



ASSESSMENT OF THE PERFORMANCE OF THE PARLIAMENT OF THE NINTH CONVOCATION

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CONTENTS

Introduction	5
Chapter 1. General Statistics	6
Chapter 2. Important Developments	10
2.1 Creation of the Constitutional Commission and the process of revising the Constitution	10
2.2 Hosting the Interparliamentary Assembly on Orthodoxy (chaired by Russian Duma Member Gavrilov) and the protest wave	11
2.3 Election of the Supreme Court judges	11
2.4 Creation of the Interim Fact-Finding Commission on the Khorava Case	12
2.5 Changes in the composition of parliamentary entities	12
2.6 Open Government Partnership (OGP)	12
2.7 Declaring the State of Emergency and the Parliament's activities in the process of managing the pandemic	13
Chapter 3. Assessment of Legislative Work	14
3.1 Progressive laws and legislative amendments	14
3.1.1 New Rules of Procedure of the Parliament	14
3.1.2 Initiative on sexual harassment	14
3.1.3 Code on the Rights of the Child	14
3.1.4 New law on persons with disabilities	15
3.1.5 Electronic bracelet to monitor violent offenders	15
3.1.6 Ratification of Istanbul Convention and corresponding amendments	15
3.2 Positive Laws and Legislative Amendments in Need of Improvement	16
3.2.1 Code of Ethics	16
3.2.2 Institutionalisation of Regulatory Impact Assessment (RIA)	16
3.2.3 Establishment of the National Security Council	16
3.2.4 New occupational safety law	17
3.2.5 The Law on Remuneration in Public Service	17
3.3 Negative Legislative Amendments	17
3.3.1 Imposing restrictions without declaring state of emergency	18
3.3.2 Changes to the rules of filling out asset declarations and liability in case of violation	18
3.3.3 Establishment of the Operational Technical Agency	18

3.3.4 Abolition of self-governing entities	18
3.4 Reforms Implemented with Significant Shortcomings	19
3.4.1 Election system reform	19
3.4.2 Judicial reform	19
Chapter 4. Laws and Norms Abolished and Suspended by the Constitutional Court	20
Chapter 5. Process of Legislation and its Assessment	21
5.1 Expedited consideration of draft laws	21
5.2 Simplified consideration of draft laws	21
5.3 Extension of term for discussion of draft laws	22
5.4 Consideration of legislative proposals	23
Chapter 6. Parliamentary Oversight	24
6.1 Vote of confidence in the government	24
6.2 Prime Minister's annual report	24
6.3 Interpellation	24
6.4 MP's question	25
6.5 Minister's Hour	26
6.6 Appearance of the Government of Georgia members and other officials at plenary sessions of the Parliament	27
6.7 Establishment of interim fact-finding commissions	28
6.8 Thematic inquiry	29
Chapter 7. Activeness of MPs	32
7.1 Number of speeches	32
7.2 Initiated and adopted laws	34
7.3 MPs' participation in plenary and committee sessions of the Parliament, disciplinary responsibility	37
7.3.1 MPs' Absence from Plenary Sessions	37
7.3.2 MPs Absence from Committee Sessions	39
7.3.3 Disciplinary responsibility	40
7.4 Business trips	40
Chapter 8. Recommendations for the Parliament of the Tenth Convocation	41
Annex 1. Number of speeches	42

INTRODUCTION

The final evaluation of the Parliament of the Ninth Convocation (2016-2020) is based on the analysis provided in Transparency International Georgia's (TI Georgia) annual report, the results of analysing the information we have obtained, observations made by our organisation's parliamentary office, and statistical data requested and received from the Parliament.

A constitutional reform was implemented in the course of the past four years, and the country has fully shifted to the parliamentary model of rule. The Parliament of the Ninth Convocation had to perform its legislative and oversight roles during a state of emergency and against the background of tense political events, which has made even more apparent the shortcomings that have been observed in the process of parliamentary work for years.

The study provides assessment of significant events, legislative changes, parliamentary legislation, exercising parliamentary oversight, and activeness of MPs of the Parliament of the Ninth Convocation.

CHAPTER 1. GENERAL STATISTICS

There were **230** plenary sessions held by the Parliament of the [Ninth Convocation](#) (including five extraordinary and 47 special sessions). No plenary session was thwarted due to the absence of quorum.



2020 spring, autumn, and special sessions (January-September) – 45 plenary sessions (including five extraordinary and 10 special sessions);



2019 spring and autumn sessions – 67 plenary sessions (including three special sessions);



2018 spring, autumn, and special sessions – 51 plenary sessions (including 16 special sessions);



2017 spring, autumn and special sessions – 56 plenary sessions (including 13 special sessions);



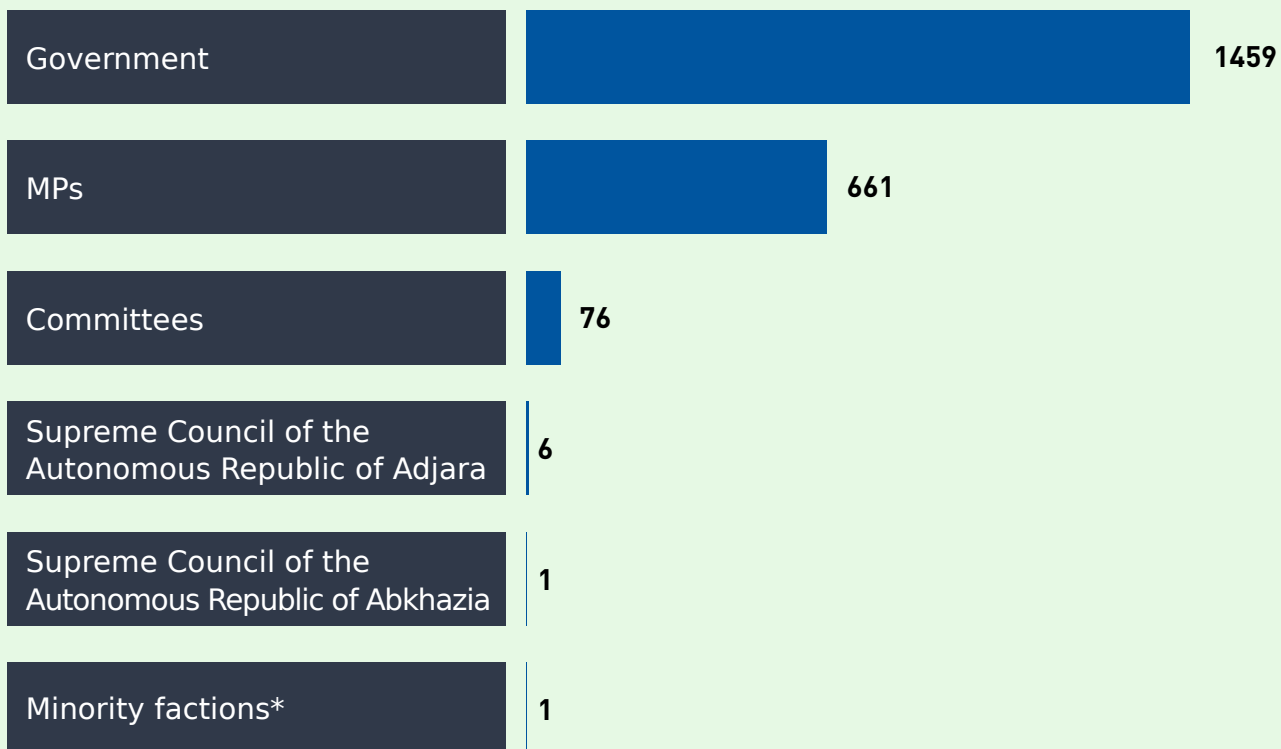
2016 autumn and special sessions (November-December) – 11 plenary sessions (including five special sessions).¹

In the course of four years, the Parliament passed **2,204** laws; **government** initiatives enjoyed the Parliament's support most frequently.²

1 Source: <https://bit.ly/3dm8Mpi>, official website of the Parliament of Georgia.

2 Source: <https://bit.ly/3dm8Mpi>, official website of the Parliament of Georgia.

GRAPH 1. NUMBER OF LAWS PASSED BY PARLIAMENT OF NINTH CONVOCATION, BY INITIATIVE AUTHOR



*European Georgia, European Georgia – Movement for Freedom, European Georgia – Regions

GRAPH 2. OTHER LEGISLATIVE ACTS PASSED BY PARLIAMENT OF NINTH CONVOCATION



As for the support for the draft laws initiated during the reporting period by the opposition, the opposition³ initiated 217 draft laws of which the Parliament supported only four draft laws (three legislative initiatives).⁴

Also, there were instances when opposition MPs and members of the majority were co-initiators; specifically, 10 legislative initiatives were proposed this way at various times (38 draft laws), four of these proposals were adopted (21 draft laws).⁵ In addition, one draft concept was jointly proposed by the representatives of the majority and the opposition, however, it was not adopted.

