

Reform

or Retouch?

Georgia's
“New Wave”
of Democracy



In his address to the Georgian parliament this summer, Joe Biden pointed to fundamental flaws within the Georgian political system and called for action to be taken.

“The Rose Revolution will only be complete when... issues are debated inside this chamber, not only out on the street; when you fully address key constitutional issues regarding the balance of power between the parliament and executive branch and levelling your electoral playing field; when the media is totally independent and professional... when the courts are free from outside influence and rule of law is firmly established and when the transfer of power occurs through peaceful, constitutional and democratic processes...”

Vice President Joe Biden, Tbilisi, July 23 2009

In a speech to Parliament before Biden’s arrival – and in a number of other keynote addresses throughout the last several years – President Saakashvili promised to address these very concerns, and vowed a “new wave of democratisation”. This “New Wave” promised changes in the structure of government, the inclusion of the opposition, and changes in the electoral system, the media and the judiciary. This report seeks to analyse whether those promised changes are being realized and to what extent they will impact the Georgian political and social landscape.

Structure of Government: Broad-reaching constitutional changes are currently being considered that offer an enormous potential for long-term strengthening of checks and balances in Georgia. However, because of the overwhelming majority of the ruling party in the current parliament, where it holds 2/3 of seats, any efforts to increase parliament’s powers are unlikely to have impact until the next presidential and parliamentary elections.

Inclusion of the Opposition: In the build up to these elections the key issue is not only how to check the power of the government but also, how the ruling party *chooses* to use its own power. In the past new laws and even constitutional changes have been passed without serious public dialogue. Even now dismissive and divisive rhetoric is often used in response to the opposition’s criticisms. The government will most effectively show its desire to decentralise power and engage opposition if it opens itself up to debate and responds reasonably to objective criticism.

Electoral System: To improve the electoral system the government has set up an Election Code Working Group that is currently considering the form of the election administration. This offers a promising platform for change. The Working Group is broadly inclusive and there are signs that there is compromise on key issues. One of the most important outstanding issues is the Chairmanship of the Central

Election Commission. The government must ensure that it keeps its promise to nominate a candidate on the basis of a broad consensus, even though that consensus will be difficult to reach.

The local elections next year will be a key test for any changes to the Election Code. If the election campaign and the ballot itself are seen to be both free and fair, the government will have travelled a long way in proving its commitment to reform.

In preparation for these same elections next year the government has offered to make Tbilisi's mayor a directly-elected post. This will certainly help to balance the electoral playing field in Tbilisi. This reform would be enhanced if direct elections were mandated in all of the country's mayoral elections. Local elections would also be more meaningful if a serious effort was made to delegate more governmental functions to the regions and ensure that they have the resources to carry them out.

Media: The greatest opportunity for the government to demonstrate its aspirations to reform are in the spheres of the media and the legislature. Within the sphere of the media the government has made some moves to encourage increased political broadcasting. Nonetheless, all of the national television channels continue to be pro-government. Besides, in far too many cases the management of the most popular stations has been populated by former governmental members. A balanced media environment requires determined efforts to encourage and support critical investigative journalism, as well as an objective and comprehensive coverage of crucial issues.

Judiciary: Within the judiciary political will is even more important as changes to judicial procedures have so far failed to restore public confidence in the system. Changes made in the last years removed the president's power to hire and dismiss judges and new legislation made it illegal to interfere with judicial decisions.

Nonetheless, the perception remains that the government selectively prosecutes its opponents while turning a blind-eye to the transgressions of its friends. The current changes being considered to judicial process are unlikely to significantly change this perception unless there is a general shift in the transparency of the legal process. The judiciary should open itself up to the scrutiny of the media by allowing television cameras back in the courtroom. It should also ensure that key, high-profile cases, like the alleged police brutality surrounding the protests in November 2007, and recent alleged political arrests, are intensively and transparently investigated.

In acknowledging the importance of a new wave of reforms, the government has accepted that a great deal of work remains ahead. Georgia aspires to the status of fully-fledged, European democracy, yet never in its history has a peaceful transfer of power through democratic elections taken place.

While recent events may suggest that Georgia will no longer transfer power through street based protest, it remains to be seen whether the country can pass the most fundamental democratic tests. If the country is to truly join the European family of nations, then Biden's advice must be taken to heart. The

constitution must ensure a balance of power between branches of government, executive power must be devolved and local government strengthened, parliament must be a strong and independent institution and the country's next leader must be chosen by the people in an election that is perceived as free and fair by all stakeholders.

The current reforms suggest that the government understands these points and wants to address them. What is not yet clear is whether, in order to achieve these goals, it is really prepared to give up some of its current levers of power.

Background

Georgia used to be regarded as a democratic success story. The peaceful Rose Revolution of 2003 swept away the corrupt and autocratic government of Eduard Shevardnadze and brought a team of western educated young reformers to power. The new president, the eloquent and charismatic Mikheil Saakashvili, was widely feted by the global media. In 2005 Georgia was described by President Bush as “a beacon of liberty”.

Much has changed since then, and Georgia’s image as a westernising democracy has come in for a re-think. When, in November 2007, police used excessive force to disperse peaceful opposition protests in Tbilisi, then raided and closed an opposition-leaning television channel, some in the west began to question their support for the Saakashvili government.

Following this crisis, pre-term presidential and parliamentary elections held in 2008 were won by Saakashvili and his United National Movement party. Though international observers said the polls reflected the will of the Georgian people, there were an alarming number of irregularities, including multiple voting and voter intimidation.¹

The failure of state bodies to properly investigate alleged violations raised questions about the government’s commitment to the democratic process. Partly in response to these concerns, Freedom House removed Georgia from its list of electoral democracies in its 2008 report.²

Finally, last year’s war between Georgia and Russia further dented the government’s credibility on the international stage. Many in the west blame Saakashvili and his leadership style for precipitating the conflict, or at least for providing the pretext for the Russian military aggression.

Following these major setbacks, the Georgian government has attempted to regain its image as a rapidly developing eastern European democracy. Domestic political turbulence rocked Georgia in the spring of 2009, with a large-scale protest campaign staged by the extra-parliamentary opposition demanding the government’s resignation and protestors hanging on for months. This challenge was coupled with an increasingly sceptical international audience and ever more critical assessments from NGOs and watchdog groups. The cumulative pressure has led to some noticeable shifts in government policy, and more significant reforms may be in the pipeline. These are what Saakashvili calls a “new wave of democracy”.

The package of reforms contained within the so-called “new wave” was first announced by Saakashvili in his state of the nation address in September last year, a little over a month after the end of the Russo-

¹ OSCE/ODIHR reports on the elections can be found here: <http://www.osce.org/odihr-elections/documents.html?lsi=true&limit=10&grp=213>

² Report available here: http://www.freedomhouse.eu/index.php?option=com_content&view=article&id=242:nations-in-transit-2009&catid=30&Itemid=92

Georgian war. In his speech, Saakashvili promised that “Georgia’s response to Russian aggression will be more democracy, more freedom and more progress”.

The specific proposals fall into five key areas:

- Strengthening the parliament vis-à-vis the executive through constitutional changes
- Providing more opportunities for the opposition to become involved in decision making
- Improving the electoral system through the adoption of a new electoral code
- Protecting the freedom of the media
- Strengthening judicial independence

Since September 2008 the government has further elaborated on these proposals. During a visit to the United States in December 2008, Parliament Speaker Davit Bakradze distributed a document outlining the changes that the government had already implemented, as well as those on the way. During Vice-President Joe Biden’s visit to Tbilisi in July, President Saakashvili pointed to his “new wave” proposals as a demonstration of his commitment to democratic reform, and re-iterated many of the proposals in a speech to parliament preceding the vice-president’s arrival.³

How new and far-reaching is this “new wave”? What has been achieved to date, and how far will the proposed changes go towards building sustainable democratic institutions? Will the “new wave” actually result in Georgia emerging as a more democratic country, or will it just allow the government to reclaim its image?

