



NATIONS IN TRANSIT 2021 Georgia

TRANSITIONAL OR HYBRID REGIME

36
/100

Democracy Percentage	36.31 /100
Democracy Score	3.18 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

38 /100

Transitional or Hybrid Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic.



Score changes in 2021

- Electoral Process rating declined from 3.25 to 3.00 to reflect that, despite some compromise over and positive changes to the electoral

code, the 2020 parliamentary elections were marred by instances of vote-buying and a boycott of the second-round by the opposition, leading to a political impasse at year's end.

- Independent Media rating declined from 3.75 to 3.50 to reflect the contested case of Adjara TV as well as new legislation enabling the National Communications Commission to interfere in broadcasters' operations.

As a result, Georgia's Democracy Score declined from 3.25 to 3.18.

Executive Summary

By Nino Gozalishvili

In the year 2020, Georgian democracy faced many notable challenges. However, the year also saw some improvements in electoral laws and increased civil society involvement. The parliamentary elections in the fall put tremendous strain on Georgian democracy. By the end of the year, the country reached an impasse as the incumbent Georgian Dream party held the first postelection parliamentary session as the lone participating party.

While the preelection period was comparatively free and competitive, cases of voter intimidation, misuse of administrative resources, as well as instances of violence and political pressure intensified as election day approached. ¹ Even so, the first round of the elections on October 31 drew the highest voter turnout since the 2012 elections. The electoral conduct against the backdrop of the COVID-19 pandemic was characterized as efficient, but the independence and impartiality of the Central Election Commission (CEC) was called into question by the ascendancy of ruling party control over it. ² Local civil society organizations (CSOs) criticized a range of shortcomings during the elections, including pressure on voters and the mobilization of agitators at polling sites as well as imbalances in and post hoc changes to district-level vote summary protocols ³. The electoral authorities proved unreceptive to appeals. ⁴ These issues had a negative impact on public trust in the electoral administration as well as the results of the voting.

The country's incumbent political party, Georgian Dream–Democratic Georgia, received 48.15 percent of the vote, followed by the United National Movement–United Opposition bloc with 27.14 percent.

Additionally, seven other parties managed to pass the electoral threshold, variously receiving from 1 to 3.79 percent. The runoff elections, boycotted by the opposition, were held on November 21 in 17 out of 30 majoritarian districts.⁵ The low voter turnout of 26.29 percent⁶ in the runoffs and the opposition's boycott allowed the incumbent party to overtake all districts, as anticipated, and effectively led to political crisis in the country.

Opposition parties refused to recognize the election results published by the CEC and held several mass protests.⁷ International partners also got involved, attempting to assist the parties in overcoming their political differences by opening negotiations. Despite several rounds of talks by the end of 2020, no agreement was reached on resolving the key issues highlighted by the opposition.

The year was a milestone in terms of Georgia's amended electoral law. Previously, following much discussion and lobbying, the ruling party first backed out from approving the changes to the electoral law in 2019. This led to widespread protests that demonstrated societal demand for a new electoral system. In the end, extensive amendments were made to the electoral law in the summer of 2020 in advance of the parliamentary elections. As a transition to the fully proportional system by 2024, the parliamentary polls were conducted in such a way that 120 members of parliament (MPs) were elected via a proportional system and 30 via a majoritarian system, a change from the previous mixed electoral system. In addition, the reform promised to deliver a more pluralistic Parliament by lowering the electoral threshold to 1 percent and increasing representation by female MPs.⁸ CSOs were consulted in the reform process, but their recommendations, especially for handling electoral disputes, were left out of the final amendments.

Beyond the elections and electoral reforms, Georgian politics continued to feel the impact of the events of June 20–21, 2019, when opposition parties and citizens assembled in front of national legislature to protest a visiting Russian Duma MP who took the seat of the speaker of the

Georgian Parliament. In the aftermath of the demonstrations, there was extensive debate over the allegedly disproportionate and excessive use of force (including tear gas and rubber bullets) by the police against protesters. This debate was ongoing in 2020 as watchdog groups criticized shortcomings in the official investigations. Likewise, the related court processes were criticized for delivering selective justice, as only opposition politicians faced rioting charges, a move that further deteriorated public trust in the independence of the judiciary.