3 Entities outside of the parliamentary majority are implied: MPs, factions.

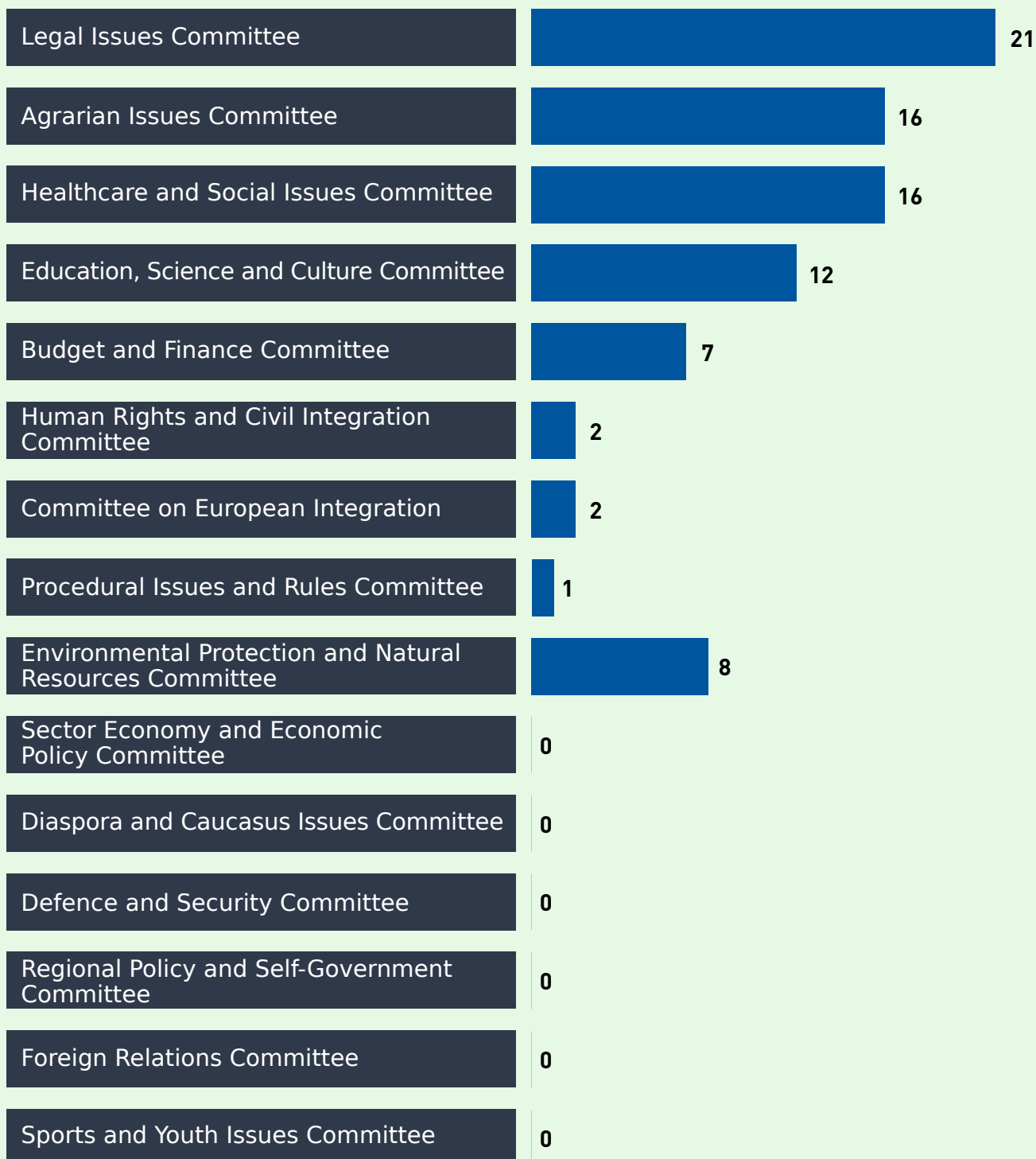
4 Initiative on amendments to the Election Code by factions European Georgia, European Georgia – Movement for Freedom, European Georgia – Regions, <https://info.parliament.ge/#law-drafting/15734>; Ada Marshania’s initiative on amendments to the Law on Internally Displaced Persons - Refugees from the Occupied Territories, <https://info.parliament.ge/#law-drafting/17661>; Gia Zhorzholiani’s initiative on amendments to the Tax Law, <https://info.parliament.ge/#law-drafting/18626>.

5 Initially, the opposition MPs were members of the majority. Amendments to the Labour Code and accompanying laws, <https://info.parliament.ge/#law-drafting/20311>, author: Dimitri Tskitishvili, initiators: D. Tskitishvili, S. Kiladze, D. Matikashvili, T. Chugoshvili, I. Kobakhidze, R. Ionatamishvili, T. Khulordava; amendments to the Tax Code, <https://info.parliament.ge/#law-drafting/18239>, Akaki Zoidze, Dimitri Khundadze, Iliia Nakashidze, Levan Koberidze, Mariam Tsiklauri, Dimitri Mkheidze, Koba Narchemashvili, author: MP Akaki Zoidze; amendments to the Law on State Security Service, Simon Nozadze, Irakli Sesiashvili, Irakli Beraia, Koba Kobaladze, Koba Narchemashvili, Gia Benashvili, Giorgi Gachechiladze, Levan Gogichaishvili, <https://info.parliament.ge/#law-drafting/17774>; amendments to the Labour Code and accompanying laws, <https://info.parliament.ge/#law-drafting/17053>, initiators: MPs Tamar Chugoshvili, Tamar Khulordava, Dimitri Tskitishvili, Rati Ionatamishvili, Guguli Maghradze, Endzela Machavariani, Giorgi Tughushi, author: Gender Equality Council of the Parliament of Georgia.

As for other legal acts initiated by the opposition, they proposed:

- 20 draft decrees; one of them, envisaging the creation of a commission of inquiry into the Khorava case, was approved;
- 6 draft resolution (none approved);
- 1 draft statement (not approved).

GRAPH 3. NUMBER OF DRAFT LAWS PROPOSED BY COMMITTEES



CHAPTER 2. IMPORTANT DEVELOPMENTS

Important Developments



Creation of the Constitutional Commission and the process of revising the Constitution



Hosting the Interparliamentary Assembly on Orthodoxy (chaired by Russian Duma Member Gavrilov) and the protest wave



Election of the Supreme Court judges



Creation of the Temporary Commission of Inquiry into the Khorava Case



Changes in the composition of parliamentary entities



Open Government Partnership (OGP)



Declaring the State of Emergency and the Parliament's activities in the process of managing the pandemic

2.1 CREATION OF THE CONSTITUTIONAL COMMISSION AND THE PROCESS OF REVISING THE CONSTITUTION

On 15 December 2016, the State Constitutional Commission was formed to prepare a draft law on the revision of the Constitution. The Commission consisted of [73 members](#), including experts and representatives of non-governmental organisations. Some of the members boycotted the work of the Commission and resigned.

Many proposals were submitted to the Commission, including by non-governmental organisations. The Commission partially accepted Transparency International Georgia's proposal, including: an entry about the integration with the European and Euro-Atlantic structures, simplifying the creation of a temporary commission of inquiry, and prime minister's report to the Parliament. However, the Commission did not accept [our proposals](#) on such important issues as the election system and the rule of electing the president.

The Commission did not accept any of the alternative proposals concerning the election system. It was determined that [2024](#) rather than 2020 would be the year of putting the new proportional election system into effect. This development was unexpected for the Venice Commission, too, since the draft that had been sent to them envisaged the change of the election system in 2020.

2.2 HOSTING THE INTERPARLIAMENTARY ASSEMBLY ON ORTHODOXY (CHAired BY RUSSIAN DUMA MEMBER GAVRILOV) AND THE PROTEST WAVE

Holding the Interparliamentary Assembly on Orthodoxy at the Parliament of Georgia, and Assembly President Sergey Gavrilov sitting in the Parliament Speaker's chair caused great protest among the public. Gavrilov's visit and his sitting in the Parliament Speaker's chair resulted in the public's indignation, and the Assembly session was thwarted.

The protest rally participants demanded to stop the Assembly and for the Russian delegation to leave Georgia. One of the demands made by the participants was for Parliament Speaker Irakli Kobakhidze to resign. An attempt by a small group of protesters to enter the Parliament resulted in a clash with the law enforcers. After that, in violation of the rules of deployment of special instruments, tear gas and rubber bullets were used, causing heavy injuries to several participants of the rally. On 21 June, at the sitting of the Georgian Dream Political Council, the decision about Irakli Kobakhidze's resignation was made; later, his post was assumed by Archil Talakvadze.⁶

2.3 ELECTION OF THE SUPREME COURT JUDGES

An important development in 2019 was the issue of electing judges to the Supreme Court. The process began in 2018 when, in December, the High Council of Justice sent to the Parliament a 10-strong list of judges. The list prompted criticism on the part of the public⁷ and caused confrontation within the parliamentary majority, which resulted in the resignation of Eka Beselia from the post of the Legal Issues Committee chairperson in late 2018.⁸

The discussion was conducted in accordance with the new rule established by the Rules of Procedure. Heated discussions continued for six weeks. The Parliament approved the nominees at the plenary session.⁹

The final result of the appointment process of the Supreme Court judges demonstrated that the government's goal was not staffing the Supreme Court with judges of high integrity and qualification. In reality, the process of selecting judges was a formality. Furthermore, most of the 14 elected judges are perceived as promoters of the interests of the government or the influential judges within the judiciary.¹⁰

