



Freedom in the World 2015 - Georgia

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2015 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 3.0

Civil Liberties (1 = best, 7 = worst): 3

Political Rights (1 = best, 7 = worst): 3

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

Citizens' empowerment through the direct election of mayors, local administrators, and city council members in June 2014 was an important step for Georgia's democracy. For the first time in the country's post-Soviet history, the ruling coalition faced competition in a runoff election in Tbilisi. The pre-election environment was tense and deeply polarized, with instances of intimidation of candidates from the United National Movement (UNM) of former president Mikheil Saakashvili. As a result, some UNM candidates withdrew from races. Prime Minister Irakli Garibashvili of the ruling Georgian Dream-Democratic Georgia party said violence, including physical beatings of at least four UNM party members, was evidence of Georgian society's discontent with abuses under the previous, UNM-led government. Garibashvili's statement, made amid increased societal tensions, did not encourage a level playing field for UNM candidates. Nevertheless, overall election monitors deemed the local elections both free and fair.

Georgia signed a comprehensive trade and political agreement with the European Union (EU) in June and entered the second phase of the EU visa liberalization process in October.

In November, Foreign Minister Maia Panjikidz and three of her deputies resigned following the firing of Defense Minister Irakli Alasania, a member of the Our Georgia-Free Democrats party. The departures fueled debate about the government's commitment to a pro-Western course, as the four officials support Georgia's goal of joining the North Atlantic Treaty Organization (NATO) and EU. Alasania said that an ongoing investigation of corruption cases in the defense ministry during his tenure was a politically motivated campaign against him. Following his dismissal, the Free Democrats left the Georgian Dream coalition – a group of parties led by Georgian Dream-

Democratic Georgia – forcing the government to rely on the backing of independent members of parliament to gain a majority.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 26 / 40 (+1)

A. Electoral Process: 9 / 12 (+1)

Georgia's unicameral Parliament has 150 seats, with 77 chosen by party list and 73 in single-member districts. The president appoints the cabinet and can serve up to two five-year terms.

International observers generally considered the 2012 parliamentary elections as free and fair. Georgian Dream captured 85 seats, leaving the UNM in the minority with 65 seats. In Georgia's first peaceful transfer of power through elections since independence, Saakashvili conceded defeat and pledged to cooperate with the new government.

Presidential elections in 2013 were widely regarded as free and fair. While observers reported some violations, they noted no cases of abuse of administrative resources or pressure on voters, which had been issues in past elections. Another improvement was the reduced number of voting stations set up in workplaces for public servants, who were encouraged to vote as civilians in their local communities, reducing opportunities for the state to influence the vote of its employees. The Central Election Commission was also praised for its professionalism during the election. Giorgi Margvelashvili of Georgian Dream won 62 percent of votes in the first round of the presidential election, surpassing the 50 percent threshold needed for an outright win.

Constitutional changes introduced by Saakashvili in 2010 to transform the country's political structure from a presidential to a parliamentary system came into force following Margvelashvili's inauguration in November 2013. The bulk of executive authority shifted from the president to the prime minister, and new rules on votes of no confidence make it difficult for Parliament to remove the prime minister. Garibashvili became prime minister that month.

In 2014, after reforms to the Electoral Code, Georgian citizens directly elected heads of municipal districts and mayors of cities other than Tbilisi for the first time. The shortcomings in the pre-election environment and the election process cited by election observers were not systematic and were judged not to have affected the overall outcome.

B. Political Pluralism and Participation: 10 / 16

Saakashvili's UNM dominated Georgian politics from 2004 to 2012, when growing dissatisfaction with the ruling party's perceived consolidation of power helped fuel support for Georgian Dream. This new party, founded by former prime minister Bidzina Ivanishvili in 2012, merged older opposition factions and benefited from Ivanishvili's extensive personal wealth.

As a part of Georgian Dream's electoral pledge to restore justice, the government launched a series of investigations into credible allegations of crimes and abuses of power by high-profile UNM leaders. Approximately 90 officials of the previous government have been arrested or investigated, and many of its activists nationwide have been questioned, according to UNM. Some Georgian and

international observers see these investigations as politically motivated; some have likened it to a "witch hunt."