Georgian officials took measures to combat COVID-19 that were evaluated as both timely and effective, resulting in a comparatively low spread of infection during the pandemic's first wave. This wide sense of control and safety was reflected in the public's appreciation and trust in the National Center for Disease Control (NCDC), the government, and public health specialists. Meanwhile, amendments were passed in May to the Law on Public Healthcare that permit the government to apply special measures outside of an official state of emergency without supervision by Parliament. These include unilateral restrictions by the executive over such civil rights as freedom of movement and assembly, which were deemed unconstitutional by watchdog groups.⁹ Ethnic minorities, LGBT+ people, the poor, and people with disabilities were particularly affected by pandemic-related restrictions. Even though the government policies did not discriminate against any particular social group, the lack or misapplication of any government policy toward such groups became even more apparent during the pandemic. Throughout the crisis, the country's economic situation deteriorated, particularly in the field of tourism.¹⁰

2020 was also a challenging year for media freedom in Georgia. The country's pluralistic media environment continued to be plagued by political polarization and the influence of party affiliation. Ongoing pressure on Adjara TV continued to challenge its independence and caused large-scale staff changes, as well as fears of a gradual government takeover of the public broadcaster. Additionally, the amended Law on Electronic Communications, proposed by the National Communications Commission, was approved in July, sparking criticism

from CSOs and media representatives because it empowered the regulator to plant “special managers” in private companies.

Continuing a trend from previous years, the crisis in Georgia’s justice system further solidified in 2020. The lack of procedural transparency in selecting Supreme Court judges, as well as enduring shortcomings in the Law on Common Courts, remain extremely problematic, even though the government has responded to wide-ranging criticism with some measure of reform. Observers ascribed political motives to several high-profile court processes during the year.

The year 2020 proved to be another turning point in Georgia’s democratic development as the country struggled with multiple challenges brought by the COVID-19 pandemic and the parliamentary elections. Public trust in democratic institutions may prove unsteady amid the country’s evident political polarization. In response, the political spectrum will need to prioritize integrity and peaceful conduct of democratic practices over narrow party interests. Government legitimacy, as well as the functioning of key institutions of governance, will perhaps remain in question as long as Parliament undertakes its work with single-party representation. The crisis in the judiciary may also endure, given the entrenchment of widely criticized structural and procedural changes since 2018. And going forward, media outlets must work to overcome the deep polarization and hyperpartisanship that have deteriorated the country’s information environment and public discourse.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches.	2.50 / 7.00
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- The 2020 parliamentary elections, held on October 31, were seen as a major test and turning point for Georgian democracy following significant changes made to the electoral law several months prior (see “Electoral Process”). These changes came about after intense

negotiations between the ruling Georgian Dream party, the political opposition, and civil society organizations (CSOs). ¹

- Even though 9 parties managed to pass the new electoral threshold of 1 percent, none of the opposition parties accepted the results of the elections as legitimate, announcing they would decline their parliamentary mandates almost immediately. ² In a matter of weeks, the country faced a political impasse. Mass protests were held by opposition parties and supporters accusing Georgian Dream (by far the largest vote-getter) and the Central Election Commission (CEC) of fabricating the results along with other violations and procedural misdoings. ³
- The government was also harshly criticized for its response to November 8 protest events organized by the opposition in front of the CEC, where police took what were evaluated as disproportionate and inhumane measures against demonstrators. ⁴ This further deteriorated any chances for the governing and opposition parties to handle the political crisis through negotiations, ⁵ and the opposition consequently refused to participate in the parliamentary runoffs held on November 21. ⁶
- Internationally mediated rounds of negotiations between the opposition and Georgian Dream, held since early November, failed to reach an agreement over the opposition's key demands. ⁷ Thus, the new Parliament's first session included only 90 legislators (MPs) from Georgian Dream. In this fraught context, the new legislature started operating without any actual debates or plurality of ideas and, moreover, as of the end of the year, Parliament could not technically pass constitutional amendments or various other laws and decisions due to the numerical deficit of MPs required for such legislation.
- In December, parallel to the negotiations, Georgian Dream responded to the opposition's parliamentary boycott with a proposed draft law on public financing of political parties, requiring a party to take up at least half of its parliamentary mandates on top of passing the electoral threshold in order to receive state funding. Such a proposal amid the political crisis was viewed as unconstitutional and undemocratic, raising questions about the government's awareness of its responsibility toward solving the crisis. ⁸