6 For details, see Assessment of the Performance of the Parliament of Georgia in 2019, p. 16, <https://bit.ly/3dFGerc>

7 Statement by 21 non-governmental organisations, *The Civil Society Urges the Parliament to Stop the Appointment Process of the Supreme Court Justices*, 24.12.18, <https://bit.ly/3pb9AzD>; Public Defender Calls on the Parliament to Stop the Process of Selecting Supreme Court Judges, 26.12.18, <https://netgazeti.ge/news/331645/>

8 For details, see Assessment of the Performance of the Parliament of Georgia in 2019, p. 19, <https://bit.ly/3dFGerc>

9 The Coalition assesses the process of selection of Supreme Court justices at the High Council of Justice, 12.09.19, <https://bit.ly/39NiSvJ>; for details, see also *The Chronology Of The One-year-long Process Of Selection Of Judges Of The Supreme Court*, Transparency International Georgia, <https://bit.ly/3ccHBdu>

10 For details concerning the assessment of this process, see: Report on the First Phase of the Nomination and Appointment of Supreme Court Judges in Georgia, OSCE/ODIHR, June-September 2019, <https://bit.ly/3rlSbjy>, OSCE/ODIHR on Shortcomings in Nomination, Appointment of Supreme Court Judges in Georgia, 11.09.19, <https://civil.ge/ka/archives/319905>; Parliament has a chance of rectifying the shortcomings of the selection of judges – PACE, 26.09.19, <https://bit.ly/3d8WwbE>; „Georgia: ‘Parliament must rectify the selection process for Supreme Court judges’ say monitors”, 25/09/2019, <https://pace.coe.int/en/news/7626>; Assessment by the US Embassy, 12.11.19, <https://bit.ly/3d4ycYs>; *Some do not have broad public trust – EU on judges*, 13.12.2019, <https://bit.ly/3aVQx7m>; „Monitors regret appointment of 14 judges by Georgian parliament”, 13/12/2019, <https://pace.coe.int/en/news/7737>; „Political wrangling compromises the independence of appointments

2.4 CREATION OF THE INTERIM FACT-FINDING COMMISSION ON THE KHORAVA CASE

An interim fact-finding commission was [established](#) in the Parliament on 6 June 2018 to investigate the case of murder of two teenagers on Khorava Street in Tbilisi. The creation of the commission was preceded by public protest and rallies. This was the first and, so far, the only instance when a fact-finding commission was established in the Parliament in response to the demand by the opposition parties.¹¹

The Parliament did not back the findings prepared by the Commission. The findings emphasised the key problems prevailing in the law enforcement system, critical challenges with regard to objective and quality investigation of crime, and the pressing need to implement fundamental reforms.¹²

2.5 CHANGES IN THE COMPOSITION OF PARLIAMENTARY ENTITIES

In 2017, the composition of the minority also changed, specifically, there was a rift within the United National Movement party, which changed and divided the composition of factions in the Parliament. The National Movement faction was renamed and became European Georgia, while the faction National Movement – For Georgia’s Progress was renamed European Georgia – For Better Future. *In 2019*, the parliamentary minority dissolved.

During the reporting period, 20 MPs left the parliamentary majority. After leaving the majority, the MPs also resigned from their parliamentary posts. Several reasons for leaving the majority were cited, specifically, the issue of selecting the Supreme Court judges and thwarting important legislative proposals which envisaged changing the election system. Also, at various times, five MPs relinquished their parliamentary mandates.

In 2019, after the court delivered a guilty verdict against MP Nikanor Melia, the Parliament [stripped](#) him of his mandate; prior to that, the Prosecutor’s Office indicted Nika Melia for participating and leading group violence during the 20 June protest rally, and requested the Parliament’s approval to use detention as a measure of restraint against him. It was the only case since 2012 of an MP being stripped of their mandate in such a manner.¹³

2.6 OPEN GOVERNMENT PARTNERSHIP (OGP)

On 19 September 2019, Georgia became the chairing state of the Open Government Partnership (OGP).

The Parliamentary Council and the consultancy group operating under it elaborated three action plans.

Despite some steps forward, civil society organisations and citizens are still facing obstacles, both in terms of participation and access to Parliament information, specifically, on more

to Georgia’s highest court, ODIHR report finds”, 09.01.20, <https://www.osce.org/odihr/443500>; *Opposition Publicizes U.S. Senator Wicker’s Letter to PM Gakharia*, 26/01/2020, <https://civil.ge/ka/archives/335999>; US Senators’ letter of warning to Georgian Government, 30.01.2020, <https://bit.ly/3d3XeHh>.

11 For details, see Assessment of the Performance of the Parliament of Georgia in 2018, pp. 13-14, <https://bit.ly/3khd8iR>

12 Non-governmental organizations’ statement concerning findings and recommendations by Temporary Investigative Commission on Khorava Street Crime, 18 September 2018 (see <https://goo.gl/g1JJCZ>)

13 For details, see Assessment of the Performance of the Parliament of Georgia in 2019, pp. 20-21, <https://bit.ly/3pLaZ0i>; Assessment of the Performance of the Parliament of Georgia in 2018, p. 17, <https://bit.ly/3kdNmMy>; Assessment of Activities of Parliament of Georgia of the Ninth Convocation (18 November 2016 – 31 December 2017), pp. 20-22, <https://bit.ly/2NWMvnC>.

than one occasion [during the reporting period](#), access to the Parliament building in Tbilisi was denied to Georgian citizens, including Georgian MPs, journalists and representatives of the non-parliamentary opposition; furthermore, the Georgian Parliament often hampers the provision of public information, there were instances when information sent to non-governmental organisations was incomplete or provided late.

2.7 DECLARING THE STATE OF EMERGENCY AND THE PARLIAMENT'S ACTIVITIES IN THE PROCESS OF MANAGING THE PANDEMIC

In the conditions of the COVID-19 pandemic, the Parliament of Georgia effectively relinquished its role of oversight over the executive branch in the process of combating the pandemic and accompanying challenges, and fully entrusted the executive government with the management of this process. The Parliament amended the law On Public Health, granting the government the right to restrict fundamental human rights during the pandemic without declaring a state of emergency.

On 21 May 2020, Prime Minister Giorgi Gakharia, on his own initiative, addressed the Parliament with the request to present an activity report. On 27 May, the Prime Minister presented to the Parliament the report on combating the coronavirus. At the plenary session on 29 May, he was interpellated by the National Movement and European Georgia factions.

The Parliament did not use any other mechanisms of parliamentary oversight during the state of emergency; neither the committees and factions, nor individual MPs [exercised this right]. No Minister's Hour was held during the state of emergency. See [our report](#) for more details about this issue.

CHAPTER 3. ASSESSMENT OF LEGISLATIVE WORK

Progressive laws and legislative amendments



New Rules of Procedure of the Parliament



Initiative on sexual harassment



Code on the Rights of the Child



New law on persons with disabilities



Electronic bracelet to monitor violent offenders



Ratification of Istanbul Convention and corresponding amendments

3.1 PROGRESSIVE LAWS AND LEGISLATIVE AMENDMENTS

3.1.1 NEW RULES OF PROCEDURE OF THE PARLIAMENT

On 6 December 2018, the Parliament passed in the third hearing the [new Rules of Procedure](#) of the Parliament. Its adoption was an important and positive development. The changes in the Rules of Procedure concerned the legislative process and the implementation of the oversight role by the Parliament as well as the openness, transparency and accountability of the supreme legislative body. A separate chapter on the role of parliamentary oversight was included in the Rules of Procedure.

Despite positive changes, the implementation of effective parliamentary oversight over the security sector remains problematic. No amendments were made to the Rules of Procedure concerning this issue, despite the promises that had been made.

3.1.2 INITIATIVE ON SEXUAL HARASSMENT

In February 2019, members of the Gender Equality Council presented to the Parliament an [initiative on sexual harassment](#). The adopted law defined [responsibility] in the Code of Administrative Offences and the Labour Code. Administrative responsibility was determined for sexual harassment in public place. The adopted law obligated employers to reflect provisions banning discrimination in their corporate bylaws and other documents, and ensure their enforcement.

3.1.3 CODE ON THE RIGHTS OF THE CHILD

In September 2019, the Parliament adopted the [Code on the Rights of the Child](#), streamlining the related legislation, with the aim to develop a state policy, a systemic approach in the area of protection of the rights of children. The adoption of the Code on the Rights of the Child was conditioned by the need to implement the obligations undertaken by Georgia under the UN Convention on the Rights of the Child, and to improve the legislation.

3.1.4 NEW LAW ON PERSONS WITH DISABILITIES

In July 2020, the Parliament passed a new law [On the Rights of Persons with Disabilities](#), according to which:

- Municipalities shall offer persons with disabilities services of a personal assistant who shall assist them in receiving education, at their workplace, in receiving public services, and in addressing everyday life issues.
- A special plaintiff institute was defined, specifically, organisations working to defend the rights of persons with disabilities will register as having a special plaintiff status and will be able to file lawsuits in court in cases of discrimination against persons with disabilities.
- Persons with disabilities will be able to use legal assistance provided by the state.

3.1.5 ELECTRONIC BRACELET TO MONITOR VIOLENT OFFENDERS

In 2020, the Parliament endorsed amendments to the [Law on Violence Against Women and/or Elimination of Domestic Violence, Protection and Support of Victims of Violence](#), which defined a possibility to use electronic surveillance of perpetrators of violence. Deliberate failure to abide by electronic surveillance or failure to comply with repeated warnings for violating the use of the electronic equipment shall be punishable by a fine or by community service of up to 180-240 hours or by imprisonment for up to one year, with a limitation of weapons-related rights.

