

Election

Georgia’s political system is in crisis. On the one hand, this is due to political polarisation, while on the other hand, by the failure of the ruling party to fulfil the promises it made to the Georgian public. The existing political polarisation contributes to the destabilization of the environment, especially in the crucially important election year. Georgia will elect a new parliament during the Fall, 2020. Tensions went high when the government walked back from the promise it made in June, 2019 to introduce proportional system for the 2020 parliamentary elections.

In parallel to these events, Georgian public discontents grow over the fact that the governing party took control of the judiciary system. It achieved this via an influential group of judges (the “Clan”) who have been associated with the violations of human rights and government control of the courts.

These two factors - problematic judiciary and electoral systems - are one of the most frequently discussed issues. Nevertheless, they serve as the background for even larger issues for Georgia’s public and political system: economic and social injustice, non-inclusive environment for vulnerable groups, voter control, unchecked power of law-enforcement agencies, etc.

**Elections**

*Electoral System*

Changes to the electoral system are still debated in the Country. One of the demands of the late June public protests was electoral reform and proportional elections, since today’s mixed system does not correspond to existing societal needs, guarantees consolidation of power and political polarisation, can not ensure stable development of the country and reflection of the electoral will in the legislative body, and contributes to extremely low levels of representation of women in the Parliament. The ruling party made a promise that 2020 elections would be held in proportional manner, but towards the end of 2019 refused to keep its word and failed the respective constitutional amendment.

 After this, the opposition offered to the ruling party to change the existing electoral system and presented a modified version of the so called “German model”. Several rounds of negotiations between the opposition and the ruling party were not successful, due to the rigidity shown by the government.

The Georgian National Platform expressed its position on numerous occasions regarding the changes to the electoral system and and the need to conduct elections in the proportional manner. Today, we still believe that 2020 elections must be held with natural barriers, in fully proportional manner.

**Justice**

*Common Courts*

Georgia’s judiciary is under total control by an influential group of judges who have colluded with each other and the government (“Clan”). The clan effectively manages the court system, which means that the majority of judges are under their control, and they have a dominant position in the Justice Council.

Exactly due to this influence, the Clan, via their membership of the Justice Council, presented a list of candidates to the Parliament, to fill vacancies in the Supreme Court. This caused societal uproar, after which the government refused to hear the candidates and introduced a new procedure of nominating and appointing Justices, however the main issue (to increase the amount of votes needed to nominate a candidate) was not considered. The Parliamentary majority also refused to accept the calling of the civil society to appoint only those candidates, which would have support from the opposition as well.

In the end, it is true that the new law ensures transparency, but since the end of the 2019 the Parliament permanently appointed 14 judges to the Supreme Court at the recommendation of the Justice Council. One part of the new cohort of Justices are the persons who are directly controlled by the clan, while the other part are those, who have close ties with the government. It must be noted that the number of Justices appointed far supersede the amount needed for functioning of the Court. In this environment, the Georgian National Platform believes that the only solution is to free the court from the influence of the clan and once this is done and the new members to the Justice Council are appointed in more inclusive manner, further debates can only then take place on how to improve court systems.

*Prosecutor’s Office*

Politically influencing the prosecution is a challenge to Georgia on its way to building an independent judiciary.

Towards the end of Spring, 2019 the society was rocked by public discontent regarding one of the notorious cases, which resulted in the Prosecutor General, Irakli Shotadze to resign. He was replaced by Shalva Tadumadze. Tadumadze, despite the fact that the authenticity of his higher education diploma was under substantial public scrutiny, was elected Supreme Court Justice. Since then the Prosecution Council launched procedures to elect the new PG. The new PG will be later appointed by the Parliament. The frontrunner in this selection is again, the former Prosecutor General, Mr. Shotadze. He is loyal to the Government, while this desire to return to the post after publicly resigning from it, denotes his lack of ethics and sense of responsibility. Furthermore, the transparency and fairness of the process has been rightly criticised due to the absence of procedures and criteria. Given all of this, the National Platform believes that a person who has such a glaring political affiliation may not occupy the GP post. Avoiding such political affiliations can only be achieved with the inclusion of the opposition in the process.