- The parliamentary elections took place against the backdrop of pandemic-related restrictions across the country. A state of emergency due to COVID-19 was declared on March 21, and extended by presidential decree until May 21. The Georgian Dream –backed amendments to the Law on Public Healthcare passed on May 22 empowered the government to apply special measures outside of an official state of emergency and without parliamentary supervision. Georgian nongovernmental organizations (NGOs) argued that the amendments are unconstitutional, ⁹ and the opposition refused to vote on them, saying they grant excessive power to the government. ¹⁰ The Georgian Young Lawyers Association, an NGO, submitted two cases concerning the constitutionality of the government restrictions to the Constitutional Court, yet neither was considered in 2020. ¹¹ The government used these amendments to impose COVID-19 restrictions that were still in place at year's end.
- In response to the pandemic, the government swiftly created *StopCov.ge*, which provides pandemic-related information, updated statistics, and online access to public services. ¹² Moreover, the government also financed a StopCov app to better manage its efforts to stop the spread of the virus. However, access to information was limited for ethnically Azeri and Armenian citizens of Georgia in the first months of the pandemic due to language barriers. Later in the spring, *StopCov.ge* was made accessible in Azerbaijani and Armenian. ¹³
- Although there was no material evidence of government discrimination regarding financial support, social aid, or medical treatment during the pandemic, officials responded in different, inequitable ways to the needs of various religious faiths. ¹⁴ The government did not restrict the dominant Georgian Orthodox Church from holding services in any way, while other religious communities were not given equal leeway. ¹⁵ Furthermore, pandemic restrictions were partially lifted for Christian celebrations like Christmas, while people of other faiths did not enjoy the same collective treatment. This issue raised questions about equal treatment of citizens as well as discriminatory application of the law. ¹⁶

- A majority of Georgians (73 percent) credited the government, and public health authorities in particular, with the effective management of the “first wave” of COVID-19. ¹⁷ By December 2020, however, 60 percent of Georgians positively assessed the government’s handling of the pandemic, while only 50 percent approved of its overall performance. ¹⁸
- During the year, the government was unable to guarantee basic rights, such as freedom of movement or access to health services and education, to conflict-affected populations in occupied portions of its territory. The process of “borderization” negatively affects the course of democratic development in Georgia.

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the functioning of multiparty systems, and popular participation in the political process.	3.00 / 7.00
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- After prolonged negotiations, protests, and international mediation, Georgia’s electoral processes saw some legislative improvements in 2020. In June and July, lawmakers approved a large package of constitutional amendments reforming the Electoral Code. According to the amendments, 120 MPs would be elected through a proportional system, while 30 members would be chosen through a majoritarian system as a transition to a fully proportional system in 2024. Another change lowered the electoral threshold from 5 to 1 percent. These amendments are promising in terms of ensuring a more pluralist Parliament. ¹
- The amendments also mandated gender quotas of 25 percent, requiring parties to include a person of different gender as every fourth candidate on their electoral lists. They also include improved oversight of political party financing and better access to state financing. However, the State Audit Office (SAO) is still considered unable to meaningfully monitor and investigate cases of foreign financing for political parties or to oversee online campaigning. ² Another important change relates to stricter regulation of election-

day campaigning, which has been a notable issue in previous elections in Georgia. ³ Overall, opposition parties and CSOs approved of the electoral amendments, which were seen as a major step toward a more balanced and diverse political scene.