The Georgian Dream coalition leadership has made frequent hostile statements directed against the UNM. For example, during the campaign period for local elections, Prime Minister Garibashvili predicted that the polls would lead to the "disappearance" of the UNM. Although Garibashvili pledged in April 2014 to end prosecutions of politicians during the campaign period, former Tbilisi mayor and UNM campaign coordinator Gigi Ugulava was arrested on money laundering charges in July, when second-round elections were taking place.

Given the widespread public trust in the Georgian Orthodox Church, it has strong potential to influence citizens' political choices. In July, a bishop in Tbilisi instructed worshippers to vote against the UNM. The Central Election Commission declined to fine the bishop, saying he was acting in his individual capacity and did not speak on behalf of the Patriarchate.

C. Functioning of the Government: 7 / 12

At the time of the government reshuffle in November, President Margvelashvili described the crisis within the Georgian Dream coalition as "symptomatic of broader problems" in Georgia: particularly "disrespect of institutions" and the "lack of institutional governance."

Georgia's anticorruption reforms, implemented in 2004, largely eliminated petty corruption. More recent initiatives to fight corruption in Georgia include the formation of an effective State Audit Office and the introduction of an e-procurement system. However, Transparency International has recommended that Georgia establish an independent anticorruption body that can investigate and prevent crimes committed by high-ranking officials, develop better mechanisms to verify public officials' asset declarations, and introduce adequate mechanisms to investigate crimes committed by law enforcement agencies. Georgia ranked 50 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 38 / 60

D. Freedom of Expression and Belief: 12 / 16

Georgia's media environment continues to be diverse and pluralistic, benefiting from enhanced editorial independence after the 2012 shift in government. Legislative amendments passed in 2013 ban offshore ownership of broadcasts and require declaration of ownership structures, increasing transparency in the Georgian media sector. In addition, "must carry, must offer" legislation, originally designed to provide diverse political coverage of Georgia's pre-election environment in 2012, became permanent in 2013. This increased opportunities for Georgian citizens to access diverse news sources, even in rural areas.

Nevertheless, some worrying signs emerged in 2014. Prominent voices of the Georgian Dream coalition, including former prime minister Ivanishvili and serving prime minister Garibashvili, have criticized the media for lacking professionalism and displaying bias in reporting, which Georgian media professionals have denounced. For example, when the government publicly criticized a television report in May that accused the administration of flouting its pre-election promises, Georgian civil society considered the statement undue pressure on editorial independence. Media

professionals are concerned that the playing field is becoming increasingly uneven for journalists, as the government appears to favor certain outlets while restricting official access for others. *Batumelebi*, *Netgazeti*, *Guria News*, *Livepress.ge*, *Studio Monitor*, *Information Center Kakheti*, and *TV-25* have all reported difficulties obtaining information from the Georgian Ministry of Internal Affairs. In December, more than 20 journalists from *Maestro TV* resigned in protest of the politically motivated firing of a popular television presenter and the increasing influence of progovernment consultants over editorial content.

The Finance Ministry's Revenue Service sparked controversy in 2014 after it requested that the television audience measurement company TVMR GE provide the locations of the households where the company hosts "people meters," devices that measure viewing habits. Nika Gvaramia, chief executive of the Rustavi 2 television channel, described these efforts as politically motivated and aiming to influence Georgian media. UNM claimed that TVMR's very low rating of GDS TV, run by the son of former prime minister Ivanishvili, is behind an initiative to discredit existing television ratings. TVMR suspended operations for several months. The authorities do not restrict access to the internet and have undertaken several initiatives in the past year to improve penetration.

Freedom of religion is respected for the country's large Georgian Orthodox Christian majority, and the Georgian Orthodox Church enjoys numerous privileges that are not afforded to other religious institutions, including tax exemptions, special funding, and involvement in state educational and social welfare programs. Some traditional minority groups, including Muslims and Jews, experience discrimination but are generally free to worship. In February, the government established the State Agency for Religious Issues to improve relations between the state and religious minorities. Authorities continued to delay approval for the construction of a new mosque in Batumi in 2014.

Members of groups newer to the region – including Baptists, Pentecostals, and Jehovah's Witnesses – have faced harassment and intimidation by law enforcement officials and Georgian Orthodox extremists. In 2014, construction on a previously approved prayer house for Jehovah's Witnesses in Terjola was suspended following protests from locals. Since political changes began in Egypt in 2011, there has also been an influx of Coptic Christian immigrants. Some reports indicate that Orthodox authorities have denied Coptic Christians permission to worship in Orthodox churches.