3.1.6 RATIFICATION OF ISTANBUL CONVENTION AND CORRESPONDING AMENDMENTS

In 2017, the Parliament endorsed the [changes](#) according to which the following was defined:

- Criminal responsibility for forced sterilisation was established;
- Female genital mutilation was criminalised;
- Criminal responsibility for stalking was established;
- An obligation to submit a restraining order to court within 24 hours for putting it into effect was abolished; a police officer now issues an order when responding to incident, and this order is effective immediately;
- Gender-based intolerance motive was defined as one of the aggravating circumstances of a crime.

3.2 POSITIVE LAWS AND LEGISLATIVE AMENDMENTS IN NEED OF IMPROVEMENT

Positive Laws and Legislative Amendments in Need of Improvement



Code of Ethics



Institutionalisation of Regulatory Impact Assessment (RIA)



Establishment of the National Security Council



New occupational safety law



New regulation on remuneration in public service

3.2.1 CODE OF ETHICS

The Parliament of the Ninth Convocation discussed a draft Code of Ethics twice, since MPs did not endorse the draft of this Code the first time. Later, on 24 May 2018, this legislative initiative was submitted to the Parliament again and was finally approved. The main difference between the submitted drafts was the issue of the Ethics Council defining sanctions.

According to the Code, in the event of a violation of the rules of conduct by an MP, the Code of Ethics of the Members of Parliament envisages the authority of addressing the MP in question with a letter of recommendation. In addition, after a decision is made, the name of an MP who violated the Code shall be published on the website of the Parliament, along with a brief description of the transgression.

After the elaboration of the Code of Ethics, the [Parliament of the Ninth Convocation](#) failed to form the Ethics Council, so the Code of Ethics was never applied in practice. MPs assaulted each other physically and verbally on multiple occasions after the Code had been adopted.

3.2.2 INSTITUTIONALISATION OF REGULATORY IMPACT ASSESSMENT (RIA)

In May 2019, the Parliament institutionalized [Regulatory Impact Assessment \(RIA\)](#) by amending the Law on Normative Acts.

The institutionalization of RIA merits a positive assessment, however, the regulation envisaged by the law does not address the challenges of the legislative process. Given that RIA requirement only applies to the government initiatives and the law provides for a long list of exceptions (for example, there is no obligation to conduct RIA if a draft law concerns budgetary issues or implies compliance with international acts or the Constitution), there is a risk that important laws would be passed without RIA.

3.2.3 ESTABLISHMENT OF THE NATIONAL SECURITY COUNCIL

In April 2019, the Parliament endorsed the amendments establishing the National Security Council – a consultative body under the Prime Minister.

The formation of the Security Council merits a positive assessment as does the broadening of the areas covered by the security policy, including defining the area of civil security. The problem with the law is the form of the president's participation in the work of the Security Council and also the rule of selection of the Security Council secretary by the Prime Minister.¹⁴

3.2.4 NEW OCCUPATIONAL SAFETY LAW

In February 2019, the Parliament passed a new law on occupational safety which, starting from 1 September 2019, became applicable not only to dangerous, hard, harmful and hazardous work but to all areas of economic activity. We [assessed](#) positive and problematic new provisions during the process of the draft law discussion, indicating the need to minimise corruption risks. Specifically, with regard to sanctions, [we advised to] clearly separate the substance of violations and to ensure that difference was not unsuitably large between the minimum and the maximum amounts of fines established for each violation.

3.2.5 THE LAW ON REMUNERATION IN PUBLIC SERVICE

The public administration reform envisaged the elaboration and presentation of the new law on remuneration, which the government initiated on 29 September 2017, thus failing to comply with the deadline which was set for 1 September 2016. The presented law established a system of remuneration for all public institutions in the country, introduced the notions of position coefficient and base salary, set the upper limits and grounds for granting salary supplements and monetary rewards.

Despite positive changes, the law contained [vague provisions](#), specifically: distribution of categories within the hierarchy of positions had to be placed in a normative framework in order to rule out their discretionary use or misuse; the criteria for attributing coefficients needed to be made more specific.

3.3 NEGATIVE LEGISLATIVE AMENDMENTS

Negative Legislative Amendments



Imposing restrictions without declaring state of emergency



Changes to the rules of filling out asset declarations and liability in case of violation



Establishment of the Operational Technical Agency



Abolition of self-governing entities

¹⁴ *Assessment of the Performance of the Parliament of Georgia in 2019*, Tbilisi, 2020, p. 25, <https://bit.ly/3iHh3oq>

3.3.1 IMPOSING RESTRICTIONS WITHOUT DECLARING STATE OF EMERGENCY

In 2020, the Parliament endorsed the amendments to the Law on Public Health which made it possible to restrict some of the fundamental human rights as a quarantine measure without declaring the state of emergency. The government determines the rules and the scale of such restrictions. In the assessments made at the stage of discussing the draft law, we noted that the amendments were not in line with the Constitution and envisaged such restrictions of fundamental human rights by the government which, according to the Constitution, can only be restricted during the state of emergency and only on the basis of the Parliament's decision. Non-governmental organisations [appealed](#) against this law in the Constitutional Court.¹⁵ The duration of the law was prolonged twice, and it remains in force today.

3.3.2 CHANGES TO THE RULES OF FILLING OUT ASSET DECLARATIONS AND LIABILITY IN CASE OF VIOLATION

In April 2019, the Parliament [changed](#) the rule of monitoring asset declarations. The draft was amended in such a way that it is no longer considered a violation if an official fails to indicate in his or her asset declaration his or her involvement in a company which had not been active for the past six or more years.

This makes it significantly more difficult for civil society organisations, media and concerned citizens to monitor business connections of public officials since they are unable to verify whether a particular company had been active in the past six years – this information is not publicly available, because it represents a tax secret and is only available to relevant official agencies.

3.3.3 ESTABLISHMENT OF THE OPERATIONAL TECHNICAL AGENCY

At an extraordinary session in March 2017, the Parliament adopted in the third hearing a package of legislative amendments which envisaged the establishment of a new agency under the State Security Service to conduct covert investigative activities.

By adopting the legislative package, the Parliament ignored the Constitutional Court [decision](#) which deemed unconstitutional the procedures of retrieval of information of personal nature in real time and of copying and storing Personally Identifiable Information. Non-governmental organisations and about 300 citizens filed an appeal against this [amendment](#) with the Constitutional Court. Transparency International Georgia is one of the defenders of their interests.

3.3.4 ABOLITION OF SELF-GOVERNING ENTITIES

The Parliament supported the initiative concerning amendments to the Local Self-Government Code on decreasing the number of self-governing cities from 12 to five. The government said that the abolition of self-governing entities would make institutional arrangement more democratic and make the work of municipalities more efficient.

The government failed to deliver on its promise made in 2014 that further decentralisation would occur by 2017. This decision by the government merits a negative [assessment](#) as it will certainly harm the process of democratisation in the country.

15 The Constitutional Court ruled on this case on February 11, 2021, <https://bit.ly/2OdtR51>

3.4 REFORMS IMPLEMENTED WITH SIGNIFICANT SHORTCOMINGS

Reforms Implemented with Significant Shortcomings



Election reform



Judicial reform

3.4.1 ELECTION SYSTEM REFORM

During the protest rallies held in the country in 2020, one of the demands voiced by the public was a transition to a fully proportional election system. Large-scale protest rallies continued for over a week. As a result, the government representatives stated that the 2020 elections would be held based on a fully proportional system. A corresponding package of constitutional amendments was registered in the Parliament as an initiative and was signed by 93 MPs. After downvoting the draft law, some MPs [left the parliamentary majority](#). The opposition and the government started negotiations concerning this issue.

On 29 June 2020, the Parliament of Georgia supported constitutional [amendments](#) changing the election system. Based on this change, in the October 2020 elections, voters elected 120 MPs based on proportional system and 30 representing single-seat districts.¹⁶

Later, the election legislation was [amended](#), reducing the threshold for receiving state funding and simplifying the formula for calculating it: a party which received 1 percent (rather than 3 percent) of votes in the latest parliamentary elections, will receive the funding; gender quotas were also stipulated by the law.

Despite positive changes, several [fundamental problems](#) still remain in the election legislation, including the flawed procedure of staffing election commissions, which increases the influence of ruling party on the work of these commissions.

3.4.2 JUDICIAL REFORM

In December 2016, the Parliament adopted in the third hearing the Third Wave legislative package. The Fourth Wave reform was finally completed in late December 2019.

The Staff of the Parliament Speaker prepared the [legislative amendments](#), and they were adopted in the first hearing without even waiting for the recommendations and opinions of the Venice Commission on this issue. In July 2020, a new package of amendments to the Organic Law of Georgia on Common Courts was initiated in the Parliament. The legislative initiative concerned an obligation to substantiate the decisions made by the High Council of Justice on the judicial candidates for the Supreme Court, and a possibility for the candidates to appeal against these decisions.

Despite four waves of judicial reform, the system is still facing challenges. Some positive changes were implemented in the judicial system since 2016, however, the shortcomings incompatible with democracy and the principles of an independent court still remain in the system.

For more details concerning the state of affairs in the judicial system in 2016-2020, see our [report](#).

