

Flygtningenævnets baggrundsmateriale

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Freedom in the World - Georgia (2007)

Population:
4,400,000

Capital:
Tbilisi

Political Rights Score: 3
Civil Liberties Score: 3
Status: Partly Free

Overview

In 2006, Georgia continued its efforts to enact reforms under difficult conditions. The most notable changes involved law enforcement, the state bureaucracy, and the country's universities, where safeguards were implemented to combat entrenched corruption. In October, Russia imposed an economic blockade, cutting off all cross-border trade and travel as part of a broader breakdown in bilateral relations. Meanwhile, the governing National Movement party continued to dominate the domestic political scene, as the opposition has so far proven incapable of providing meaningful competition.

Absorbed by Russia in the early nineteenth century, Georgia gained its independence in 1918. In 1922, it entered the Soviet Union as a component of the Transcaucasian Federated Soviet Republic, becoming a separate Soviet 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 the separatists and Georgian forces. Although a ceasefire was signed in June 1992, South Ossetia's final political status remains unresolved.

Following a national referendum in April 1991, Georgia declared its independence from the Soviet Union, which 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 an 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, once defeated, 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 elections. 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 his 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. Shevardnadze himself faced growing opposition from prominent members, including Speaker of Parliament Zurab Zhvania and Justice Minister Mikheil Saakashvili, who criticized the president's failure to contain widespread corruption. 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 prominent businesspeople, 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, known as the Rose Revolution, that ultimately led to Shevardnadze's resignation from office. According to official Central Election Commission results, the For New Georgia pro-Shevardnadze coalition received 21 percent of the vote. The Union of Democratic Revival (UGR), a party led by Aslan Abashidze, head of the southwestern region 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 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 New Rights, which secured 7 percent.

The International Society for Fair Elections and Democracy, a domestic monitoring organization that conducted a parallel vote tabulation, concluded that the National Movement had won the election with nearly 27 percent of the vote, leaving For New Georgia in second place with about 19 percent. Monitors from the OSCE reported that the balloting 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 premises. Shevardnadze resigned the following day, and Burjanadze was named interim president. Meanwhile, the Supreme Court cancelled the results of the parliamentary elections.

A snap presidential election was called for January 4, 2004, with Saakashvili effectively facing no opposition. Capitalizing on mass dissatisfaction with corruption, cronyism, and poverty, he won 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.

In October 2006, relations with Russia reached new lows, with Moscow imposing an economic blockade on the country of 4 million in response to the Georgian authorities’ detention of several alleged Russian spies. The mutual border was closed to trade and transportation, and sea and air travel between the two countries was also barred. Visa restrictions imposed by Moscow augmented the serious economic strain imposed on Georgia by limiting remittances from Georgians working in Russia, which represent an important economic contribution to the Georgian economy. Although the detained Russians were quickly released, the blockade remained in place at year’s end. Meanwhile, the “frozen conflicts” in Abkhazia and South Ossetia brought Moscow and Tbilisi closer to confrontation. Georgian defense minister Irakli Okruashvili, who took a particularly hard line on these disputes, was moved from the Defense Ministry to the Ministry of Economic Development in late November 2006. He then abruptly declined to accept the new appointment and suggested he would study abroad for an undetermined period of time.

The government’s domestic policy remained focused on corruption in 2006. Reforms overseen by the Education Ministry to implement national university entrance exams have already begun to reduce university corruption and increase public trust in the higher education system. The reforms, along with an earlier traffic-police overhaul and the dramatic reduction of patronage employment in government ministries, have begun to break down corruption across the wider society.

Political Rights and Civil Liberties

Georgia is an electoral democracy. 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 votes, 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.” Parliamentary by-elections in 2005 fit this pattern of improvement, although the absence of a political opposition capable of contesting power remains critical. Parliamentary terms are four years, and presidential terms are five years, with the next presidential vote scheduled for 2009. At the end of 2006, the government was advancing a plan to amend the constitution in order to move up the presidential election and hold it and the parliamentary vote concurrently in 2008.