³ Civil Georgia: “Saakashvili Addresses Parliament, Followed by Debates” 21/07/09 <http://www.civil.ge/eng/article.php?id=21260&search=saakashvili%20parliament>

A Commission on Constitutional Changes

In the long-term one of the most significant of the “new wave” reforms will be the constitutional changes currently under consideration. In February 2004, thirteen days after Saakashvili’s inauguration, parliament passed sweeping amendments to the constitution that further strengthened the position of the president. The president was given the power to both initiate and veto legislation, to abolish or suspend any existing law, and to dissolve parliament if it refuses to approve the budget or the president’s choice of prime minister three times.

Creating a system with stronger checks and balances is therefore crucial. However, in the short to medium term the problem is not so much increased presidential power, as the overwhelming power of the ruling party. The ruling party held constitutional majority in the parliament in 2004, when the constitution was first amended and this continues to be the case today. For that reason, in the short term the main check on the exercise of ruling party will not be constitutional.

A system often described as ‘super-presidential’ - were first mooted by former president Eduard Shevardnadze in 1998, but abandoned in the face of both domestic and international criticism.⁴ In 1998 Saakashvili and many of his allies had been among the most vociferous in condemning the proposals, yet in 2004 the changes were voted through without appropriate public discussion.⁵

This strengthening of presidential power, in tandem with a weak and fractured opposition, barely represented in the legislature, has seriously dampened parliament’s independence and induced the government to use the constitution to suit their short-term purposes.

This is particularly evident in election-related changes to the constitution. Amendments passed in December 2006 allowed for a one-time-only holding of simultaneous parliamentary and presidential elections in late 2008, which would have extended the parliament’s term by several months while shortening the president’s. The government claimed that this was necessary so that Georgia’s parliamentary elections would not coincide with presidential elections in Russia. The opposition, meanwhile, claimed that it was merely a tactical manoeuvre to aid the ruling party. They argued that by holding the elections at the same time, Saakashvili’s popularity would rub off on the National Movement, allowing the National Movement to piggy back off his success and pick up extra seats in parliament. The Venice Commission, the Council of Europe’s constitutional advice body, also criticised the move. The changes were one of the catalysts for the political crisis of November 2007, and were eventually made irrelevant by the snap presidential election of January 2008.

⁴ For more on these amendments, see Transparency International Georgia’s report “Division of Authority in Georgia”

⁵ Legally, all constitutional amendments must be submitted to a one month period of “public discussion”. The amendments of February 2004 did not pass through this phase, with the government arguing that the consultations held when the amendments were first proposed in 1998 made any further discussion unnecessary.

Tampering with the constitution was also evident in the run up to the parliamentary elections of 2008. The government and opposition agreed on a mixed electoral system, where 100 of the 150 MPs would be elected from nationwide party lists, and the remaining 50 from so-called regional party lists. The opposition, who were staging protest actions at the time over other issues, refused to attend the parliamentary session to pass this amendment and the ruling party claimed a lack of a quorum. Together with parliament members elected from single mandate districts, the ruling party passed new amendments in which 75 MPs would come from the national list and the remaining 75 from single mandate, directly elected constituencies. This amendment greatly favoured the ruling party, owing to local patronage networks and because it made the system less proportional. This allowed the ruling party to claim that they were willing to compromise but were thwarted by opposition intransigence. In reality, however, the opposition's lack of cooperation was a mere fig-leaf to allow the government to push through the electoral system that best suited it, and allowed it to win 71 out of the 75 majoritarian constituencies.

Both the government and the ruling party refuse to concede that there is anything wrong with the constitution as it stands now, but according to ruling party MP Pavle Kublashvili, a “political decision” was taken to address the issue.⁶

On June 8, President Saakashvili established a Commission on Constitutional Reform. The commission is made up of representatives of political parties, a broad range of NGOs and experts, as well as delegates from the government, the presidential administration, parliament and other state bodies. The extra-parliamentary opposition, who were holding street rallies calling for Saakashvili's resignation at the time of the commission's inception, refuse to participate. While some refuse to have any dealing with the government at all, others, like constitutional expert Vakhtang Khmaladze from the Republican Party, argue that pro-government forces dominate proceedings.⁷

According to Kublashvili, the ruling party's representative on the commission, a fully formed draft constitution is expected to emerge from the consultations and be released sometime in the middle of next year. Until that time, Kublashvili says, it is “too early to talk about specifics” and although the ruling party favour a presidential model, all options are on the table. Whatever system the commission opts for, it will carry a “strong moral recommendation” when it is eventually submitted to parliament. Given that ruling party MPs have more than a two-thirds majority in parliament, and are thus able to change the constitution at will, many opposition supporters are convinced that any proposals that do not suit the ruling party will be omitted.

In spite of the fact that most extra-parliamentary opposition forces are sceptical of the commission, the Christian Democratic Movement, the leading opposition party within parliament, is cautiously positive. The CDM advocates a bicameral legislature which itself appoints the president, says MP Levan Vepkhvadze. Although the ruling party are willing to listen to these recommendations, a “factional

⁶ Interview with author, 13/09/09

⁷ Interview with author, 16/09/09

rivalry” within the ruling party prevent firm decisions from being taken, “that is why they have no real conception of a constitutional settlement and that is why they haven’t given any answers”.⁸

Several months remain before the commission is likely to release its findings, and until then it is difficult to assess from this standpoint how committed the Saakashvili administration is to constitutional reform.

Aside from the work of the commission, there are a number of other reforms outlined in the “new wave”, some of which involve constitutional amendments themselves. President Saakashvili has offered to reduce his powers to dissolve parliament, and to make it easier for votes of no-confidence to be called. However, given the fact that his United National Movement party dominates parliament, the impact before the next parliamentary elections in 2012 is likely to be negligible.

If Georgia is to emerge as a better democracy, then the constitution must be both more equitable and above and beyond short term meddling. Regardless of what model of constitutional arrangement Georgia adopts, it is vital that the legislature be strong and independent of the executive.

⁸ Interview with author, 15/09/09

Strengthening the Opposition

Some of the proposals outlined in the “new wave” speeches have already been implemented. The most significant of these relate to strengthening the opposition’s role in parliament and its ability to scrutinise the government. While these steps are to be applauded, they are far from the root and branch reforms that need to take place in order to give the opposition a real say in the political process in Georgia. The government should further its steps toward making its decision-making more inclusive though opening itself up to debate and responding reasonably to objective criticism from its opponents. The situation is not helped by the fact that some of Georgia’s largest opposition groups refused to take up their seats in parliament after the last election, which they claim was rigged.

Following the “new wave” speech, opposition parties that are represented in parliament have been granted seats on a number of state bodies.⁹ These include the Georgian National Communications Commission and the Supreme Council of Justice, which appoints and disciplines judges. The opposition are also entitled to call on the state audit body, the Chamber of Control, to inspect one specific government agency or sector each parliamentary semester. Currently, the Chamber is investigating the construction of settlements for those displaced by the Russian-Georgian war at the request of the CDM.

In parliament itself, the opposition now have the right to nominate three vice speakers, the deputy heads of all parliamentary committees and the heads of ad-hoc committees. An opposition MP now sits on the Trust Group, which oversees defence spending.¹⁰ In addition, the number of MPs necessary to form a faction has been reduced from ten to six, which allows the opposition two factions in the current parliament.