- It is important to note that, in 2019, 70 percent of people surveyed had a negative assessment of the fact that the government had not yet implemented a fully proportional election system. ⁴ Hence, the 2020 changes in the electoral law reflected a clear demand from society.
- Against these positively evaluated changes to the electoral law in the summer, the subsequent fall elections on October 31 (with runoffs on November 21) came as a test of Georgian democracy. Election observers, such as the International Society For Fair Elections and Democracy (ISFED), identified multiple problems in the preelection period. These included cases of voter intimidation, efforts to obstruct campaigning, and attacks on the media. ⁵ Furthermore, there were instances of use of administrative resources by the ruling Georgian Dream party, which blurred lines between party and state. ⁶ Along with government-initiated social projects in the preelection period, cases of intimidation and dismissal based on alleged political motives also increased. ⁷ Lastly, Georgian Dream and its primary opponent, the United National Movement, enjoyed regular media coverage, while the remaining candidates received unequal access to news coverage. ⁸
- At the same time, there were no significant restrictions on campaigning in the run-up to the elections, and campaigns were demonstrably pluralist. The CEC's preelection administrative procedures were positively evaluated, although observers faulted the commission for operating with limited transparency. ⁹
- On and after election day, 564 complaints were made by observer NGOs concerning breaches of ballot secrecy and voter bribery. Political parties made 1,272 complaints—of these, 1,027 were dismissed by the CEC on technicalities. ¹⁰ Furthermore, public suspicions over the vote-counting procedures soared due to a delay of seven hours in publishing the results after the polls closed on October 31; this mistrust intensified when news came of imbalances

in vote counts at over 8 percent of polling stations. ¹¹ The common practice of party “coordinators” and activists taking close positions outside polling stations continued during the 2020 elections, further compromising the integrity of the ballot. Additional noted problems included obstruction of the work of journalists and observers during the elections. ¹²

- The parliamentary polls showed an increase in the number of registered parties (48 parties and two blocs), half of which took part in the elections for the first time. More than 50 percent of the electorate turned out on October 31, marking the highest rate of participation since the 2012 elections, when the first-ever change of power through elections took place in Georgia. With the lowered electoral threshold, nine parties managed to gain parliamentary representation; the incumbent Georgian Dream maintained a significant majority (48.15 percent), followed by the former governing party, United National Movement, with 27.14 percent. The 7 remaining opposition parties shared significantly fewer votes of 1 to 3.78 percent. Although there was a discrepancy between the vote tabulation by ISFED and the results announced by the CEC, defects later discovered in the parallel vote tabulation (PVT) showed a convergence in the final calculation. ¹³ The second round of voting on November 21, announced for 17 of the total 30 majoritarian districts, demonstrated a drastically lower turnout, which was partially explained by the opposition boycott. ¹⁴
- The conduct of the October 31 elections received extensive domestic and some international criticism. Georgian CSOs evaluated the polls as “the least democratic and free among the elections held under the Georgian Dream government.” ¹⁵
- International observers from the OSCE/ODIHR mission stated that the elections were “competitive and, overall, fundamental freedoms were respected,” while nonetheless outlining numerous problems with their conduct. ¹⁶ Ruling party members capitalized on the report’s positive opening line and interpreted it publicly as representing international recognition of the elections, ¹⁷ whereas the opposition maintained that the elections were falsified no matter who might state otherwise. ¹⁸

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups.

4.25 / 7.00

- Civil society in Georgia remained vibrant and diverse in 2020. However, the sector's financial sustainability and public image were still major challenges, ¹ along with the rise of illiberal groups on the social and political scenes. ² Georgian March (GM), an active anti-LGBT+ and anti-liberal, right-wing nationalist movement, transformed itself into a formal political party during the year, collecting enough signatures to participate in the parliamentary elections. ³ GM failed to pass the electoral threshold, but the Alliance of Patriots of Georgia (APG), another far-right party, succeeded. The APG deployed populist appeals as well as Turkophobic statements on their campaign materials, raising concerns about escalating ethnic tensions in the country. ⁴
- GM, voicing a particularly negative attitude toward the nongovernmental (NGO) sector for the past several years, held a protest against Open Society Foundation's Georgian branch in October. ⁵ Against the backdrop of already low public trust in the civic sector (24 percent in 2020), ⁶ such developments challenged the ability of CSOs to act as a bridge between the population and governance bodies. Rhetoric by officials to discredit domestic and international NGOs also worsened this trend. ⁷ According to a consortium of Georgian human rights groups, the announced defects in ISFED's PVT methodology during the parliamentary elections fueled a growing negative perception of the civic sector. ⁸
- In confronting the challenges posed by the COVID-19 pandemic, the plight of the disadvantaged and some minority groups in Georgia was brought to the fore. Issues faced by transgender people, for example, escalated; in protesting the lack of attention and support for this social group, one young transgender woman attempted self-

