

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	94
Land:	Georgien
Kilde:	Freedom house
Titel:	"Georgia 2006"
Udgivet:	29. november 2006
Optaget på baggrundsmaterialet:	2007

Georgia (2006)

Polity:

No polity available

Political Rights:

3

Civil Liberties:

3*

Status:

Partly Free

Population:

4,500,000

GNI/Capita:

\$770

Life Expectancy:

72

Religious Groups:

Orthodox Christian (83.9 percent), Muslim (9.9 percent), Armenian-Gregorian (3.9 percent), other (2.3 percent)

Ethnic Groups:

Georgian (70 percent), Armenian (8 percent), Russian (6 percent), Azeri (6 percent), Ossetian (3 percent), Abkhaz (2 percent), other (5 percent)

Capital:

Tbilisi

Additional Info:

[Freedom in the World 2005](#)

[Freedom of the Press 2005](#)

[Nations in Transit 2004](#)

[Countries at the Crossroads 2005](#)

Ratings Change

Georgia's civil liberties rating improved from 4 to 3 due to a continued consolidation of individual rights and freedom of expression.

Overview

Two years after the popular uprising against corrupt governance that became known as the "Rose Revolution," Georgia in 2005 confronted the difficult reality of effectively implementing democratic reforms. Parliamentary by-elections held in October seemingly provided President Mikhail Saakashvili backing for his political program, as the governing National Movement Party won all five seats contested. At the same time, the absence of a credible opposition to the governing party presented a significant challenge for Georgia's deeper political and institutional development.

Absorbed by Russia in the early nineteenth century, Georgia gained its independence in 1918. In 1922, it entered the USSR as a component of the Transcaucasian Federated Soviet Republic, becoming a separate union republic in 1936. An attempt by the region of South Ossetia in 1990 to declare independence from Georgia and join Russia's North Ossetia sparked a war between rebels and Georgian forces. Although a ceasefire was signed in June 1992, the territory's final political status remains unresolved.

Following a national referendum in April 1991, Georgia declared its independence from the Soviet Union, which then collapsed in December of that year. Nationalist leader and former dissident Zviad Gamsakhurdia was elected president in May. The next year, he was overthrown by opposition forces 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 gaining seats, although none secured a clear majority.

In 1993, Georgia experienced the violent secession of the long-simmering Abkhazia region and armed insurrection by Gamsakhurdia loyalists. Although Shevardnadze blamed Russia for arming and encouraging Abkhazian separatists, he legalized the presence of 19,000 Russian troops in Georgia in exchange for Russian support against Gamsakhurdia, who, defeated, reportedly committed suicide. In early 1994, Georgia and Abkhazia signed an agreement in Moscow that called for a ceasefire, the stationing of Commonwealth of

Independent States troops under Russian command along the Abkhazian border, and the return of refugees under UN supervision. In parliamentary elections in November and December 1995, the Shevardnadze-founded Citizens' Union of Georgia (CUG) captured the most seats, while Shevardnadze was elected with 77 percent of the vote in a concurrent presidential poll.

The ruling CUG repeated its victory four years later, in the October 1999 parliamentary election. Election observers from the Organization for Security and Cooperation in Europe (OSCE) concluded that, despite some irregularities, the vote was generally fair. In the April 2000 presidential poll, Shevardnadze easily won a second five-year term with a reported 81 percent of the vote. While Shevardnadze's win was widely anticipated, the large margin of his victory led to accusations of electoral fraud. Election monitors noted numerous and serious irregularities, including ballot-box stuffing, inflated voter turnout figures, and a strong pro-Shevardnadze bias in the state media.