Representatives of the parliamentary opposition welcome these changes, while accepting that they are of a very limited character. With only 15 opposition MPs sitting in the 150 seat legislature, these reforms have only been able to increase the opposition’s ability to gather information. To say they help the opposition influence parliamentary proceedings is “ridiculous” according to Christian Democrat MP Levan Vepkhvadze.

⁹ Following the May 2008 parliamentary election, most candidates from the “United Opposition” bloc refused to take up their seats in protest at what they described as a rigged election. The United Opposition came second overall with 17.73 percent of the vote.

¹⁰ The opposition had the right to a position of the Trust Group during the last parliament too, but their preferred candidate, Davit Gamkrelidze of the New Rights, was rejected by the ruling party. The opposition refused to nominate any other candidate to the group.

Electoral Reform

In democracies, it is crucial that all political actors have confidence in elections. It was the opposition's lack of such confidence that resulted in the intermittent waves of street protests that destabilised Georgia in 2008 and 2009. The opposition allege that both the rules governing elections in Georgia are unfair, and that those charged with overseeing the elections are biased.

One of the most significant aspects of the “new wave” package is the proposed reform of the electoral code and a revamp of the electoral commissions. The body dealing with this vital task is a working group set up on the initiative of Speaker of Parliament Davit Bakradze. The group, which is hosted by the Tbilisi-based office of the National Democratic Institute (NDI), consists of representatives from political parties and NGOs. Both representatives of the opposition involved in the process and the ruling party seem happy with the current working arrangement, and according to NDI Georgia, there appear to be genuine efforts from both sides to engage in a serious discussion. The group recently received a boost to its credibility when a representative from the extra-parliamentary Our Georgia-Free Democrats party joined in early September. This is particularly significant as the party is headed by Georgia's former UN ambassador, Irakli Alasania, who is considered one of the most popular opposition leaders among the extra-parliamentary opposition. The fact that the group now contains representatives from what is arguably the most significant opposition force outside parliament, and from the leading opposition party within (the Christian Democrats) means that any conclusions reached by the group can reasonably be claimed to represent a broad range of opinions from across Georgia's political spectrum. It is also possible that other parties will follow the example of Our Georgia-Free Democrats.

However, in spite of the good will and cordial working practices that appear to have developed within the working group, no conclusions have yet been reached. Both the Christian Democrats and the ruling party say one of the main sticking points is the appointment of the head of the Central Electoral Commission. In his July speech, President Saakashvili promised that the new chair would be appointed with the “broad consensus of the political parties”, but the ruling party and opposition seem far from reaching an agreement on how this consensus should be achieved.

It does seem, however, that compromise is more likely in other areas. According to MP Akaki Minashvili, the ruling party's representative on the working group, preliminary agreements have been reached on increasing the time period allowed for the electoral commissions to hear complaints from 24 to 48 hours after polling closes. An agreement has also been reached on the door-to-door verification of voter lists in the run up to elections.

Significantly, the ruling party says it is ready to address the question of boundary changes for voting districts. Currently, there is a vast disparity in the numbers of people who live in each single mandate constituency, ranging from the hundreds of thousands to just a few thousand. This situation, as was

pointed out by TI Georgia before the last parliamentary elections, seriously compromises the equality of the vote.¹¹ The ruling party agree that this must now be tackled.

The vexed question of what electoral system is best for Georgia's parliament is also a matter of continuing disagreement between the opposition and the ruling party. This issue came to ahead before the last parliamentary elections (see above), and appears no closer to resolution. Another problem is that the whole aspect of electoral legislation may find itself obsolete if the Constitutional Commission recommends a bi-cameral legislature or other far-reaching changes.

Although the electoral code working group does represent a significant step forward in terms of broad participation and good working practices, it is still too early to tell if it will result in a genuine compromise solution. The entire code is due to be published by the end of the year and until then it remains unclear whether the opposing sides will reach some sort of accommodation.

One of the most eye catching proposals in the “new wave” was Saakashvili's proposal to bring the next local elections forward from autumn to May 30 next year, and to allow the direct election of the mayor of Tbilisi for the first time. Currently, the mayor of Tbilisi, as well as Georgia's four other ‘self governing’ cities of Kutaisi, Batumi, Poti and Rustavi, are elected by the city council. According to Akaki Minashvili, this system will not continue in the other four cities, something that has come in for criticism from various actors.

If Georgia is seriously committed to democratic local governance, all the major cities of Georgia should be granted the right to choose their mayors. The ruling party's reluctance to allow this is particularly striking considering their strong support for the direct election of mayors before the Rose Revolution. When Mikheil Saakashvili served as the head of Tbilisi city council, the direct election of the mayor was a main priority of his.

The method of electing the mayor from among the city council is common in many European cities, but the method for electing these councils in Georgia – the so called ‘winner takes all, first past the post’ system – is highly unusual. The cities and districts are divided into a number of constituencies that elect either two or three people to the city council, the party that gets the most votes in each district is entitled to nominate all the remaining members.

This system was brought in shortly before the local election of 2006. In a situation with a strong ruling party and weak opposition, it allowed the UNM to virtually monopolise the councils in all the ‘self-governing’ cities during polls – in Tbilisi the UNM won 66 percent of the vote, but 34 out of 37 council seats. According to MP Pavle Kublashvili, this system will be scrapped, as was promised by President Saakashvili in his speech to parliament this July. However, it is not known what will replace it in time for the next election on May 30. This uncertainty puts opposition parties at a disadvantage, as they are

¹¹ For more on this, see Transparency International Georgia's report “Georgia's New Old Majoritarian System”

unsure of what strategy to adopt, where to deploy their limited resources, and even what candidates to put forward for which constituencies.

The extent to which the Saakashvili administration is willing to compromise on the drafting of the new electoral code will go a long way to demonstrating the government's commitment to democratic reform. Both pro-government and opposition representatives in the group are positive that progress can be made, but it is impossible to see just how many concessions the government is willing to make until a draft is published at the end of the year. The manner in which May's local elections are held will be another crucial test for the Saakashvili administration's commitment to reform.

Media Freedom

While media, especially television, played a pivotal role in revealing vote fraud and contributing to the events of the Rose Revolution, freedom of the media is perhaps the area in which no kind of positive improvement over 2003 has been made. As early as February 2004, two major TV stations ‘voluntarily’ closed down all debate shows on the day that the controversial constitutional amendments were being voted on in parliament.

Following a violent crackdown on opposition demonstrators on November 7, 2007, police raided independent *ImediTV*, damaging equipment and effectively closing the channel – at the time the country’s highest rated – for several months. Since then, media freedom has taken center stage as one of the most important reform issues in Georgia. In spite of liberal media laws and a vibrant, opposition-minded newspaper sector, Georgia is now ranked 120th out of 172 countries in terms of media freedom.¹²

Broadcast media, which are markedly less pluralistic than before the political crisis of November 2007, are the main issue. During the presidential and parliamentary elections of 2008, the only station broadcasting in Georgia that was not regarded as pro-government was *Kavkasia*, a small, low budget channel that can only be received within Tbilisi. Given that the vast majority of Georgians receive their news via the television, and that evening news bulletins are consistently the most watched programmes in the country, this situation seriously hampered the ability of large sectors of the population to receive alternative perspectives on current events. OSCE/ODIHR observers found that the coverage of the elections “lacked balance in terms of time allocation and tone of coverage”.¹³

The broadcast media remains an issue of major concern in Georgia. In his first “new wave” speech in September last year, President Saakashvili admitted that the media “remained a challenge” for Georgian democracy. The steps that have been taken as part of the “new wave” package do go some way to meeting this challenge, but much remains to be done.

In December of 2008 Parliament Speaker Davit Bakradze announced that political talk-shows on public TV would become a legal requirement. He also publicly “encouraged” Georgia’s privately owned channels to air such shows. (Throughout most of 2008, no nationwide channels broadcast either political debate programmes or investigative reporting.) In a free media field, it should not take state intervention to ensure that debate programmes are aired.