The government does not generally restrict academic freedom, though politically motivated academic dismissals and appointments have been reported in the past.

Illegal surveillance of Georgian citizens is systematic, violating Georgia's obligations under the European Convention of Human Rights. Parliament passed legislation regulating data collection and surveillance in November; the legislation allows the Interior Ministry to retain the power to directly access communications operators' networks. President Margvelashvili vetoed the government-backed legislation, but Parliament overrode the presidential veto.

E. Associational and Organizational Rights: 8 / 12

Freedom of assembly is generally respected. Numerous activists and civil society groups staged protests and demonstrations throughout 2014 in connection with various social and political issues, largely unobstructed by the government. However, assemblies related to sensitive issues have ignited controversy in the past.

Georgian civil society is vibrant. Despite Prime Minister Garibashvili's statements about the bias of nongovernmental organizations (NGOs) in Georgia, the government does not interfere with their work. NGOs are able to register and operate without arbitrary restrictions. Georgian civil society relies on peaceful forms of public mobilization and increasingly uses social media to organize.

The constitution and the Law on Trade Unions allow workers to organize and prohibit antiunion discrimination. The Amalgamated Trade Unions of Georgia, the principal trade union bloc, is not affiliated with the government and receives no state funding. Union influence remains minimal in practice.

F. Rule of Law: 8 / 16

Executive and legislative interference in the judiciary is a substantial problem. A 2014 draft law would make new judges subject to evaluation for permanent appointment after a three-year probationary period. Civil society members have said the probationary period further undermines judicial independence. The law was pending at year's end.

In October 2014, the Venice Commission of the Council of Europe approved the third package of comprehensive judicial reforms the Georgian government has initiated since November 2012, aimed at ensuring judicial independence and transparency. However, in its final 2014 assessment of Georgia's human rights and democratic progress, the Parliamentary Assembly of the Council of Europe reported that shortcomings in the rule of law remained. Serious problems persist in prosecutors' respect for the rule of law in court proceedings. In particular, the wave of prosecutions of former state officials under the Georgian Dream government has displayed procedural deficiencies and negligence toward defendants' rights.

Historically, Georgia has had high rates of incarceration, substandard prison conditions, and poor treatment of inmates. Although some observers have noted an improvement in the past several years, the Venice Commission has criticized the persistence of these issues.

The government generally respects the rights of ethnic minorities. Georgia has fallen behind in meeting a 1999 obligation to the Council of Europe to support the repatriation of Muslim Meskhetians, who were deported from Georgia during the Soviet period. Antidiscrimination regulations cover bias based on sexual orientation, but societal discrimination against LGBT (lesbian, bisexual, gay, and transgender) people remains strong. An antidiscrimination law adopted in May 2014 prohibits many forms of discrimination, including discrimination based on sexual orientation and gender identity, despite strong opposition from the Georgian Orthodox Church and numerous domestic supporters of traditional values. An earlier version of the law provided greater protections and resources to Georgia's LGBT community; the version adopted in May includes no punitive mechanisms. Perpetrators of violence against participants in a Tbilisi demonstration supporting LGBT rights in 2013 have largely enjoyed impunity.

G. Personal Autonomy and Individual Rights: 10 / 16

Freedom of residence and freedom to travel abroad are observed. Georgia moved into the second phase of the EU visa liberalization process in October.

Georgia ranks 15 out of 189 countries in the World Bank's 2015 *Doing Business* report and 22 out of 178 countries on the 2015 Index of Economic Freedom. Although Georgia's low-tax, low-regulation environment is beneficial to owners of capital, high levels of corruption, weak anti-trust regulation, and lack of respect for property rights still negatively impact citizens' economic well-being.

Legislation from 2006 aims to prevent domestic violence and to protect and assist victims. However, instances of domestic violence have been on the rise in Georgia. The Ministry of Internal Affairs registered 362 incidents of domestic violence from January through October 2014. Moreover, at least 24 murders of women by their husbands or partners were reported in 2014, up from 21 in 2013 and only 6 the year before. The police rarely pursue investigations of domestic violence and often sympathize with the accused men. A tougher law on domestic violence was pending at year's end.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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