¹⁶ Before this amendment 77 members of parliament were elected through the proportional system and 73 members through the majoritarian system.

CHAPTER 4. LAWS AND NORMS ABOLISHED AND SUSPENDED BY THE CONSTITUTIONAL COURT

➤ **Decisions concerning narcotic substances**

In 2017, the Constitutional Court [decriminalised](#) the use of marijuana.

In 2017, the Constitutional Court deemed imprisonment as a punishment for preparation, purchase and/or possession of 0.00009 g of desomorphine [unconstitutional](#).

In 2018, the [decision](#) made by the Constitutional Court on the case *Citizens of Georgia Zurab Japaridze and Vakhtang Megrelishvili vs. Parliament of Georgia* deemed imposing administrative responsibility for using marijuana unconstitutional.¹⁷

On 2 August 2019, as a result of a [constitutional lawsuit](#) by the Public Defender, a possibility of using administrative detention as a sanction envisaged by the law¹⁸ for using and purchasing an amount sufficient for a single use of the narcotic substances whose use does not cause immediate addiction or aggressive behaviour was considered unconstitutional.

In 2020, the Constitutional Court deemed [unconstitutional](#) a possibility of using imprisonment for illicit purchase and possession of the amount of narcotic substances insufficient for use.¹⁹

➤ **Lawsuits of religious associations**

In 2018, the Constitutional Court [ruled in favour](#) of religious associations, deeming it unconstitutional to exempt from VAT without the right to setoff only those works of construction, restoration and decoration of churches and temples that are commissioned by the Georgian Patriarchy.

The Constitutional Court also considered it [unconstitutional](#) that it was only possible to transfer state property free of charge into the ownership of the Apostolic Autocephalous Orthodox Church of Georgia.

➤ **Concerning issuing court decisions as public information**

In 2019, the Constitutional Court upheld a [constitutional lawsuit](#) filed by the Institute for Development of Freedom of Information (IDFI) and N(N)LP Media Development Foundation concerning availability of court decisions.

17 In 2017, the Constitutional Court of Georgia abolished criminal responsibility for using marijuana (for details, see: Decision №1/13/732 of the Constitutional Court of Georgia, dated 30 November 2017, on the case Citizen of Georgia Givi Shanidze vs. Parliament of Georgia (<https://goo.gl/59o4fM>)).

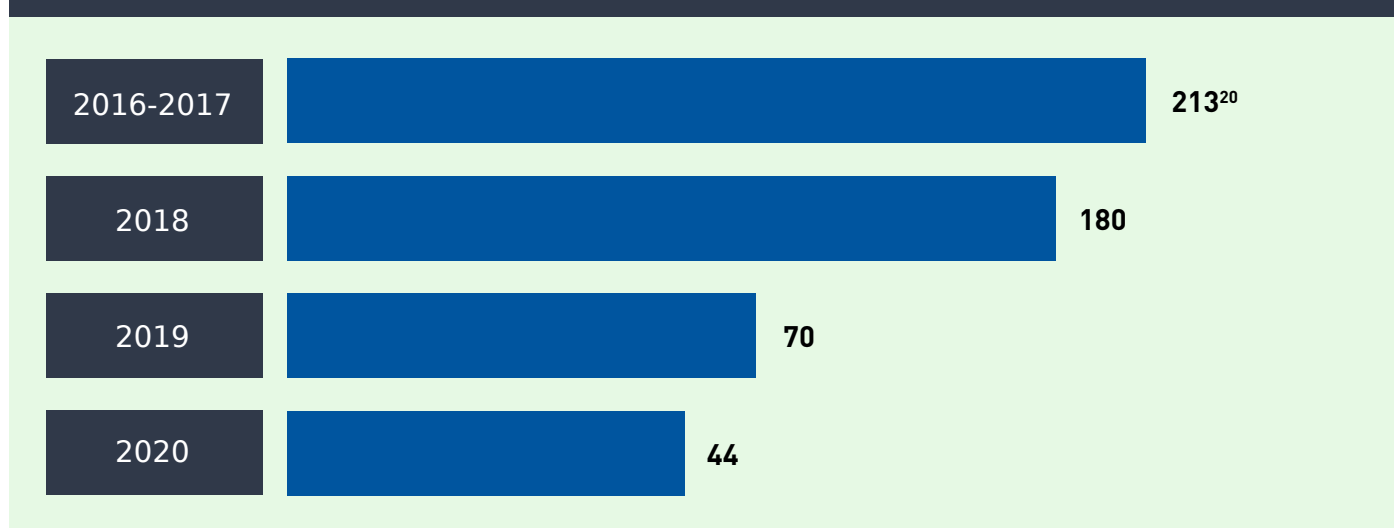
18 Article 45 of the Administrative Offences Code and Article 273 of the Criminal Code, wording prior to 28 July 2017.

19 The normative substance of the wording of Article 260, part 3 of the Criminal Code “punishable by five to eight years of imprisonment”, which envisages a possibility of using imprisonment as a sanction for illicit purchase or possession of narcotic substances in the amount insufficient for use.

5.1 EXPEDITED CONSIDERATION OF DRAFT LAWS

The trend of expedited consideration of draft laws was a problem in the Parliament of both the Eighth and the Ninth Convocation. Specifically, the Parliament of the Eighth Convocation considered 437 draft laws through an expedited procedure, and the Parliament of the Ninth Convocation – 505 draft laws.

GRAPH 4. EXPEDITED CONSIDERATION OF DRAFT LAWS

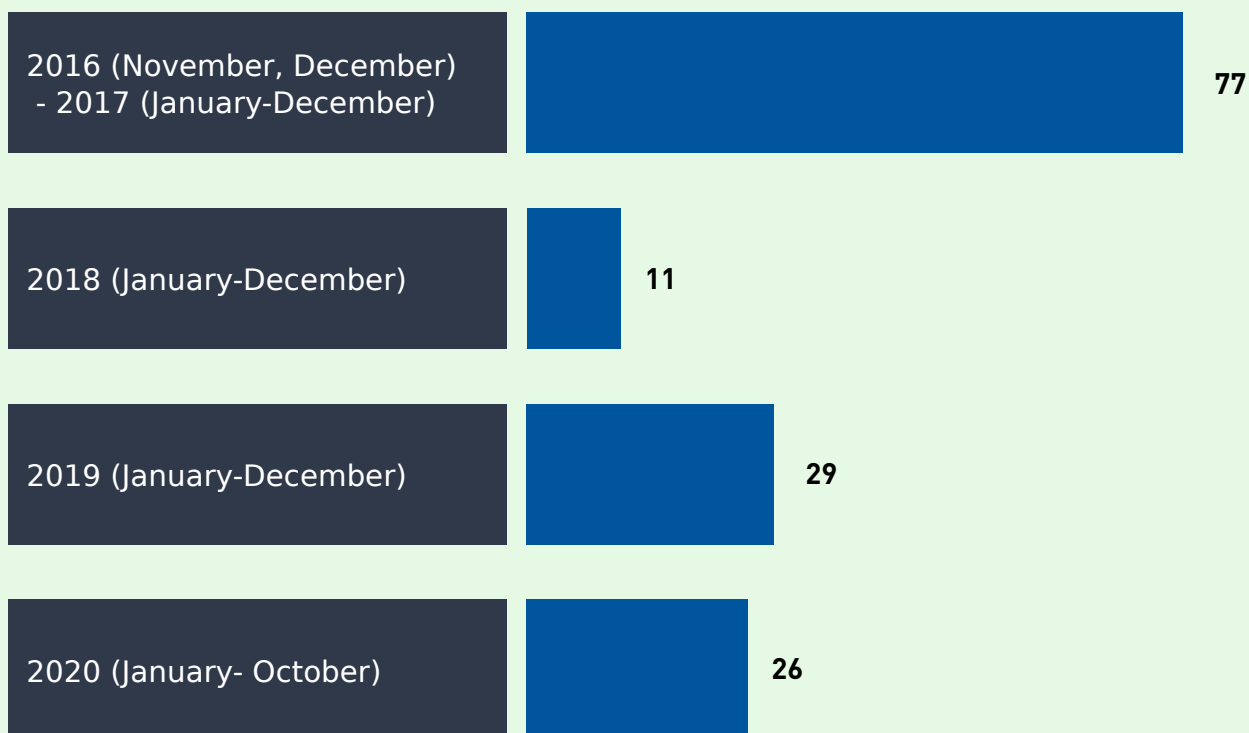


5.2 SIMPLIFIED CONSIDERATION OF DRAFT LAWS

The problem of considering draft law using a simplified procedure prevailed in the work of the Parliament of both the Eighth and the Ninth Convocation. For example, while the total number of draft laws considered under a simplified procedure by the Parliament of the Eighth Convocation was 47, the Parliament of the Ninth Convocation considered and adopted 77 draft laws using a simplified procedure during the first year of its work alone.

²⁰ Consideration of 12 was not expedited.

