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Freedom in the World 2011 - Georgia

Capital: Tbilisi

Population: 4,611,000

Political Rights Score: 4 *

Civil Liberties Score: 3 *

Status: Partly Free

Explanatory Note

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

Ratings Change

Georgia's civil liberties rating improved from 4 to 3 due to a reduction in the political instability the country confronted in the aftermath of the 2008 Russian invasion, as well as greater media diversity, including the launch of satellite broadcasts by the opposition television station Maestro.

Overview

In 2010, Georgia began to recover from the conflict and political tumult of previous years, which among other effects had knocked its reform ambitions off course. Local elections held in May 2010 were considered improvements over earlier polls, and the campaign took place in a generally open media environment. Georgia's relations with Russia remained poor in 2010, with Russian troops still occupying a considerable portion of Georgia's internationally recognized territory.

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 rocked 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, the stationing of Commonwealth of Independent States (CIS) troops under Russian command along the Abkhazian border, and the return of refugees under UN supervision.

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 fraud accusations 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.

A flawed parliamentary vote in November 2003 sparked a campaign of street protests known as the Rose Revolution. While official results put a pro-Shevardnadze coalition in the lead with 21 percent, independent domestic monitors concluded that the National Movement had actually won with nearly 27 percent. OSCE observers reported a variety of electoral violations. The postelection demonstrations forced Shevardnadze to resign, and Parliament speaker Nino Burjanadze, a Saakashvili ally, was named interim president. Meanwhile, the Supreme Court cancelled the results of the parliamentary elections. 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. Russia imposed a trade and transport embargo on Georgia in 2006 in response to Georgia's brief detention of several alleged Russian spies and the two countries exchanged accusations of military provocation surrounding the two breakaway territories over the next two years.

Growing opposition to Saakashvili's dominance of the domestic 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 reelection 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.

Tensions with Russia mounted during the spring and summer of 2008. 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.

Georgian opposition factions continued to press their case against Saakashvili in 2009, and the confrontations between the two sides while still intense took place in a somewhat more stable and permissive environment than in the previous two years. Opposition leaders demanded the president's resignation in April, 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. Local elections held in May 2010 showed an improvement over the previous cycle, with more accurate voter lists and a more open media environment for parties and candidates.

Georgia's relations with Moscow remained poor. Russian troops continued to occupy South Ossetia and Abkhazia, and in November Georgian authorities announced that they had broken an alleged Russian spy ring. Thirteen people were arrested, including four Russian citizens. In a sign of ongoing public anxiety about Russia, a fictional but realistic television program broadcast in March caused a mass panic by leading viewers to believe that Russian forces had invaded Georgia. The program was aired by the progovernment station Imedi, and effectively depicted the opposition as welcoming the invaders.

Political Rights and Civil Liberties

Georgia is not an electoral democracy. OSCE monitors have identified electoral problems such as the abuse of state resources, reports of intimidation aimed at public employees and opposition activists, and apparent voter-list inaccuracies, including during the 2008 presidential and parliamentary elections.

The local elections held on May 31, 2010, represented an improvement over previous cycles. The voting was governed by a new electoral law passed in December 2009, which among other changes allowed the direct election of Tbilisi's mayor for the first time. International observers cited gains in the quality of voter lists and a more open media environment. At the same time, the process of vote tabulation was flawed, and the abuse of administrative resources remained a problem.

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.

Parliament until the 2008 elections consisted of 235 members, with 100 elected by party list, 75 elected in single-member districts, and 10 others representing displaced citizens from Abkhazia. Under the new structure, Parliament has just 150 seats, with half chosen by party list and the other half in single-member districts. The amended electoral code did not require the constituencies to be of equal size, and observers have noted that the number of voters in each district ranges from 6,000 to 140,000.

Saakashvili's National Movement has been the dominant party since 2004. The fragmented opposition parties have formed a series of shifting alliances in recent years, and the defection of former Parliament speaker Nino Burjanadze and other Saakashvili allies to the opposition in 2008 set off a new round of reorganization. Irakli Alasania, previously Georgia's ambassador to the United Nations, has emerged as one of several potential leaders of a unified opposition, having formed a new party called Our Georgia-Free Democrats.

Corruption remains a challenge in Georgia. While notable progress has been made in recent years with respect to lower- and mid-level corruption, efforts to combat high-level corruption that began in the mid-2000s have stalled. The government's achievements have included 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. Georgia was ranked 68 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

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. The opposition-oriented television station Maestro, previously available on cable in only part of the country, began broadcasting via satellite in May 2010. However, the station experienced financial problems late in the year, and on December 31, Kakha Bekauri resigned as Maestro's general director, claiming that Erosi Kitsmarishvili, a leader of the opposition Georgian Party and founder of the company that manages Maestro, was withholding funds to force the station to serve his political interests. Kitsmarishvili denied the allegation. The relative lack of transparency in media ownership is an ongoing challenge. A draft law designed make ownership information

more accessible was prepared in November by a parliamentary committee, but it had not been enacted by year's end.

The authorities do not restrict access to the internet, but high-speed connections are prohibitively expensive for many citizens. Unlike in 2009, when the posting of web videos that mocked the head of the Georgian Orthodox Church drew a police response, there were no major instances of state interference with online content in 2010.

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 2010, with fewer significant clashes between police and protesters than in previous years. However, some legal restrictions on freedom of assembly have drawn objections from the Council of Europe and Georgia's human rights ombudsman. 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.

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, 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 remain grim.

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, but 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 have earned it a Tier 1 ranking in the U.S. State Department's Trafficking in Persons Report since 2007.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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