This has indeed resulted in the re-introduction of TV debates on Georgia’s three nationwide channels, *Rustavi 2*, *Imedi* and the state funded *Channel 1*. According to media analyst John Horan, “while talk shows have appeared on the three nationwide stations, their news coverage is as homogenously pro-

¹² <http://www.rsfor.org/en-classement794-2008.html>, it is important to note that one of the reasons for Georgia’s low score is the war of 2008 in which journalists were injured and killed.

¹³ OSCE/ODHIR report on run up to May parliamentary elections

government as ever”.¹⁴ Unfortunately, every single one of these shows took a break for the summer and not one has returned to the screens. The most popular talk-show, hosted by well known anchor Inga Grigolia, was due to return in September, but to date it has not appeared. Furthermore, there is still no investigative reporting on any nationwide Georgian television station. This is in spite of the fact that the public broadcaster employs a team of investigative reporters, and that the last programme of this kind to air in Georgia, “60 Minutes”, which was cancelled shortly after the Rose Revolution, attracted enormous ratings.

Another success the government point to in terms of media freedom is the example of *Maestro TV*. The small, Tbilisi-based station began airing a number of political programmes shortly after the crisis of November 2007. It was then reprimanded and fined by the Georgian National Communications Commission (GNCC), which claimed it only had a licence to air entertainment shows. A protracted dispute with the GNCC only ended in December of last year, following the promises of the “new wave”, and the station is now able to air political shows, which are known for their hard-line, anti-government stance. Since then, the channel has also been granted a licence to broadcast via satellite.

However, *Maestro*’s coverage – which directly called on people to attend the opposition’s anti-government protests this spring – has not contributed to the de-politicisation of the broadcasting environment. According to Horan the station “has contributed to the polarization of the TV landscape...

It has allowed Saakashvili and the government to claim that Georgia’s media enjoys a high degree of freedom. “After all”, they say, “there are a number of democratic countries where a channel that so openly advocates the removal of the government would never be allowed on the air”.¹⁵ The government seems more comfortable with allowing aggressive political diatribe to be aired on a small and clearly partisan channel than to have professional, unbiased reporting on any of the national networks.

Nonetheless, by granting *Maestro TV* its licence, the government did open up the television sector to a certain extent. Yet the fact that the licence was only granted after “mediation” on the part of the parliament speaker shows that the GNCC is not a depoliticised, independent regulatory body. The government have allowed another station to air often virulent anti-government views, but that does not mean that the media in Georgia is becoming more free at a fundamental level.

An addition reform measure that was proposed to improve freedom of expression in the Georgian broadcast media was the revamping of state funded *Chanel 2*. This was first tested by Davit Bakradze in December last year when he suggested a model similar to that of C-SPAN in the United States, where parliamentary sessions and committee hearings would be broadcast live. It was also suggested that a studio be provided for the use of political groups so that there would be greater opportunity for all political parties to air their views. However, it is unclear how this would be achieved without professional crews, news teams and moderators. It is unclear what progress – if any – has been made

¹⁴ Interview with TI, 17/09/09

¹⁵ Interview with author, 17/09/09

to created the proposed, “Georgian C-SPAN”, despite being on the table for almost ten months. According to the Public Broadcaster, GEL 7 million is required to upgrade the station, which at present only broadcasts entertainment programming to Tbilisi and the parliament’s plenary sessions when they take place.

Although the re-introduction of political debate to nationwide TV is a good thing, and the establishment of a Georgian C-SPAN would be welcome, these measures are not enough to ensure genuine media freedom on television. Increasingly, there has been a revolving door between state structures and top management positions within commercial TV. Earlier this year the Ministry of Defence’s senior press officer became head of news at *Imedi TV*. Subsequently, former economy minister and head of the Presidential Administration Giorgi Arveladze became managing director of that same station. In June, the former director general of *Rustavi 2* became a member of the GNCC. Such close links between the broadcast media and state structures compromise the ability of Georgia’s main television stations to ensure fact-based, unbiased reporting.

Another issue is ownership: *Rustavi 2* is Georgia’s largest and most important channel – some 65 percent of Georgians tune in every day to follow political events.¹⁶ The station has changed hands four times since the Rose Revolution. Two former owners, founder Erosi Kitsmarishvili and businessman Kibar Khalvashi, say they were pressured by the government to sell their stakes in the company. Khalvashi, who is a close associate of former defence minister Irakli Okruashvili, gave up his shares shortly after the latter’s arrest on corruption charges. *Rustavi 2*, arguably the most important opinion former in the country, was until recently owned by GeoMediaGroup, a company registered in the Cayman Islands about which nothing is known. On June 16, 70 percent of the company was sold to Degson Limited, another unknown company registered in the British Virgin Islands.¹⁷

The ownership of *Imedi TV* is also controversial. Shortly after the death of its previous owner—anti-government billionaire Badri Patarkatsishvili in February 2008, Businessman Joseph Kay claimed he had bought the channel for an undisclosed sum. Gogi Jaoshvili, the formal owner of a majority stake in the channel, says he was pressured by law enforcement operatives to hand ownership to Kay, who claims he is the executor of the late billionaire’s will.¹⁸ The Patarkatsishvili family reject the sale as illegal. A frequent demand of the opposition is to return the channel to the family, although a Georgian court found in favour of Kay’s claim.¹⁹ In February 2009 ownership changed hands once again, with UAE based company RAK Holding taking over a controlling stake. Regardless of the legal question marks hanging over *Imedi*, the channel’s coverage is now regarded as pro-government. This is in sharp contrast to the situation before November 2007, when, according to Horan, the channel

¹⁶ CRRRC poll, August 2009

¹⁷ Civil Georgia: “Offshore Firm Holds Rustavi 2 Majority Shares”, 16/06/09, <http://www.civil.ge/eng/article.php?id=21122&search=degson>

¹⁸ Civil Georgia: “Ex-Formal Owner Claims Pressure over *Imedi TV*”, 10/12/08, <http://civil.ge/eng/article.php?id=20110&search=kay%20imedi>

¹⁹ Civil Georgia: “Patarkatsishvili Family Condemns Tbilisi City Court Ruling” 29/05/08, <http://www.civil.ge/eng/article.php?id=18426&search=patarkatsishvili>

was the country's highest rated and "its criticism of Saakashvili's government – in the form of editorial comment in news broadcasts, generous airtime for opposition politicians and scandalous exposes – was vicious and relentless".²⁰

Transparency of ownership is crucial to ensuring media freedom, but no steps are being taken towards this end. According to ruling party MP Akaki Minashvili, there is no need for legislation requiring board members and ownership structures to be made public.²¹

Other important issues are the de-politicisation of the television environment. Government benevolence should not be required for channels to receive licenses, and it should not take state intervention to ensure that debate programmes are shown on television.

In his speech, Saakashvili said he would like to see a more professional and freer media environment in Georgia. Until the full range of political opinions are granted equal access to the airwaves, until crucial issues are covered in a balanced and exhaustive manner, and until teams of investigative reporters are allowed to show their findings on national TV stations, it is not possible to discuss "improvements" in the media space.

²⁰ Interview with author 17/09/09

²¹ Interview with author 15/09/09

Judicial Reform

A free and impartial court system is indispensable in the promotion of the rule of law, and the guarantee of fundamental citizen rights. In Georgia, however, the level of independence and impartiality of the courts lags behind international standards.