immolation in front of Tbilisi City Hall, as the pandemic crisis revealed the problem of economic and social exclusion of transgender people in society. ⁹ Regarding ethnic minorities, language barriers led to delays in the provision of public services and particularly high rates of COVID-19 spread in the Bolnisi and Marneuli municipalities, inhabited by large numbers of ethnic Azeris and Armenians. People with disabilities and lower-income workers were also hard hit, receiving no or inadequate state assistance.

- Despite the pandemic-related restrictions on public gatherings and demonstrations, protests nevertheless took place during the year. Most were peaceful and law enforcement bodies did not repel demonstrators, except for the few cases where police used disproportionate force. ¹⁰ This was a noteworthy matter in the wake of the June 2019 protests outside Parliament, where police tactics were shown to be excessive.
- Although the number of CSOs in Georgia is notably high, and groups are involved in a range of areas in political and social life, they still lack influence on key decisions and changes in the country. A considerable majority of CSOs (61 percent) confirmed that they were involved in dialogues and communications with government bodies in 2020. However, only about a third (36 percent) deem their efforts as successful in achieving or influencing a particular policy and/or legislative outcome. ¹¹
- A majority of Georgian NGOs remain dependent on foreign financial support, complicating their development of enduring institutional structures, capacity, and consistent thematic focus. ¹²
- In 2020, the government established the Open Governance Inter-Agency Coordination Council, charged with improving access to information, which not only involves CSOs but also affords them voting rights. ¹³
- While CSOs were involved in 2020 electoral reform, their influence was still limited and a number of their recommendations were not considered. For instance, despite CSO lobbying, civil servants are still not prohibited from taking part in electoral campaigning on social media during working hours. ¹⁴

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media.

3.50 / 7.00

- Georgia's media environment grew more polarized and increasingly associated with political parties in 2020. This was particularly evident during the election period, when party alignment prevented an open information environment in the country and negatively affected voters' ability to make informed choices. ¹
- While freedom of expression was not limited during the COVID-19 pandemic (although the constitution permits such restriction within a state of emergency ²), political interference in the work of independent media continued and intensified. The government pressured media during the electoral campaign with pejorative statements, referring to independent or opposition broadcasters, such as Mtavari Arkhi, Formula TV, and TV Pirveli, as "fake news" channels. ³
- There were continued concerns during the year over interference in the work of broadcasters and efforts to influence media content. In early July, the National Communications Commission, the telecoms regulator, drafted amendments to the Law on Electronic Communications that were submitted by the government to Parliament. These proposed changes could allow the commission to interfere in media companies' administrative and financial affairs, as well as freedom of expression, through the appointment so-called special managers. The draft amendments were reviewed within a week and approved on July 17 with minimal involvement by interested parties, although massive outcry succeeded in watering them down somewhat. ⁴ Since the commission had not specified the need for such changes in its 2019 annual report, watchdog groups attributed them to narrow political aims and raised concerns about further attempts to interfere with the production of media content. ⁵

- Ongoing claims of an attempted government takeover of the independent public broadcaster Adjara TV intensified in 2020. Although former director Natia Kapanadze appealed her 2019 dismissal, no court hearing had been scheduled by September. ⁶ In 2019, her position was filled by Giorgi Kokhreidze, whose alleged ties to Georgian Dream had prompted protests by media representatives and led to the resignations of some journalists and consultants at the broadcaster. ⁷ During the year, more journalists from the public channel resigned due to alleged “political pressure.” ⁸ Despite warnings by CSOs as well as the public defender, the new station management nevertheless carried out high-level staff changes, firing critical reporters and hiring perceived loyalists, disregarding the state Labor Code and the broadcaster’s own internal regulations. ⁹
- A number of Facebook pages and groups associated with the government as well as the opposition United National Movement were observed to be involved in Coordinated Inauthentic Behavior (CIB), or the creation of fake accounts, some of which were removed by Facebook. ¹⁰ In the preelection period, ISFED identified more CIB on Facebook implicating Alt-Info—an anti-liberal media platform ¹¹—and the APG. ¹² Public debate on the issue has questioned whether this approach is counterproductive, since Alt-Info subsequently created new accounts on Facebook and many other platforms besides, invoking freedom of expression and positioning itself “against liberal censorship.” ¹³
- Watchdog groups have been tracking and criticizing the increase in law enforcement bodies’ questioning media representatives about their stories and sources. Such acts of intimidation limit the freedom of journalistic work, encourage self-censorship, and undermine domestic and international standards regarding the work of media. ¹⁴