Following the parliamentary elections, various competing factions developed within the CUG, which had dominated Georgian politics for much of the 1990s. Shevardnadze himself faced growing opposition from prominent members, including Speaker of Parliament Zurab Zhvania and Justice Minister Mikhail Saakashvili, who criticized the president's failure to contain widespread corruption throughout the country. While Shevardnadze resigned as CUG chairman in September 2001, Saakashvili left the CUG to form his own party, the National Movement, and a formal party split was ratified in May 2002. Local elections held in June saw the CUG lose its long-standing dominance to several rival parties, including the New Rights Party, which was formed by many prominent businessmen, the National Movement, and the Labor Party. Subsequently, Saakashvili was named to the influential post of chairman of the Tbilisi City Council.

A flawed parliamentary vote on November 2, 2003, served as the catalyst for the civic action that ultimately led to Shevardnadze's resignation from office. According to official Central Election Commission results, the For New Georgia pro-presidential coalition led by Shevardnadze received 21 percent of the vote. The Union of Democratic Revival (UGR), a party led by Aslan Abashidze, the leader of the republic of Ajaria, won almost 19 percent of the vote. Saakashvili's National Movement came in a close third with 18 percent, followed by the Labor Party with 12 percent. The only other two parties to pass the 7 percent threshold to enter parliament were the opposition Burjanadze-Democrats alliance formed by Zhvania and Speaker of Parliament Nino Burjanadze, which captured almost 9 percent of the vote, and the New Rights, that secured 7 percent.

The International Society for Fair Elections and Democracy, a domestic monitoring organization that conducted a parallel vote tabulation, concluding that the National Movement had won the election with nearly 27 percent of the vote, with For New Georgia placing second with about 19 percent. Monitors from the OSCE reported that the elections fell short of international standards for democratic elections. Among the violations noted were ballot-box stuffing, inaccurate voter lists, biased media coverage, harassment of some domestic

election monitors, and pressure on public employees to support progovernment candidates.

A series of mass public demonstrations took place in the aftermath of the flawed vote. On November 22, protesters led by Saakashvili broke into the parliament building and forced Shevardnadze, who was addressing the new legislature's opening session, to flee the building. Shevardnadze resigned the following day, and Burjanadze was named interim president. Meanwhile, the Supreme Court cancelled the results of the parliamentary election.

Snap presidential elections were called for January 4, 2004, with Saakashvili effectively facing no opposition. Capitalizing on mass dissatisfaction with corruption, cronyism, and poverty, Saakashvili won the poll with an overwhelming 96 percent of the vote. In new parliamentary elections held on March 28, 2004, the National Movement-Democrats bloc (composed of Saakashvili's National Movement and the Burjanadze-Democrats) captured about two-thirds of the seats, followed by the Rightist Opposition bloc (composed of the Industrialists and New Rights Party) with nearly 10 percent; seven other parties received 8 percent or less of the total number of seats.

The high expectations that accompanied Saakashvili's coming to office gave way to a more sober recognition that implementing serious reforms will be a difficult and long-term effort. Over the course of 2005, the authorities attempted to rein in corrupt officials, institutionalize the rule of law, and bring about more effective governance in what had been a corrupt and quasi-failed state.

Despite opposition efforts to present a unified candidate, Saakashvili's administration appeared to receive backing for its policy course when the governing National Movement Party swept all five seats in parliamentary by-elections held on October 1, 2005. Prior to the vote, Saakashvili had portrayed the elections as a referendum on his administration's performance. Whether the opposition will be able to organize and present a more credible challenge is among the most important institutional issues confronting Georgia in the near-to mid-term.

Political Rights and Civil Liberties

Citizens of Georgia can change their government democratically. While the constitution and the election law provide for universal suffrage and equal voting rights, the November 2003 parliamentary elections, which led to President Eduard Shevardnadze's ouster, as well as previous elections, fell short of international standards for democratic elections. According to an observer mission from the OSCE, the January 2004 presidential and March 2004 parliamentary elections represented "commendable progress in relation to previous elections." The 2005 elections fit this pattern of improvement, although the absence of a political opposition capable of contesting power remains critical. Parliamentary terms are four years. Presidential terms are five years, with the next elections scheduled for 2009.