In 2006 President Saakashvili admitted that the reform drive has not been a complete success and that the judiciary “remain(ed) the most problematic sector”, emphasizing the need to improve the independence and quality of the court system.²²

From 2005, the government began to introduce reforms to address the continuing deficiencies in the system. These deficiencies gave the government plenty of avenues for exerting, or appearing to exert, pressure on judges. The Supreme Council of Justice (SCJ), the body that oversees the appointment and dismissal of judges, has been reformed, the president is no longer the chair of the body, and an opposition representative is entitled to a seat. As part of the “new wave” reforms, judges are now appointed for life and can no longer face disciplinary sanction for incorrect interpretation of the law.²³ In 2007, the “Law on Communication with Judges” was adopted to prohibit any form of communication with a judge during an ongoing trial, in order to address concerns surrounding the common Soviet practice of “telephone justice”, where prosecutors call judges to inform them of the verdict and sentence that the authorities demand.²⁴

While in theory these changes should have acted as safeguards for judicial independence and prevented pressure from the government, the perception remains that judges are heavily influenced by the wishes of the executive. Georgia’s justice system is one of the least trusted institutions in the country. According to recent data, only nine percent of Georgians fully trust the court system, as opposed to 21 and 19 percent who partly or fully distrust it.²⁵

High profile cases often entrench this perception. When opposition figures are in the dock they are frequently prosecuted to the full extent of the law, such as when former defence minister Irakli Okruashvili was sentenced *in absentia* to 11 years for embezzlement; or when opposition leader Irakli Batiashvili was found guilty of ‘intellectually supporting’ armed insurrection.²⁶ When state employees are on trial – which is a fairly rare event – they often receive what are perceived by many to be overly lenient sentences. The prime example of this concerns the Ministry of Interior officials who were found guilty of the killing of 28-year-old banker Sandro Girgylani. These men were sentenced to seven and eight years, which was halved on appeal. They were then released early having served just three and a half years.

²² [http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=31620](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=31620)

²³ http://www.abanet.org/rol/publications/georgia_judicial_reform_index_volume_ii_2009_en.pdf

²⁴ Saakashvili proposed to impose criminal sanctions for the violation of this law as opposed to current administrative sanctions. However, the problems could arise with the implementation of the law, as the cases of pressuring judges are to be investigated by the Prosecutor’s Office – the body most often thought to interfere with judicial independence.

²⁵ CRRC poll, August 2009

²⁶ Batiashvili was sentenced to seven years, but pardoned by acting-president Nino Burjanadze in January 2008

Additionally, after the January 2008 presidential elections the OSCE/ODIHR Election Observation Mission said that “in adjudicating complaints on DEC summary protocols, the CEC and courts improperly refused to consider the validity of PEC summary protocols” and emphasized that “many decisions and judgments included flawed evaluation of the evidence and lacked sound and thorough factual-legal reasoning”.

The state Prosecutors Office is another frequent target of criticism. In recent months it has brought many opposition activists to trial, mainly for hooliganism, drug or firearms offences. Many, including the Georgian Public Defender, consider these trials to be politically motivated and point to the fact that incidents of violence or intimidation against opposition supporters are seldom investigated.²⁷ These practices are in direct contrast to the behaviour of the Prosecutor’s Office in regard to state employees. No one has been charged with using excessive force during the events of November 7, 2007, when police action left at least 500 people injured, despite the fact that acts of police brutality were captured on video. Similarly, although an investigation has been opened by the Prosecutor’s Office, the policemen who attacked protestors and journalists on June 15 this year have not been brought to trial.²⁸

Although the Prosecutor’s Office is far from the all powerful instrument of the executive that it was in Soviet times, many still regard it as over-mighty, and recent changes run the risk of bringing it still further under the sway of government. Formerly an independent body, the General Prosecutor’s office was last year subordinated to the Justice Ministry. Members of the Venice Commission have warned against such changes, especially in countries with such short democratic traditions.²⁹

In spite of the reforms implemented in the Supreme Council of Justice (SCJ), there is still a major lack of transparency around this body. The absence of clear rules regarding the selection of judges continues to raise concerns over the government’s influence over the judiciary. Appointing judges for life will not prevent bias in the way the SCJ selects judges. Neither will judges be free from fear of dismissal or arrest if they choose to rule against the government. The SCJ’s decisions as to whether to appoint or discipline a judge are confidential, meaning that although the opposition is now represented on the panel, it is forbidden to publicise the proceedings.

It could only help to increase public trust in the legal system as a whole if the interview process and criteria for selecting judges were made public, as well as the reasons for dismissing them.

Another area that could help to build public trust in the legal process is the reintroduction of recording equipment into courtrooms. TV and film cameras, as well as audio recording devices and photography equipment, were banned from courtrooms by an act of parliament in 2007. While it is true that the presence of camera crews at high-profile trials did affect proceedings, with politicians and family mem-

²⁷ For example see <http://ombudsman.ge/index.php?m=8&newsid=1082>

²⁸ Amnesty International, as well as the Georgian Public Defender, called for a full investigation and the prosecution of those found responsible. See http://www.amnesty.org/en/library/asset/EUR56/001/2009/en/2d4db874-5e22-4fc0-99a5-54f2015fa1bc/eur5600_12009_en.html

²⁹ http://www.coe.int/t/dghl/cooperation/conferencetbilissi2008/ReportGstohl_en.asp

bers often being deliberately disruptive, the blanket ban has only fostered mistrust. For public confidence in the courts to increase, citizens must be able to see them in action. In addition, egregious breeches of the rules by any party will be a lot more difficult under the cameras.

There are two major reforms in the pipeline, however, which may go a long way to improving transparency and public trust in the judiciary. The introduction of jury trials, for example, will be a significant step forward. Involving ordinary people in the court process is likely to increase their confidence in that process, and also reduce the possibility of verdicts being interfered with (it is harder to pressure 12 people into saying “guilty” than one). However, jury trials have been on the cards since 2004, and the relevant law passed its first reading in 2006. Current plans have such trials being introduced in Tbilisi in 2010, and for pre-meditated murder cases only. While introducing jury trials is a positive sign, their limited application, as well as their glacially slow speed of implementation, raises questions about the government’s commitment to this process.³⁰ Furthermore, without adequate public information concerning the introduction of jury trials, their potential to increase public trust will be hampered.

Another significant forthcoming reform is the new Criminal Procedure Code, which has the potential to dramatically improve both court administration and fair trial standards. The code provides for the continuance of cases, whereby a trial begins and is held on consecutive days until it is finished, as opposed to the current system where hearings are held days – or even weeks or months – apart. Another major change will be the inadmissibility of out-of-court statements. Previously official statements given to police with signed statements had the weight of in-court testimony. This meant that if a witness changed his or her story from what was recorded in the police statement, the witness could be charged with perjury. The new code could significantly reduce the potential for prosecutors and police to influence witness testimony. Although it is still being discussed by parliament, even government critics broadly welcome the draft code. MP Levan Vepkhvadze of the Christian Democrats says it will be “revolutionary” when introduced. The introduction is planned for early next year.³¹

Although some of the steps taken regarding the judiciary are to be welcomed, more concerted efforts should be made. Both the new criminal procedure code and the introduction of jury trial have been under discussion for years, and it is still unclear when exactly they will be introduced. Such vital reforms should be seen as major priorities by the government.

If Georgia is to build lasting democratic institutions, judicial reform must be at the centre of government policy. Free elections and an independent media are unsustainable without independent courts to safeguard them. The measures taken so far do go some way to meeting the concerns surrounding executive influence over the courts, but judicial independence must apply in practice as well as in theory. According to Venice Commission member Harry Gstöhl, it is essential “to ensure that reforms are fully implemented and are reflected in the daily practice of the courts and the legal professions in general.”³²

³⁰ For more on jury trials in Georgia, see Transparency International Georgia’s report “Refreshing Georgia’s Courts”

³¹ Interview with author 15/09/09

³² http://www.coe.int/t/dghl/cooperation/conferencetbilissi2008/ReportGstohl_en.asp

Conclusions

The “new wave” package of reforms contains many elements that could indeed help to strengthen Georgian democracy, but more than a year after President Saakashvili announced them, results are thin on the ground.