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local	2.75 / 7.00
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governmental bodies; and the transparency and accountability of local authorities.	
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- The concentration of power at the center continued to challenge the independence of local governments in Georgia. On the last day of 2019, the government approved the “Decentralization Strategy 2020–25” alongside an action plan for 2020–2021. Yet the strategy suffers from important limitations, discussing only in vague terms such matters as diversifying independent municipal income and transferring state or unregistered property to municipalities, and general plans are envisioned without specificity. ¹ An expert group had advanced an alternative project aimed at increasing the independence of local governments. However, most of these experts were not consulted prior to the approval of the strategy, which raised concerns about continuing efforts to keep central power concentrated. ² Limited financial resources continue to be one of the most important obstacles to establishing actual self-governance by local municipalities.
- Still, the Decentralization Strategy encompasses several noteworthy observations regarding public accountability and tailoring of policies to local needs. Further, it identifies legislative collisions between the provisions of sectoral legislation and the existing law of local self-governments that complicates local governments’ independent conduct. ³ As a response, the strategy envisions “carrying out a comprehensive revision of Georgian legislation and preparing a package of legislative changes to harmonize with the requirements of the Organic Law on Local Self-Government.” ⁴
- In October, by-elections were held in five municipalities whose mayors abruptly stepped down in early 2020, reportedly after being pressured by state officials and senior Georgian Dream leaders. ⁵ Georgian Dream candidates won in all five mayoral contests. ⁶

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment	2.75 / 7.00
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of suspects and prisoners, and compliance with judicial decisions.	
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- In addition to ongoing political interference in Georgia's judiciary, the country's court system saw a number of challenges in 2020 to its most basic functions and legal guarantees brought on by the COVID-19 pandemic.
- Domestic and international CSOs continually expressed concerns over a small group of influential judges who control the judiciary through the High Council of Justice (the body that nominates Supreme Court judges) and other levels of the judicial administration.

¹ Georgia's justice system entered a new state of deterioration in 2018 when the High Council nominated Supreme Court judges in a non-transparent and non-procedural manner. ² This rushed, undemocratic process incited public protests, leading to a government promise of future reforms even as Parliament went ahead and confirmed both Supreme and Constitutional Court judges. Subsequent amendments to the Law on Common Courts, proposed in July 2020, were evaluated as fragmented and inadequate to meet the scope of the problems the justice system faces. The bill would require the High Council to justify its selection of Supreme Court candidates, and would also equip judges with the right to appeal the court's decisions. ³ Georgian Dream MPs passed the bill without support from the opposition in September, preempting a Venice Commission opinion requested by the government. ⁴
- There were many questions raised about the High Council's selection procedures in 2020. In January, the council appointed a new independent inspector for disciplinary proceedings by an open vote, even though the candidate had difficulty proving his qualifications as a successful Supreme Court nominee. ⁵ CSOs evaluated proposed tweaks to the selection of Supreme Court judicial candidates by the High Council later in the year as "problematic." ⁶
- Since the transition of power in 2012, the Office of the Prosecutor General has launched several investigations directed at former government officials that some observers suspect are politically

motivated. ⁷ Four of these cases dominated the headlines in 2020, involving Irakli Okruashvili (leader of the opposition party Victorious Georgia), Nikanor Melia (from former ruling party United National Movement), Giorgi Rurua (cofounder of Mtavari Arkhi and one of the organizers of the June 2019 demonstrations), and Giorgi Ugulava (former mayor of Tbilisi from United National Movement). All four cases were pursued with observed legal shortcomings and violations. ⁸ Political motives were also alleged in money-laundering charges brought against the prominent political and business leaders Mamuka Khazaradze, Badri Japaridze, and Avtandil Tsereteli in the first half of the year. ⁹