In 2005, parliament passed amendments to modify its composition that are slated to come into affect after the next parliamentary elections, scheduled to be held in 2008. The number of members of parliament will shrink from the current 235 to 150, with 100 members to be elected by party lists and 50 under a first past-the-post system.

The Rose Revolution in 2003 brought about the creation of the National Movement, which is the country's dominant party. In addition, there are two parliamentary opposition blocs, the New Conservatives-Industrialists and the Democratic Front faction (which came into being in late 2005. It is comprised of two party groups, Republicans and Conservatives, which were formerly part of the National Movement, along with a number of independent members of parliament).

The current administration of President Saakashvili has made a priority of addressing corruption, which has plagued Georgian society. A number of officials accused of corruption or embezzlement during the Shevardnadze era were arrested in 2004. In June 2005, the Georgian government adopted a National Anticorruption Strategy and Action Plan, which seeks to improve the transparency and effectiveness of the civil service, while strengthening the role of inspectors general within public agencies; the implementation of this plan is in its nascent stages. Georgia was ranked 130 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index.

Georgia's constitution provides guarantees for press freedom. Before the Georgian leadership change, the country's independent press was able to publish critical political analyses, although economic constraints limited the circulation of most newspapers, especially outside the capital. In December 2004, a Law on Broadcasting was adopted, and in 2005, State TV and Radio was transformed into Georgian Public Broadcasting. The Public Broadcasting entity is supervised by a nine-member board appointed by parliament, with two candidates for each position preselected by the president from among a number of applicants. In December 2005, the board is expected to issue the first guidelines for the new leadership of public broadcasting, which are meant to give priority to the development of balanced and comprehensive information programming. In 2004, the government adopted a new law on libel, stipulating that libel cases will be considered in civil rather than criminal courts. The new law provides that statements made in parliament, in the courts, and during political debates are not considered libel; moves the burden of proof to the accuser; and specifies entire companies, rather than individual reporters, as defendants. The authorities do not restrict access to the internet.

Freedom of religion is respected for the country's largely Georgian Orthodox population and some minority religious groups traditional to the country, including Muslims and Jews. However, members of nontraditional religious minority groups, including Baptists, Pentecostals, and Jehovah's Witnesses, face harassment and intimidation by law enforcement officials and certain Georgian Orthodox Church extremists.

Although the government does not restrict academic freedom, the country's

educational system confronts widespread corruption. Students often pay bribes to receive high marks or pass entrance examinations. To meet this challenge, national exams for university admissions were administered by the Education Ministry in 2005.

The authorities generally respect freedom of association and assembly. Nongovernmental organizations (NGOs) are able to register and operate without arbitrary restrictions. The community of NGOs in Georgia is large and active and plays an important role in public debates and discussions. 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 union that existed during the Soviet period, is the principal trade union confederation. It is not affiliated with, and receives no funding from, the government.

The judiciary is not fully independent and continues to suffer from extensive corruption and from pressure exerted by the executive branch. The payment of bribes to judges is reported to be common. As part of the effort to reduce corruption and improve the performance of law enforcement, the government dismissed half of the police force in August 2004. Despite recent reform efforts, the law enforcement community continues to face accusations of torture, particularly with respect to pretrial detention. In 2005, a measure was adopted that places a limit of four months on pretrial detention, as opposed to the previous limit of nine months. Testimony by police officials is now open to challenge in the courts.

The government generally respects the rights of ethnic minorities in non-conflict areas of the country. Freedom of residence, as well as the freedom to travel to and from the country, is generally respected.

Societal violence against women is a problem. While there are no laws that specifically criminalize spousal abuse or violence against women, the Criminal Code classifies rape, including spousal rape, and sexual coercion as crimes. Although Georgian law prohibits trafficking in persons, the country is a source, transit point, and destination for trafficked persons.