Of the reforms that have so far been implemented, many are not of a lasting or systemic character. Placing opposition members on parliamentary committees is no substitute for establishing a level political playing field. Granting licences for small television stations does not mean the broadcast media has become free. These are, in fact, acts of government kindness rather than meaningful reform.

The administration’s commitment to building democratic institutions will become increasingly apparent next year. If a new electoral code – one which has been arrived at based on cooperation with the opposition – is adopted in early 2010 it will be a significant step forward. The code must provide transparency and equal access to all parties, and the bodies responsible for overseeing elections must be seen to be professional and unbiased.

The local elections of May next year will also be a crucial test. If they are conducted fairly and transparently, with all parties granted equal opportunities to campaign and access the media, then this will set a good precedent for the much more significant parliamentary elections in 2012, and the presidential polls due in 2013. However, the fact that the government is unwilling to allow direct elections of mayors in cities other than Tbilisi is not an encouraging sign. Furthermore, the entire structure of local governance gives very little power to local authorities. This is something that the government has said nothing about in the context of necessary and planned democratic reforms.

The electoral system that emerges in Georgia must be one that guarantees the equality of the vote, and ensures that a plurality of votes will not grant a majority of seats. The results of the constitutional commission, which are due sometime next year, will be crucial here. If the draft that is released is one that reflects the views of all parties, and is then the subject of a full evaluation both domestically and internationally, then the government should show the political will to adopt it and to abide by its provisions without amending them to suit its ends.

Whichever model of constitutional settlement Georgia adopts, be it a presidential or parliamentary republic or even a constitutional monarchy, there must be a full separation of powers and a system of checks and balances. Parliament should not be in the executive’s thrall, it should be on an equal footing.

Media freedom is another crucial area where progress must be demonstrated if Georgia is to move forward. Reducing the powers of, and fully depoliticising, the GNCC would be a good place to start. Ownership of Georgia’s television stations should become fully transparent. Regrettably, there seem to be no plans for this.

It is crucial that the entire nation – rather than just Tbilisi – have access to alternative viewpoints. A ‘Georgian C-SPAN’ might be the ideal vehicle for this, but there is no information as to when this channel will be up and running. The channel was slated to go live in February 2009;³³ a delay of more than one year will call into question the government’s and the Public Broadcaster’s commitment to media pluralism.

If the next set of elections in Georgia take place in an unfair media environment, their legitimacy will be called into question. It is vital for the stability of the country and the entrenchment of democracy that all political parties are given equal chances to make their views heard, and that news is reported in an unbiased and professional way. The local election campaign next spring will provide an ideal opportunity for the government and the media to demonstrate their commitment to these principals.

While headway has been made in terms of judicial reform over the last few years, major concerns remain. Until the judiciary is completely free from government interference – in theory and practice – then democratic institutions and the rule of law cannot firmly take root. Even if the new electoral code is adopted with the agreement of all political actors, without fully independent courts it is impossible to address electoral violations.

Government officials and state employees must be held fully accountable by the law if the public is ever to develop trust in the judiciary. To date, no one has been punished for the excessive force used on November 7, 2007, or June 15 this year. Prosecuting those responsible for these clearly illegal acts would be a welcome – and long overdue – way for the Prosecutor’s Office and the courts to demonstrate their freedom from government interference.

Increasing transparency in the judicial system is essential to ensuring its independence. The selection and dismissal procedures should be made fully public, as should the findings of the Supreme Council of Justice. In addition, recording equipment should be allowed back into courtrooms. It is also essential to improve trial standards and public trust, for this the new criminal code should become law as soon as possible. It is regrettable that such important legislation has been left on the back burner for so long, now that it is again being discussed, it should be passed no later than the first term of parliament in 2010.

During the parliamentary elections of May 2008 the ruling party campaigned under the slogan “deeds instead of words”. This is what we must see now if Georgia is to emerge as a true democracy, and to achieve a peaceful transfer of power– something that has eluded the country since independence – after the next presidential elections. Without this, Georgia is likely to repeat the same cycle of contested election and unrest that has done so much to harm the country’s development as a free and prosperous society.

³³ “Package of Recently Implemented and Planned Democratic Reforms” Davit Bakradze, December 2008

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A Timeline
of the main
Political
Events
of 2003-2013



2003:

- **November 2**, parliamentary elections
- **November 22**, then-president Shevardnadze attempts to convene first session of new parliament. Opposition demonstrators, led by Saakashvili, force flight
- **November 23**, Shevardnadze resigns, Parliament Speaker Nino Burjanadze becomes acting president

2004:

- **January 4**, snap presidential elections, Saakashvili in power with 96% of vote
- **January 24**, Saakashvili's inauguration
- **February 6**, constitutional amendments passed resulting in a much stronger presidency and establishing the office of prime minister
- **February**, two independent national TV stations – Rustavi 2 and Mze – shut down political talk-shows
- **February 17**, parliament votes for new cabinet of ministers. Zurab Zhvania becomes prime minister
- **March 28**, re-run of parliamentary elections held. Saakashvili's National Movement-Democrats win 65 percent of vote and 135 seats
- **May 6**, “Adjara Revolution”, Abashidze flees. Central government re-assert control over Adjara
- **June 1**, parliament votes on a new law on Freedom of Speech introducing significant improvements over previous law
- **July**, ownership of Georgia's largest TV station, Rustavi 2, transferred from founder Erosi Kitsmarishvili to Kibar Khalvashi, close associate of Defence Minister Irakli Okruashvili

2005:

- **February 3**, death of Prime Minister Zurab Zhvania
- **May 10**, President George W. Bush visits Tbilisi, describes Georgia as a “beacon of liberty”
- **June 23**, law on local governance passed in first hearing. Law restructures local government in Georgia, and establishes indirect election of mayors in Georgia's major cities

2006:

- **January 28**, murder of Sandro Girgvliani, several high ranking Interior Ministry officials implicated in case
- **February 12**, Imedi TV looks into the Girgvliani case, this marks the beginning of Imedi's reputation for taking on controversial topics and becoming increasingly critical of the government
- **March 29**, head of Georgia's Businessmen Federation Badri Patarkatsishvili blamed government in pressuring businesses and media. Government compared Patarkatsishvili's statements to an attack of oligarchs and Russians on Georgia
- **March 31**, parliamentary opposition starts boycotting parliamentary sessions in response to seizing of mandate of opposition MP Valeri Gelashvili. Gelashvili's mandate cancelled on the grounds of running a business in parallel to being an MP
- **September 27**, "Spy Crisis". Georgia arrests four Russian military officers on charges of espionage. The row leads Russia to cut all land, sea and air routes to Georgia
- **October 5**, local elections. Ruling National Movement party sweep to victory across Georgia. Under the electoral system established by the December 2005 local government law, they receive 34 out of 37 seats on Tbilisi city council despite only winning 66 percent of the vote
- **November 10**, powerful defence minister Irakli Okruashvili demoted to economy minister. One week later he leaves government
- **December 27**, constitutional amendments passed including holding of simultaneous parliamentary and presidential election in late 2008. They are criticized by both the Venice Commission and the opposition

2007:

- **March 11**, Georgian held Kodori Gorge, close to Abkhazia, comes under fire from helicopter from Russia
- **July 3**, Parliament votes to ban audio and visual recording equipment from courtrooms
- **August 6**, Tsitelubani incident, Georgia accuses Russia of firing an air to ground missile at the Georgian village of Tsitelubani, close to South Ossetia. Russia accuses Georgia of staging the incident
- **September 12**, Mikeil Kareli, regional governor and close associate of former defence minister Irakli Okruashvili, dismissed
- **September 14**, two ruling party MPs with close links to Okruashvili officially leave the ruling party
- **September 23**, Mikheil Kareli arrested while "attempting to flee the country", claims the Prosecutors Office