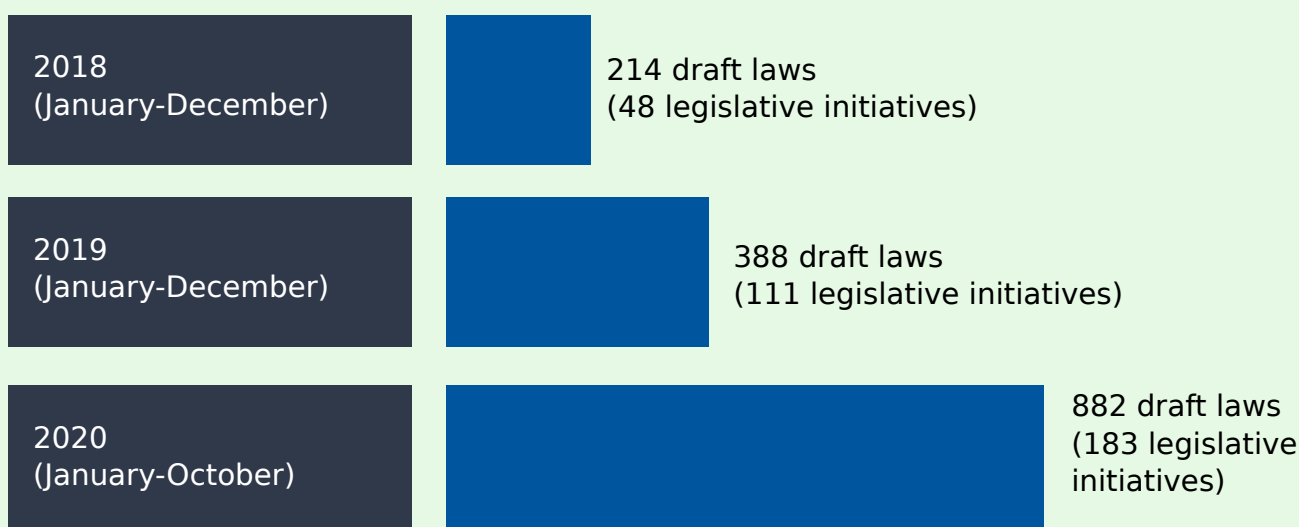
GRAPH 5. TOTAL NUMBER OF DRAFT LAWS DISCUSSED UNDER A SIMPLIFIED PROCEDURE BY THE PARLIAMENT OF THE NINTH CONVOCATION



5.3 EXTENSION OF TERM FOR DISCUSSION OF DRAFT LAWS

Extension of the terms for considering draft laws acquired a systematic nature in the process of the Parliament's work.

GRAPH 6. EXTENSION OF TERM FOR DISCUSSION OF DRAFT LAWS

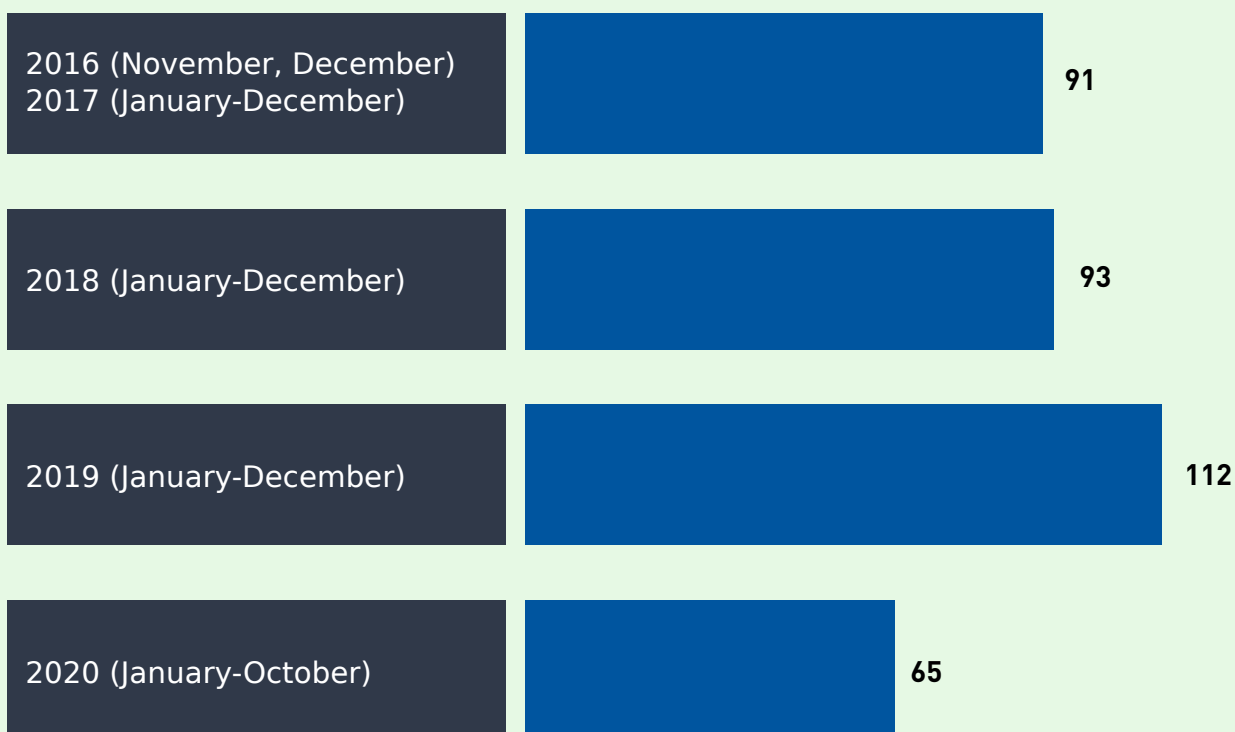


5.4 CONSIDERATION OF LEGISLATIVE PROPOSALS

A possibility of presenting a legislative proposal is an important mechanism of public participation in legislative activity.

There were 361 legislative proposals presented to the Parliament of the Ninth Convocation. The consideration of most proposals is delayed. There are few proposals which subsequently became initiatives; moreover, over the years, delays in the presentation of initiatives after the approval of proposals became an established practice. For example, the Legal Issues Committee in June 2017 [approved](#) a package of [legislative amendments](#) against pro-Russian anti-state propaganda presented by our organisation, but it was never initiated.

GRAPH 7. LEGISLATIVE PROPOSALS SUBMITTED TO THE PARLIAMENT OF THE NINTH CONVOCATION



CHAPTER 6. PARLIAMENTARY OVERSIGHT

According to the 13 October 2017 amendments to the Georgian Constitution, Georgia fully transitioned to the parliamentary model of rule. Exercising full-fledged parliamentary oversight over the executive branch is particularly important in a parliamentary republic. New mechanisms of the parliamentary oversight were established and existing ones improved by the Rules of Procedure adopted on 6 December 2018. The improvement of legal norms had a positive impact on the practice of exercising parliamentary oversight. However, despite the progress, the accountability and responsibility of MPs as well as the government members in the process of exercising parliamentary oversight remain problematic.

6.1 VOTE OF CONFIDENCE IN THE GOVERNMENT

The Parliament of the Ninth Convocation declared a vote of confidence in the government four times.



2017 - Giorgi Kvirikashvili (once)



2018 - Giorgi Bakhtadze (twice)



2019 - Giorgi Gakharia (once)

6.2 PRIME MINISTER'S ANNUAL REPORT

Presenting a report on the fulfilment of the government programme at a plenary session is a new provision in the new Rules of Procedure. In the past, it was only presented in writing to the Bureau.

Four government reports were presented to the Parliament of the Ninth Convocation²¹, two of them – on 5 September 2017 and 7 September 2018 – were presented to the Parliamentary Bureau in writing. In the two cases later on, after the new Rules of Procedure were adopted, presenting the report at a plenary session was mandatory. The presentation of the 2019 report at a plenary session was planned for 27 June but on that day Prime Minister Mamuka Bakhtadze mistakenly posted on Facebook that his speech had been postponed. He left his post without ever presenting the report to the Parliament. On 26 June 2020, Prime Minister Giorgi Gakharia delivered the annual report to the plenary session of the Parliament of Georgia.

6.3 INTERPELLATION

The mechanism of interpellation came into effect in 2019.²² During the reporting period, **seven** interpellations were conducted. In six out of seven instances, opposition factions were the authors of written questions; in one case it was the majority faction.

21 Presented to the Bureau on 5 September 2017, presented to the Bureau on 7 September 2018.

22 Comprising group of no fewer than 7 MPs, a faction is authorized to ask question, according to the rule of interpellation, to the Government, another body accountable to the Parliament, and any member of the Government and addressees shall answer questions personally.

