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Freedom in the World 2010 - Georgia

Capital: Tbilisi

Population: 4,611,000

Political Rights Score: 4 *

Civil Liberties Score: 4 *

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.

Overview

The fragmented opposition sought to rally public opinion against President Mikheil Saakashvili in 2009 as the country prepared for municipal elections in 2010. However, the political debate was often overshadowed by ongoing tension with Russia, with which Georgia fought a brief war in 2008. Russian troops continued to occupy a considerable portion of Georgia's internationally recognized territory, and in August Georgia officially withdrew from the Russian-dominated Commonwealth of Independent States.

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, although none secured a clear 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 signed an agreement in Moscow that called for 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 monitors reported violations including ballot-box stuffing, inaccurate voter lists, biased media coverage, harassment of some domestic election monitors, and pressure on public employees to support progovernment candidates.

The postelection demonstrations ultimately 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.

Saakashvili's relations with Russia soured as he 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 continued to exchange 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 early 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. A dozen of the winning opposition candidates refused to take their seats, and international monitors found that the authorities had failed to correct the problems cited in the presidential vote.

Tensions with Russia over South Ossetia and Abkhazia mounted during the spring and summer of 2008. Open warfare 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 the two separatist enclaves. Russia recognized the territories' independence in the wake of the conflict, but few other countries followed suit. Russia also established a substantial troop presence in both territories that remained in place at the end of 2009, 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 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 and arrests that lasted into the summer. At one point in April, opposition activist Kakha Khoselishvili was severely beaten by unknown assailants in Tbilisi, and dozens of protesters reported being assaulted by masked attackers as they left demonstrations.

The year's political standoff was often interwoven with looming national security concerns. Several members of the opposition Democratic Movement-United Georgia party, founded by Burjanadze after she broke with the president in 2008, were arrested in March for alleged involvement in arms purchases and plans to foment violence. Burjanadze claimed that the case was part of a government intimidation effort. Her husband, Badri Bitsadze, was swept into the intrigue later that month, when the media aired photographs of him meeting with Shalva Breus, a Georgian with Russian citizenship who had once served as a Russian deputy property minister. The episode stoked fears of collusion between the Kremlin and the Georgian opposition, though Bitsadze denied any impropriety. Adding to the tension, a tank battalion based east of Tbilisi allegedly launched an abortive mutiny in early May. One of the suspected ringleaders, Gia Krialashvili, was killed in a shootout with security forces later that month, and two other suspects were wounded. A trial of the accused officers had not yielded a verdict by year's end.

Cementing its rift with Moscow, Georgia formally withdrew from the Russian-dominated Commonwealth of Independent States in August. Saakashvili also drew criticism from Russia and many Georgians in December, when the government-ordered demolition of a Soviet-era World War II monument in the city of Kutaisi accidentally killed two local residents.

Political Rights and Civil Liberties

Georgia is not an electoral democracy. The elections following the 2003 Rose Revolution were considered improvements over previous polls, but OSCE monitors have identified problems with more recent balloting, including the 2008 presidential and parliamentary elections. The flaws have included the abuse of state resources, reports of intimidation aimed at public employees and opposition activists, and apparent voter-list inaccuracies.

In September 2009, Parliament adopted a constitutional amendment that allowed 10 opposition politicians to assume their seats after refusing them in 2008 to protest the flawed elections. However, only one of the eligible candidates – Konstantine Gamsakhurdia, son of the late president – accepted this offer, and some observers said he had been persuaded by the government's pledge to reopen an investigation into his father's death.

According to the constitution, the president appoints the cabinet and serves up to two five-year terms, although 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 February 2009 he named Nika Gilauri to serve as his fifth prime minister, and in August he appointed a 28-year-old defense minister. 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 the OSCE noted that the number of voters in each district ranged from 6,000 to 140,000.

Parliament in December 2009 passed a new elections law to govern municipal balloting scheduled for May 2010. It allows the direct election of Tbilisi's mayor for the first time, but opposition parties objected to a provision permitting the leading candidate to secure a first-round victory with as little as 30 percent of the vote, among other complaints.

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, emerged as one of several potential leaders of a unified opposition in 2009, forming 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, remains in its nascent stages. Moreover, Georgia apparently continues to suffer from corruption at elite levels, and the administration's growing insularity has fostered opportunities for cronyism and insider deals. Georgia was ranked 66 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

The constitution provides guarantees for press freedom, and the print media, though limited in reach, feature a diversity of political opinions and perspectives. The state television and radio outlets were converted into public-service broadcasters in 2005, but critics assert that the stations have become increasingly progovernment rather than striking an independent course. The private broadcast media, while retaining a considerable degree of pluralism, have not escaped the political turmoil of recent years. The opposition-oriented Imedi TV, whose broadcast facility was raided by security forces in November 2007, was taken over by a progovernment businessman in 2008, and relatives of the deceased previous owner, Badri Patarkatsishvili, have waged a campaign to reclaim control. Maestro TV, an opposition station that covers the Tbilisi area, was the target of a grenade attack in May 2009; no injuries were reported. In November, a wealthy businessman and former co-owner of the progovernment channel Rustavi-2, Erosi Kitsmarishvili, took over management of Maestro TV and announced his ambition to transform the station into a national enterprise with an emphasis on critical assessment of government policies.

The authorities do not restrict access to the internet, but high-speed connections are prohibitively expensive for many citizens. In October 2009, the authorities opened an investigation into the posting of web videos that mocked the head of the Georgian Orthodox Church, Catholicos-Patriarch Ilia II. Tea Tutberidze, the head of a progovernment civil society group, said she posted the material in response to the cleric's recent criticism of the president's handling of the 2008 war with Russia.

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.

Respect for the freedoms of association and assembly was tarnished by the November 2007 state of emergency and crackdown on opposition protests, in which several hundred people were injured. These rights were again constrained by the August 2008 conflict and Russia's weeks-long occupation of significant portions of Georgian territory beyond South Ossetia and Abkhazia. Opposition parties held a number of sizeable rallies during 2009, and there was no repeat of violence on the scale of 2007. Nevertheless,

clashes with police were reported in several instances.

Nongovernmental organizations (NGOs) are able to register and operate without arbitrary restrictions. They play an active role in public debate, though their influence has decreased somewhat under the current administration.

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 2009, unions sought further reforms of the labor laws, complaining that the government ignored workers' rights in its pursuit of foreign investment and economic recovery from the war and the global financial crisis.

The judiciary has not undergone meaningful or durable reform in recent years, and continues to suffer from significant corruption and pressure from the executive branch. The payment of bribes to judges is reportedly common.

The police force has improved its performance since the government dismissed half of its personnel in 2004 as part of an anticorruption overhaul. Among other results, the changes virtually eliminated bribe-seeking vehicle stops by police, previously a part of daily life. However, human rights ombudsman Sozar Subari has repeatedly accused the police of abusing and torturing detainees; he joined the political opposition after his five-year term expired in September 2009. 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.

Although some women have achieved high positions in government, they remain seriously underrepresented, holding just nine seats in the current Parliament. Societal violence against women is a problem. The authorities have acknowledged the issue and in 2006 passed the first law on domestic violence, which allows victims to file immediate protective orders against their abusers and permits police to issue a temporary restrictive order against suspects. While there are no laws that specifically criminalize violence against women, the criminal code classifies rape and sexual coercion as crimes. Georgian law prohibits trafficking in persons, but the country remains a source, transit point, and destination for the trade.

**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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