- These shortcomings and violations included unsubstantiated pretrial detentions; limits on due process for defendants, including right to counsel and appeal; selective consideration of evidence; and apparent conflicts of interest among the presiding judges. ¹⁰ Notably, the judicial process against Ugulava resumed when he renewed his political activity, ¹¹ and he was convicted of embezzlement in February. Okruashvili was convicted in April of rioting in connection with the June 2019 protests, which he appealed to the Tbilisi Court. ¹² Yet both were pardoned by President Salome Zourabichvili in May. ¹³ Rurua was convicted on a weapons charge in June. ¹⁴ Melia's trial on rioting charges in connection with the June 2019 protests had not concluded by year's end.
- Parallel to these cases, the defendants faced additional accusations by state officials, ¹⁵ which might have influenced their existing court proceedings and contributed to their public demonization. ¹⁶
- The government's handling of the June 2019–related cases has remained a political issue in the country, and state institutions have been accused of selectively applying justice, particularly by failing to adequately punish police officers suspected of overstepping their powers. ¹⁷
- During the COVID-19 pandemic, court sessions were held remotely or in closed settings, challenging open justice principles. Other challenges during this crisis period involved insufficient guarantees of confidential communication for defense counsel as well as defects in communication technologies. ¹⁸

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

3.50 / 7.00

- Corruption was an ongoing issue in Georgia in 2020, further heightened by the management of the COVID-19 crisis as well as the parliamentary electoral campaign. In the run-up to the elections, the ruling Georgian Dream accumulated more than GEL 22 million in donations, far more than any other party. ¹ Political donations often carry a risk of corruption and, therefore, they are closely followed by watchdog groups. Georgian law limits donations by an individual to any political party to GEL 60,000 per year, and GEL 120,000 for a legal entity, although these limits are often evaded even if formally met.
- According to the Tbilisi-based Institute for Development of Freedom of Information, there were a number of cases in the preelection period where state procurement contracts were awarded to companies with high donations to the ruling party. This was particularly concerning when procurement contracts were concluded directly via simplified procurement procedures. ² In such cases, companies would often then become generous donors to the ruling party, which gave Georgian Dream a considerable financial advantage (some 43 percent of all campaign spending) over competitors, especially smaller, newer parties running in the elections. ³
- Cases of alleged corruption intensified with the increased number of pandemic-related simplified procurements. Many companies supplying medical equipment or other goods and services were donors to the ruling party and, in some cases, had operated in notably different fields prior to the state of emergency. In some municipalities, all COVID-19-related contracts were signed with a single supplier. Thus, during the state of emergency, there were

increased risks of abuse of budget funds and limited monitoring of state procurements. ⁴

- Public institutions have been disclosing information on their spending and finances to a greater degree. However, there are still serious dodges with respect to improving open access to data within the Public Administration Reform Action Plan. ⁵
- The United States government highlighted the need to develop “the rule of law and accountable institutions” within an omnibus funding bill approved in December that allocated tens of millions of dollars in assistance to Georgia. This assistance was conditioned on a report to be written by the U.S. Department of State detailing steps to be taken by the Georgian government to “strengthen democratic institutions,” “combat corruption,” and uphold the rule of law. ⁶ This development caused the opposition to step up its expressions of discontent with the current government’s anticorruption and democratic strategies.
- Although Georgia has been considered a regional frontrunner in its anticorruption policies, instances as well as perceptions of elite corruption were considerable throughout 2020. Georgia’s score in Transparency International’s 2020 Corruption Perceptions Index remained unchanged. ⁷ The majority of respondents (63 percent) to a 2020 public opinion poll believe that it is common for officials to abuse their power for personal gain, with the aim of securing employment for close associates as well as protecting their own businesses, which is up from 59 percent in 2019. While misappropriation of public funds and accepting bribes is still believed to take place, some 47 percent of respondents do not believe that corruption cases involving high-ranking officials and individuals linked to the ruling party are pursued properly. ⁸

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Country Facts

Global Freedom Score

60/100 Partly Free

Internet Freedom Score

77/100 Free

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