice, and in 2012 civil society groups raised concerns that the current labor code does not protect employees from being fired on political grounds. The termination of employment contracts was identified as a voter-intimidation tactic in the run-up to the parliamentary elections.

The judiciary has suffered from significant corruption and pressure from the executive branch. The UNM government took some steps to improve the independence and capacity of the courts, such as pay increases for judges and the implementation of jury trials in 2011, but these have had little impact. The need for comprehensive reform of the justice system came to the fore in September 2012, when leaked videos showing the apparent abuse and rape of inmates at a prison outside of Tbilisi were broadcast on television. The images sparked public outrage, leading Saakashvili to appoint the country's ombudsman as the new minister for prisons and call for an overhaul of correctional institutions. In October, the government announced that it would grant a

working group of journalists, NGO representatives, and lawyers a temporary mandate to monitor prison conditions until January 2013. Since 2007, only the ombudsman has had oversight of Georgia's penitentiaries.

The government generally respects the rights of ethnic minorities in areas of the country that are not contested by separatists. Antidiscrimination regulations cover bias based on sexual orientation, but societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) people remains strong. Freedom of residence and freedom to travel to and from the country are observed.

Georgia has gradually built up legislation to address the problem of domestic violence, including a law passed in June 2012 that upgraded it from an administrative to a criminal offense. However, the ombudsman and NGOs have reported that police fail to pursue rape and domestic violence cases adequately, and the crimes are believed to be underreported. Georgia is a source, transit, and destination country for trafficking in persons, but the government's efforts to comply with international standards for combating the problem have earned it a Tier 1 ranking in the U.S. State Department's annual Trafficking in Persons Report.

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