- **September 25**, Okruashvili appears on Imedi TV announcing the setting up of a new opposition party. He levels harsh accusations against President Saakashvili, including the plotting of political murders
- **September 27**, Okruashvili arrested on a series of corruption charges
- **September 28**, several thousands of demonstrators gather in front of parliament to protest the arrest of Okruashvili, this is the biggest rally Tbilisi has seen in years
- **October 7**, head of the Georgian Orthodox Church Ilia II calls for a constitutional monarchy to be established in Georgia
- **October 8**, in a video confession, Okruashvili admits guilt to most of the corruption charges levelled against him, and retracts all his accusations against President Saakashvili
- **October 10**, owner of Imedi TV, billionaire oligarch Badri Patarkatsishvili, says he is considering going into politics
- **October 28**, Patarkatsishvili announces he will provide funding for opposition protest rallies
- **November 2**, tens of thousands of protestors gather in front of parliament. Their major demand is the repeal of the 2006 amendments to the constitution which delayed the next parliamentary elections until late 2008. Rallies continue for the next few days
- **November 5**, Okruashvili, who has arrived in Germany under unclear circumstances, says he was pressured into making a confession and retraction
- **November 7**, riot police break up rally in front of parliament. Many are injured. In the evening riot police raid and close Imedi TV, much equipment is broken. Prime Minister Noghaidei announces a state of emergency
- **November 8**, in a televised address, President Saakashvili announces snap presidential polls will be held on January 5
- **November 11**, Patarkatsishvili announces he intends to run for president
- **December 3**, most of Georgia's main opposition parties nominate Levan Gachechiladze to be their presidential candidate
- **December 12**, Imedi TV resumes broadcasting
- **December 24**, allegations surface that Patarkatsishvili plans to stage political unrest after the forthcoming election
- **December 25**, six Imedi journalists leave the station following the allegations against Patarkatsishvili
- **December 26**, Imedi says it is to "temporarily suspend broadcasts" following the scandal

- **January 5**, Presidential elections held. Exit polls suggest Saakashvili has won in first round. This is disputed by the other candidates. Opposition candidate Gachechiladze claims victory, and calls for protest rallies if there is no second round
- **January 8**, despite numerous violations, there was “no mass falsification” of the election results, says chief OSCE/ODIHR observer. However, the difference between the run off and no run off was about 2%
- **January 10**, Patarkatsishvili charged with plotting a coup
- **January 13**, Saakashvili is officially declared winner by Central Electoral Commission, which has turned down most purported electoral violations brought to its attention
- **January 15**, former Imedi TV anchor, Giorgi Targamadze, announces plans to set up a new opposition party, the Christian Democratic Movement
- **January 18**, according to results of a referendum held in parallel with the presidential election, parliamentary elections are scheduled for May
- **January 19**, OSCE observers release report criticising the conduct of the post election processes
- **January 21**, tens of thousands of opposition supporters rally in a Tbilisi park to coincide with Saakashvili’s inauguration
- **February 1**, opposition representatives meet with Parliament Speaker Nino Burjanadze to discuss changing the election environment in the run up to the May polls. These negotiations are suspended a week later
- **February 13**, Badri Patarkatsishvili suffers fatal heart attack at his home in England
- **February 19**, a vote on constitutional amendments that would see the threshold for political parties entering parliament reduced to 5 percent, a re-organisation of the electoral system to include regional proportional lists is postponed. Ruling party says there is not a quorum to pass the bill, they blame the opposition for not attending the vote
- **March 9**, opposition resume rallies in front of parliament, this time beginning hunger strikes and establishing a so-called ‘town of tents’
- **March 12**, amendments passed with half of the new parliament to be elected by proportional list, the other half from single mandate constituencies. This system benefits the ruling party
- **March 25**, after intervention from patriarch, the opposition ends hunger strike
- **March 28**, Irakli Okruashvili sentenced to eleven years *in absentia*
- **April 2**, ownership row surrounding Imedi TV begins, businessman Joseph Kay with close connections to members of the ruling party claims to have bought the station. This disputed by the Patarkatsishvili family
- **April 3**, the NATO summit in Bucharest opts not to grant Georgia Membership Action Plan

- **April 8**, Maestro TV denied licence to air political programming by GNCC on the grounds of failing to request the licence approval before beginning airing political programming
- **April 21**, Parliamentary Speaker Nino Burjanadze withdraws from ruling party list in run up to the May election minutes before the deadline for the submission of the voter lists to the Central Election Commission. Meanwhile, Georgia releases footage showing a Russian jet shooting down a Georgian drone over Abkhazia, this is followed by a large increase in tension between the two sides that continues throughout the year
- **May 5**, Imedi TV, now controlled by Joseph Kay, resumes partial broadcast, but without news coverage
- **May 20**, Saakashvili speaks of need to strengthen parliament and the opposition's role within it, these measures will be incorporated into the New Wave package
- **May 21**, parliamentary elections. In the village of Kurcha near the boundary with breakaway Abkhazia a group of villagers come under attack on their way to vote. The government accuse separatist forces, but there is widespread belief that the government staged the event
- **May 29**, Tbilisi court rules against Patarkatsishvili family in Imedi ownership dispute
- **May 30**, the 'United Opposition' and the Labour Party announce plans to boycott new parliament, while the former actually cancels its mandates, Labour members do not attend sessions while technically remaining MPs
- **June 5**, Christian Democratic Movement announce they will not boycott parliament
- **June 7**, new parliament opened by Saakashvili, Davit Bakradze appointed speaker
- **June 22**, Public TV only talk show taken off air
- **June 26**, nationwide TV station Mze closes down news coverage and becomes an entertainment only channel
- **July 2-3**, several die on both sides in clashes in South Ossetia
- **July 7**, former parliament speaker Nino Burjanadze sets up democracy promotion NGO
- **July 10**, Condoleezza Rice visits Tbilisi, meanwhile, Russia admits sending jets into Georgian airspace to "cool the hot heads in Tbilisi"
- **July 23**, Public Broadcaster announces plan to reduce news coverage
- **July 29**, fire fight in South Ossetia, both sides blame each other
- **July 31**, South Ossetia confirms setting up military fortifications
- **August 1**, five Georgian policemen injured in blast in South Ossetia
- **August 2**, several dead and injured on both sides in large fire fight in South Ossetia, Russian troops threaten to intervene if violence continues
- **August 3**, South Ossetia begins evacuating civilians from Tskhinvali
- **August 6**, another large-scale exchange of fire in south Ossetia, separatist leadership rejects talks with Tbilisi