Table 3. Interpellations in the Parliament of the Ninth Convocation

Date	Official	Author of Written Question
22.03.2019	Prime Minister of Georgia Mamuka Bakhtadze	Factions: National Movement and European Georgia – Movement for Freedom
22.03.2019	Minister of Education, Science, Culture and Sport of Georgia, Mikheil Batiashvili	Faction: European Georgia – Regions
31.05.2019	Prime Minister of Georgia Mamuka Bakhtadze	Faction: European Georgia – Movement for Freedom
31.05.2019	Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Davit Sergeenko	Faction: Georgian Dream
31.05.2019	Chairwoman of the Central Election Commission of Georgia, Tamar Zhvania	Faction: National Movement
29.05.2020	Prime Minister of Georgia Giorgi Gakharia	Factions: National Movement and European Georgia; European Georgia – Regions and European Georgia – Movement for Freedom
18.09.2020	Minister of Economy and Sustainable Development of Georgia, Natela Turnava	Factions: European Georgia, European Georgia – Regions, and European Georgia – Movement for Freedom

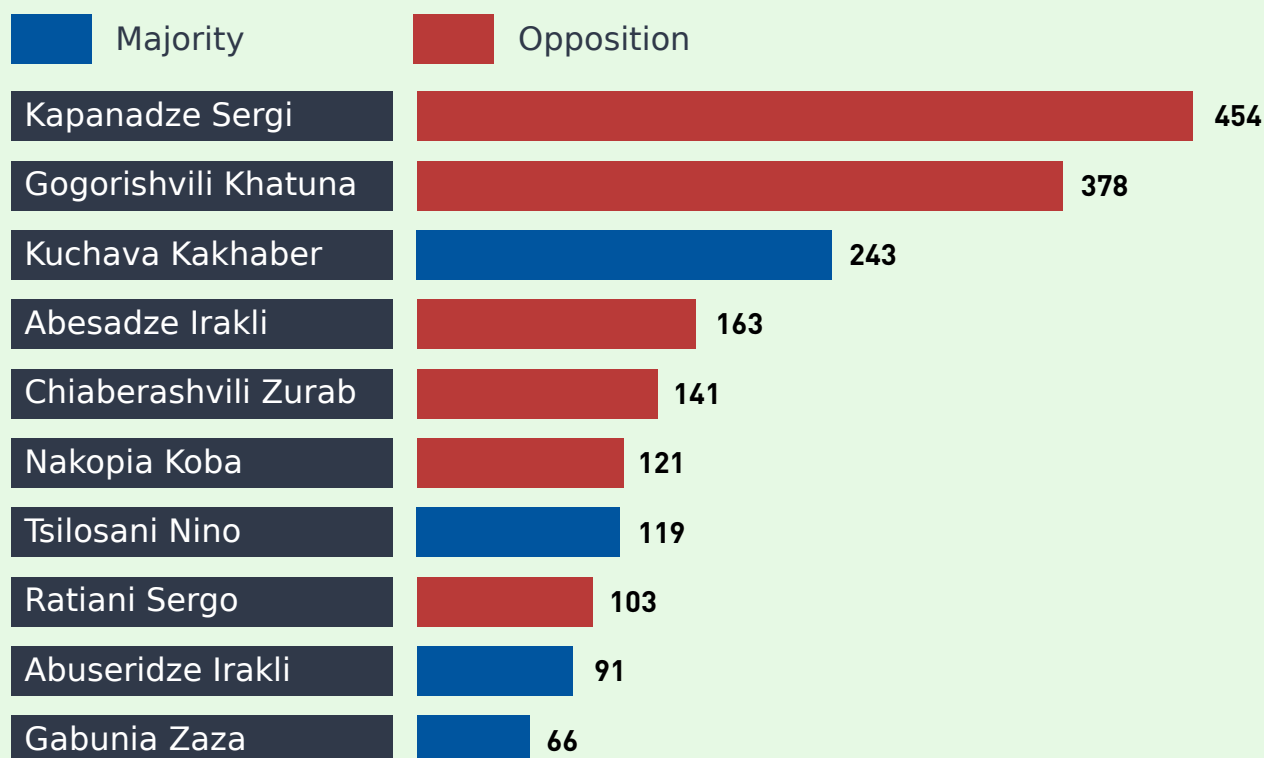
6.4 MP'S QUESTION

The number of questions posed by MPs increased in the Parliament of the Ninth Convocation compared to the previous Parliament; specifically, during the reporting period, 814 MPs of the Parliament of the Eighth Convocation posed MPs' questions, 35 MPs exercised this right.

As for the Ninth Convocation, **65** MPs posed the total of **2,350** questions to the accountable officials.²³

²³ Source: MPs' Questions, official website of the Parliament: <https://info.parliament.ge/#mpqs>. Period: 18.11.16 - 01.10.20; for information on the number of MPs and questions, see <https://bit.ly/3rfd1Gx>

GRAPH 8. TEN AUTHORS OF THE HIGHEST NUMBER OF MPS' QUESTIONS IN THE PARLIAMENT OF THE NINTH CONVOCATION



6.5 MINISTER'S HOUR

The Minister's Hour is a new instrument of the parliamentary oversight, according to the amendments to the Rules of Procedure. It implies that, once a year, individual members of the Government of Georgia (except for the Prime Minister of Georgia) must appear at the Parliament's plenary sessions and report on the fulfilment of the relevant part of the government programme.

The Parliament used this oversight mechanism for the first time at the spring session of 2019. In the Parliament of the Ninth Convocation, the Minister's Hour took place **14** times.

Table 5. Minister's Hour held by the Parliament of the Ninth Convocation

Date	Official
20.02.2019	Georgian Minister of Regional Development and Infrastructure, Deputy Prime Minister Maia Tskitishvili
07.03.2019	Georgian Minister of Environmental Protection and Agriculture Levan Davitashvili
20-21.03.2019	Georgian Minister of Justice Tea Tsulukiani
04.04.2019	Georgian Defence Minister Levan Izoria

02.05.2019	Georgian Minister of Internal Affairs, Deputy Prime Minister Giorgi Gakharia
20.09.2019	Member of the Government of Georgia, State Minister for Reconciliation and Civic Equality Ketevan Tsikhelashvili
17.10.2019	Georgian Minister of Foreign Affairs Davit Zalkaliani
28.11.2019	Georgian Minister of Finance Ivane Machavariani
20.12.2019	Georgian Minister of Education, Science, Culture and Sport Mikheil Chkhenkeli
20.12.2019	Georgian Minister of Economy and Sustainable Development Natela Turnava
05.02.2020	Georgian Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs Ekaterine Tikaradze
20.02.2020	Georgian Minister of Finance Ivane Machavariani
06.03.2020	Georgian Minister of Regional Development and Infrastructure, Deputy Prime Minister Maia Tskitishvili
12.06.2020	Georgian Defence Minister Irakli Gharibashvili

6.6 APPEARANCE OF THE GOVERNMENT OF GEORGIA MEMBERS AND OTHER OFFICIALS AT PLENARY SESSIONS OF THE PARLIAMENT

Summoning accountable persons for a mandatory appearance can be done based upon request made by a committee or a faction with the support from the majority of those present at a plenary session.²⁴ This Parliament has not used this mechanism since 2012.

According to the Parliamentary Rules of Procedure, a member of the government, an official accountable before the Parliament, a head of an agency accountable before the Parliament and the Public Defender have the right to appear before a plenary session in the Parliament on their own initiative.

In the Parliament of the Ninth Convocation, **six** officials spoke at plenary sessions on their own initiative.

²⁴ But no less than one third of the total composition.

Table 7. List of officials who spoke at the plenary sessions of the Parliament of the Ninth Convocation on their own initiative

Date	Official
21.12.2018	Georgian Minister of Internal Affairs, Deputy Prime Minister Giorgi Gakharia
07-08.02.2019	Georgian Minister of Education, Science, Culture and Sport Mikheil Batiashvili
21.03.2019	Georgian Minister of Regional Development and Infrastructure, Deputy Prime Minister Maia Tskitishvili
05.04.2019 08.04.2019	Georgian National Bank President Koba Gvenetadze
19.04.2019	Georgian Public Defender Nino Lomjaria
27.05.2020	Georgian Prime Minister Giorgi Gakharia

6.7 ESTABLISHMENT OF INTERIM FACT-FINDING COMMISSIONS

In the Parliament of the Ninth Convocation, **17** requests for the establishment of fact-finding commissions were registered, however, only one – dealing with the tragedy on Khorava Street – was created. In all cases, opposition factions were the initiators.

Table 8. Initiatives to create interim fact-finding commissions in the Parliament of the Ninth Convocation

Initiative on Creation of Fact-Finding Commission	Result
Interim fact-finding commission on criminal facilitation of the transfer of classified information about military servicemen who fought for Georgia's territorial integrity, and of their extradition to the Russian Federation	✗ Was not created
Interim fact-finding commission on the contract signed between the Government of Georgia and the company Gazprom Export	✗ Was not created
Interim fact-finding commission on the incident of physical assault on the Auditor General of Georgia	✗ Was not created
Interim fact-finding commission on the assault on Azerbaijani journalist Afgan Mukhtarli, his handover, illegal detention and illegal transportation across the Georgian state border	✗ Was not created

Interim fact-finding commission on the alleged removal of former Prime Minister Ivane Merabishvili from his prison cell	✗ Was not created
Interim fact-finding commission on the special operation conducted in Tbilisi on 21-22 November 2017	✗ Was not created
Interim fact-finding commission on the contract signed between the Government of Georgia and the company Gazprom Export	✗ Was not created
Interim fact-finding commission on the issue of Azerbaijani journalist Afgan Mukhtarli, his transportation across the state border	✗ Was not created
Interim fact-finding commission on the special operation conducted in Tbilisi on 21-22 November 2017	✗ Was not created
Interim fact-finding commission on the events related to the mine of Sakdrisi-Kachagiani	✗ Was not created
Interim Fact-Finding Commission of the Parliament of Georgia on Murder of Two Youngsters at Khorava Street on December 1, 2017	✓ Was created
Interim fact-finding commission of the Parliament of Georgia on possible pressure against the persons related to TBC Bank and Anaklia Development Consortium	✗ Was not created
Interim fact-finding commission on the issue of Financial Company Sakartvelo, LLC	✗ Was not created
Interim fact-finding commission on the murder of Temirlan Machalikashvili as a result of the 26 December 2017 special operation conducted in the Pankisi Gorge	✗ Was not created
Interim fact-finding commission of the Parliament of Georgia on the alleged corruption scheme in the process of pardoning of convicts by President of Georgia Salome Zourabichvili	✗ Was not created
Interim fact-finding commission on the alleged anti-constitutional conspiracy of high-ranking officials against the Patriarchy of Georgia, and the violation of the constitutional agreement between the Georgian State and the Apostolic Autocephalous Orthodox Church of Georgia	✗ Was not created

6.8 THEMATIC INQUIRY

With the aim of examining a topical issue and preparing a corresponding draft decision, a group of thematic inquiry consisting of MPs may be appointed by a committee or a permanent parliamentary council. The group elects chief rapporteur from among its members. This mechanism is a new provision included in the new Rules of Procedures; it should be noted, however, that, the Environmental Protection and Natural Resources Committee was the first to create such an inquiry group in 2018, prior to the amendments, and this group was an important

mechanism of exercising oversight for this Committee. During the reporting period, a thematic inquiry group examined the state of atmospheric air in the city of Tbilisi.