In 2005, the unicameral Parliament passed amendments to modify its composition, effective after the next parliamentary elections in 2008. The number of members will shrink from the current 235 to 150, with 100 members to be elected by party list and 50 under a first-past-the-post system.

The Rose Revolution in 2003 propelled the National Movement to power, and it remains the country’s dominant party. In addition, there are two parliamentary opposition blocs, the New Conservatives–Industrialists and the Democratic Front,

which came into being in late 2005. It is comprised of two party groups—the Republicans and the Conservatives, which were formerly part of the National Movement—along with a number of independent members of Parliament. The weakness of the opposition and the formidable political presence of President Saakashvili has created a political environment that is for the time being dominated by Saakashvili's United National Movement. Going forward, the system will be tested by the degree to which alternative political voices and policy options can establish a meaningful place on the country's political landscape.

The current administration of President Mikheil Saakashvili has made a priority of combating corruption. A number of officials accused of graft or embezzlement during the presidency of Eduard Shevardnadze 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 99 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

Georgia's constitution provides guarantees for press freedom. Before the 2003–2004 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.

While a diversity of political opinions and perspectives flourish in the print media, broadcast media in 2006 continued to suffer from some self-censorship, perhaps due, at least in part, to the absence of an established political opposition to provide a clear articulation of alternative views. Nevertheless, broadcast enterprises such as Imedi, which is partly owned by Rupert Murdoch's U.S.-based News Corp., regularly take a line opposed to the government, as does the more polemical antigovernment Kafkasia channel. Rustavi-2, which gained notoriety as one of the main drivers of the Rose Revolution, has since 2004 taken a line generally supportive of the current government. To the extent that there is political debate in the broadcast media, it rarely amounts to a thoughtful discussion of public policy.

In 2004, the government adopted a new libel law stipulating that cases will be considered in civil rather than criminal courts. The new law makes clear that statements 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, but high-speed internet connections are prohibitively expensive for many ordinary citizens.

Freedom of religion is respected for the country's largely Georgian Orthodox Christian population and some traditional minority religious 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 certain Georgian Orthodox extremists, but reports of

such treatment have decreased over the past year.

The government does not restrict academic freedom. In an effort to unshackle the educational system from the widespread corruption that plagues most post-Soviet countries, Georgia has put in place far-reaching reforms that are also designed to improve academic standards and independence. These steps have gone a considerable way toward eliminating the bribes students typically paid to receive high marks or pass entrance examinations. National exams for university admissions were administered by the Education Ministry in the summer of 2005 and 2006. Students can only take the exam at newly accredited institutions, as part of Georgia's effort to comply with the Bologna process, an intergovernmental initiative to establish a European Higher Education Area by 2010 and to promote the European standards of higher education.

The authorities respect freedoms 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 grouping 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 pressure from the executive branch. The payment of bribes to judges is reported to be common, and efforts to reform the judicial system have not moved forward in a meaningful way. The judiciary has been unable to date to establish itself as an independent institutional actor and still suffers from a lack of professionalism. The judiciary also often relied on pretrial detention regardless of the gravity of the offense.

The police force has dramatically improved its performance since the government dismissed half of its personnel in August 2004 as part of an anticorruption overhaul. Prison conditions in Georgia are grim. Riots at Tbilisi prison number 5 in March 2006 were emblematic of the significant problems facing this system. Gang activity along with serious prison overcrowding is pervasive. Tbilisi prison number 5, for example, was designed to hold approximately 1,500 prisoners but holds a population of more than twice that number. Criticism and calls for reform by ombudsman Sozar Subari have largely gone unheeded by the penitentiary department chief, Bacho Akhalaia.

The government generally respects the rights of ethnic minorities in areas of the country that are not contested by separatists. Freedom of residence, as well as the freedom to travel to and from the country, are generally respected.

Societal violence against women is a problem. The Georgian authorities have acknowledged the issue of violence against women and in June passed the first law on domestic violence, which among other provisions allows victims to file immediate protective orders against their abusers and police to issue a temporary restrictive order against persons suspected of abusing a family member.

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 the trade.