- **August 7**, many injured after yet more shootouts, Georgia claims ten civilian casualties. President Saakashvili announces unilateral ceasefire, then claiming more attacks from the separatist side as well as a Russian military intervention, orders troops into separatist held territory. Russo-Georgian war begins
- **August 8**, Georgian general announces plan to 'restore constitutional order' in south Ossetia, later reprimanded for these comments, which he claims he was not authorised to say. Heavy fighting continues in and around Tskhinvali. Russian bombers target facilities across Georgia, and Russia admits to sending troops into the conflict zone in 'peace enforcement operation'
- **August 10**, Moscow accuses Tbilisi of 'genocide' in South Ossetia, Abkhazia launches operation to seize Kodori Gorge
- **August 11**, Russia begins large scale air-strikes across Georgia, including facilities within Tbilisi, Russian forces occupy large swathes of the country in the areas around Abkhazia and South Ossetia
- **August 12**, Moscow announces victory, says operations over, endorses six point ceasefire negotiated by French President Nicholas Sarkozy
- **August 15**, Georgia signs six point plan. More than one hundred thousand people displaced by the fighting, most seek temporary accommodation in Tbilisi
- **August 22**, Russia begins withdrawal of forces from beyond Abkhazia and South Ossetia, but maintains many positions deep within undisputed Georgian territories
- **August 26**, Russia recognises the independence of South Ossetia and Abkhazia
- **August 28**, parliament formally declares Abkhazia and South Ossetia to be occupied territory
- **September 2**, Georgia officially cuts all diplomatic links with Russia
- **September 6**, EU announces plan to send monitoring mission to Georgia
- **September 12**, updated ceasefire agreement, Russia begins withdrawal from areas outside the conflict zones
- **September 16**, Saakashvili announces New Wave of Democracy in his annual address to the nation
- **September 26**, parliament sets up commission to study August war
- **September 30**, Maestro TV refused licence to air political programming
- **October 1**, EU Monitoring Mission starts patrols in Georgia, refused access to separatist regions
- **October 5**, Russian forces begin to dismantle checkpoints in Georgian areas outside the conflict zones
- **October 8**, Russia completes withdrawal from these areas
- **October 10**, parliament approves opposition presence on Supreme Council of Justice and GNCC
- **October 22**, donor conference on Georgia opens in Brussels, eventually, USD 4.5 billion is pledged

- **October 27**, ex-parliament speaker Nino Burjanadze launches opposition party, Grigol Mgaloblishvili becomes new prime minister
- **October 28**, GNCC and Maestro TV strike deal to allow the latter to renew political programming
- **October 31**, law passed which obliges Public Broadcaster to air political talk shows
- **November 7**, first anniversary of violent clashes marked with low-key opposition demonstration
- **December 3**, ex-prime minister ZurabNoghaideli sets up opposition party
- **December 6**, IrakliAlasania resigns as Georgia's envoy to the UN
- **December 10**, Parlaiment Speaker Davit Bakradze visits US, gives details on New Wave package
- **December 15**, setting up of electoral code working group announced by Bakradze
- **December 22**, Russia blocks extension of mandate of OSCE mission in Georgia
- **December 24**, Alasania announces intention to go into opposition, calls for early elections
- **December 25**, Burjanadze calls for early elections
- **December 26**, plans for constitutional reform commission announced

2009:

- **January 9**, US-Georgia charter on Strategic Partnership signed
- **January 13**, Freedom House removes Georgia from list of Electoral Democracies
- **January 30**, Prime Minister Grigol Mgaloblishvili resigns, citing health problems, replaced by former finance minister Nikoloz Gilauri
- **February 12**, Saakashvili delivers state of the nation address to parliament, reiterating some of the key themes of the new wave
- **February 16**, ex-UN envoy Irakli Alasania introduces his political team and announces priorities in widely publicised address
- **February 23**, Alasania and his team announce the formation of the Alliance for Georgia, uniting him with the Republican and New Right parties
- **February 25**, Imedi TV transferred to United Arab Emirate company RAK Holdings
- **March 12**, men convicted of the killing of Sandro Girgvliani have their jail terms halved
- **March 18**, Ministry of Defence spokesperson Nana Intskirveli becomes head of news at Imedi TV
- **March 23**, several members of Nino Burjanadze's party arrested on possession of illegal firearms, video released shows the men appearing to talk about staging unrest at the planned opposition rally on April 9
- **April 4**, Gigi Ugulava, Tbilisi Mayor, speaks of the need fot direct mayoral elections in the capital
- **April 9**, opposition launches mass rallies in front of parliament calling for Saakashvili's resignation, rallies continue there until July

- **April 10**, opposition widens rally to headquarters of Public Broadcaster and presidential residence
- **April 21**, opposition launch ‘city of cells’, blocking several major roads in Tbilisi with mock prison cells
- **April 23**, opposition launches ‘corridors of shame’ in front of Public Broadcaster, forcing employees to pass through gauntlet of activists to enter building
- **April 28**, journalists from Rustavi 2 and Channel one assaulted while covering protests
- **May 5**, ‘Mukhrovani incident’, tank regiment based near Tbilisi announces ‘disobedience’, government claim to have thwarted major mutiny
- **May 6**, protesters march on police station in Tbilisi, police use rubber bullets and batons to keep protesters out of precinct, at least 29 injured
- **May 11**, Saakashvili meets opposition leaders for the first time since rallies began, no direct results
- **May 15**, opposition removes cells from road in front of Public Broadcaster
- **May 26**, opposition supporters gather at Georgia’s largest football stadium to coincide with Independence Day, later, they head to Tbilisi’s main cathedral and subsequently block the railway for a brief time
- **June 1**, opposition remove ‘cells’ from Freedom Square in central Tbilisi
- **June 8**, ‘cells’ removed from part of Rustaveli Avenue in central Tbilisi
- **June 12**, former Rustavi 2 head Irakli Chikovani becomes member of GNCC, meanwhile, protestors scuffle with parliament guard, and throw bottles and stones at MPs trying to enter
- **June 15**, police violently disperse peaceful crowd at Tbilisi’s main police station, several journalists are among the injured. MIA apologises to the journalists
- **June 16**, offshore firm Degson Limited become owners of Rustavi 2
- **June 24**, opposition leaders Levan Gachechiladze and Davit Gamkrelidze are secretly filmed meeting ex-interior minister Kakha Targamadze in Berlin
- **June 29**, several opposition parties discover bugging equipment in their offices, government denies all knowledge
- **June 30**, OSCE mission to Georgia shuts down after Russia refuses to renew its mandate
- **July 3**, Maestro TV granted licence to broadcast via satellite
- **July 4**, a bill significantly tightening rules on where and how rallies can be held is passed, opposition condemns the law
- **June 14**, opposition announces intention to scrap ‘cell’ tactic
- **July 16**, Alasania sets up ‘United Georgia-Free Democrats’ political party
- **July 21**, Saakashvili makes surprise address to parliament followed by debates, much of the New Wave package reiterated
- **July 22**, US Vice President Joe Biden arrives in Tbilisi, attends banquet and holds talks with Saakashvili
- **July 23**, Biden holds official talks with Saakashvili, opposition and addresses parliament

- **July 24**, traffic resumes outside parliament for first time since April 9
- **July 25**, bill introduced to parliament allowing politicians who refused to take their seats after the 2008 election a chance to re-enter parliament
- **August 7**, first anniversary of Russo-Georgian war marked
- **August 10**, GiaChanturia becomes new head of Public Broadcaster
- **August 18**, Georgia officially leaves CIS
- **August 21**, opposition leaders meet with interior minister to discuss release of jailed opposition activists, note 'some progress'
- **August 27**, 28 year old Bacho Akhalaia, a controversial figure regarded as ultra hard-line, is appointed defence minister
- **September 3**, Alasania's party joins the electoral code working group
- **September 6**, men responsible for killing Sandro Girgvliani granted early release
- **November 7**, second anniversary of major clash between police and demonstrators

2010:

- **January/February**, expected draft electoral code to be released by working group
- **May 30**, local elections, including direct election of Tbilisi mayor
- **May/June**, commission on constitutional reform expected to release its findings

2012:

- **March**, Parliamentary elections to be held (Article 79, Election Code of Georgia: parliamentary elections shall be held no later than 15 days prior to the expiration of the parliament's term). Election date to be set by president no later than 60 days prior to elections

2013:

- **October**, Presidential elections. Saakashvili finishes his second and final term (Article 90, Election Code of Georgia: presidential elections shall be held in October of the calendar year in which the president's term expires). Election date to be set by president no later than 60 days prior to elections