The thematic inquiry institution was put into effect in 2019. In the Parliament of the Ninth Convocation, **16** thematic inquiry groups were created.

Table 10. Thematic inquiry groups created in the Parliament of the Ninth Convocation

<u>№</u>	Initiator	Thematic Inquiry Group	Result
1	Environmental Protection and Natural Resources Committee	On the state of atmospheric air in Tbilisi	Conclusion (discussed at plenary session)
2	Education, Science and Culture Committee	On the state of art education outside of schools and at general education institutions	Conclusion
3	Regional Policy and Self-Government Committee	On the state of provision of people with appropriate housing in Georgia	Conclusion (discussed at plenary session)
4	Human Rights and Civil Integration Committee	On accessibility of healthcare services to women with disabilities	Conclusion (discussed at plenary session)
5	Sector Economy and Economic Policy Committee	On efficiency of the management of state-owned enterprises	Conclusion
6	Sector Economy and Economic Policy Committee; Committee on European Integration ²⁵	On periodic technical inspection of means of transportation	Report/ Conclusion not prepared
7	Open Governance Permanent Parliamentary Council	On instruments and practice of civic participation in public institutions	Report (discussed at plenary session)
8	Human Rights and Civil Integration Committee	On issues of occupational safety	Report/ Conclusion not prepared

²⁵ The decision was made at a joint committee session to merge the groups formed to work on the same issue.

9	Gender Equality Council	Accessibility of vocational education for economic empowerment of women	Report (discussed at plenary session)
10	Foreign Relations Committee; Defence and Security Committee ²⁶	On issues of disinformation and propaganda	Report
11	Gender Equality Council	On women's participation in state economic programmes	Conclusion (discussed at plenary session)
12	Education, Science and Culture Committee	Equal access to high-quality pre-school education for all children, adapted to regional needs	Report
13	Committee on European Integration	Challenges faced by Georgia's small and medium enterprises when exporting goods to the EU market	Conclusion
14	Environmental Protection and Natural Resources Committee	Evaluation of lead pollution of the environment in Georgia	Conclusion
15	Environmental Protection and Natural Resources Committee	On the state of affairs in the sphere of municipal waste ²⁷	Conclusion
16	Sports and Youth Issues Committee	How to increase the level of physical activity and involvement in sports among the Georgian population	Conclusion

26 The thematic inquiry groups created by the Georgian Parliament's Foreign Relations Committee "On Studying the Experience of European Countries in the Issues of Disinformation and Propaganda" (N2-10754; 07/06/2019) and by the Defence and Security Committee "On Disinformation and Propaganda Issues" (N2-7554/19; 23/04/2019) on 30 April 2019 were merged.

27 Created based on Article 29, para. 2 and Article 50, para. 3 of the Parliamentary Rules of Procedure (2018 version).

CHAPTER 7. ACTIVENESS OF MPS

Transparency International Georgia has focused on several criteria when assessing the activeness of MPs in its annual reports.

In the final report assessing the performance of the Parliament of the Eighth Convocation, the following components were used to assess the activeness of MPs:

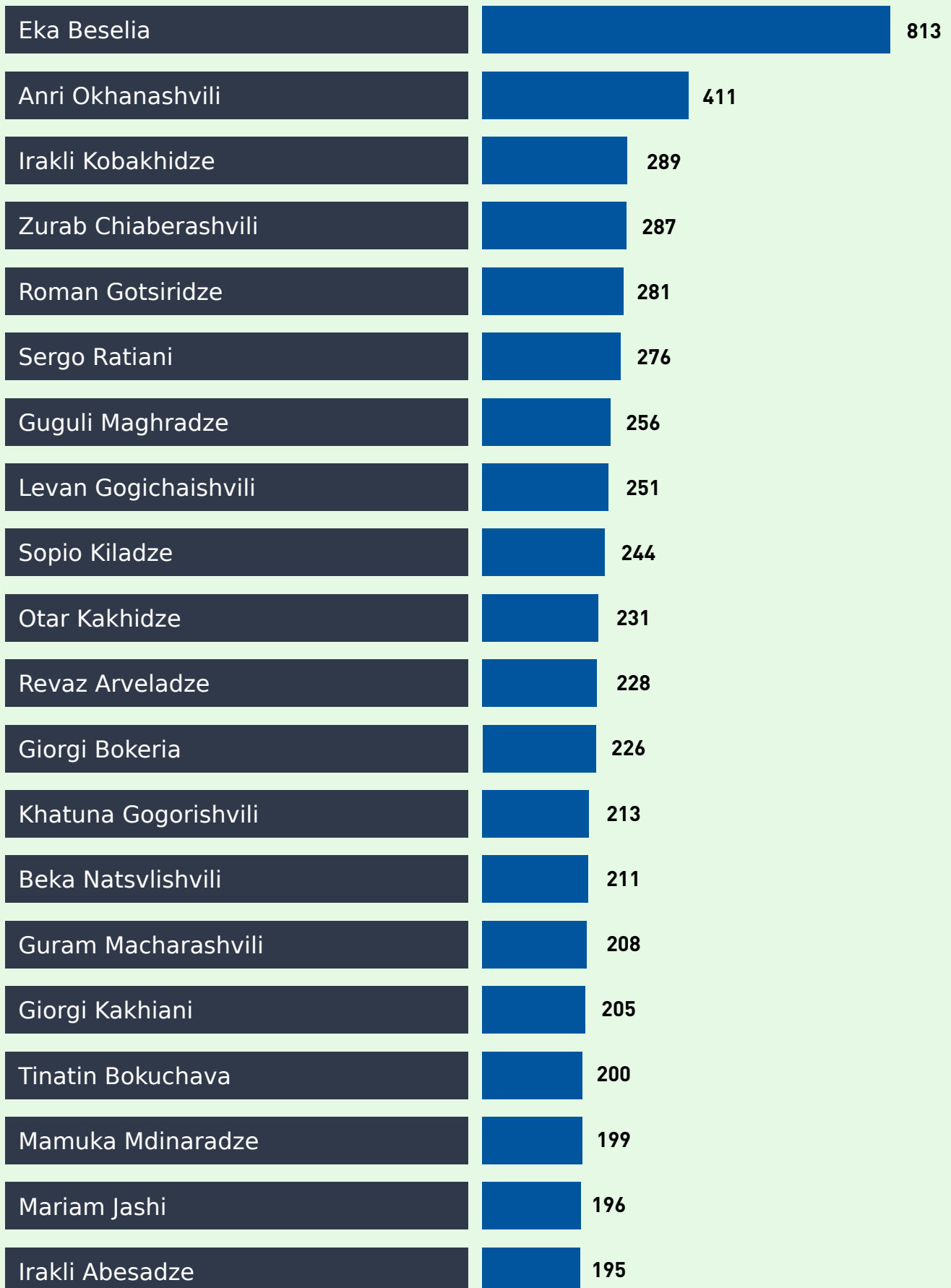
1. Frequency of speaking at plenary sessions (making statements, asking questions, expressing opinions on draft laws and other issues under discussion);
2. Exercising the right of an MP to present a legislative initiative;
3. Number of initiated and adopted laws;
4. Absences and disciplinary responsibility.

Our report also contains information about the MPs' business trips in the course of four years.

7.1 NUMBER OF SPEECHES

The right to speak at a plenary session (making statements, posing questions, expressing opinions about draft laws and other issues under discussion) was exercised by **131** MPs.

GRAPH 9. NUMBER OF SPEECHES (TOP 20)



Twenty MPs did not exercise the right to speak in the Parliament at all: Ruslan Gajievi, Valeri Gelashvili, Paata Gogokhia, Elguja Gotsiridze, Makhir Darzievi²⁸, Mukhran Vakhtangadze, Jumber Izoria, Zaza Kedelashvili, Teimuraz Kokhreidze, Ioseb Makrakhidze, Samvel Manukian, Enzel Mkoian, Roman Muchiashvili, Ramaz Nikolaishvili, Dimitri Samkharadze, Erekle Tripolski, Goderdzi Chankseliani, Irakli Khakhubia, Viktor Japaridze, Levan Bezhanidze.

For comparison, Zaza Kedelashvili, Enzel Mkoian and Ramaz Nikolaishvili did not exercise their right to speak in the Parliament of the Eighth Convocation either.

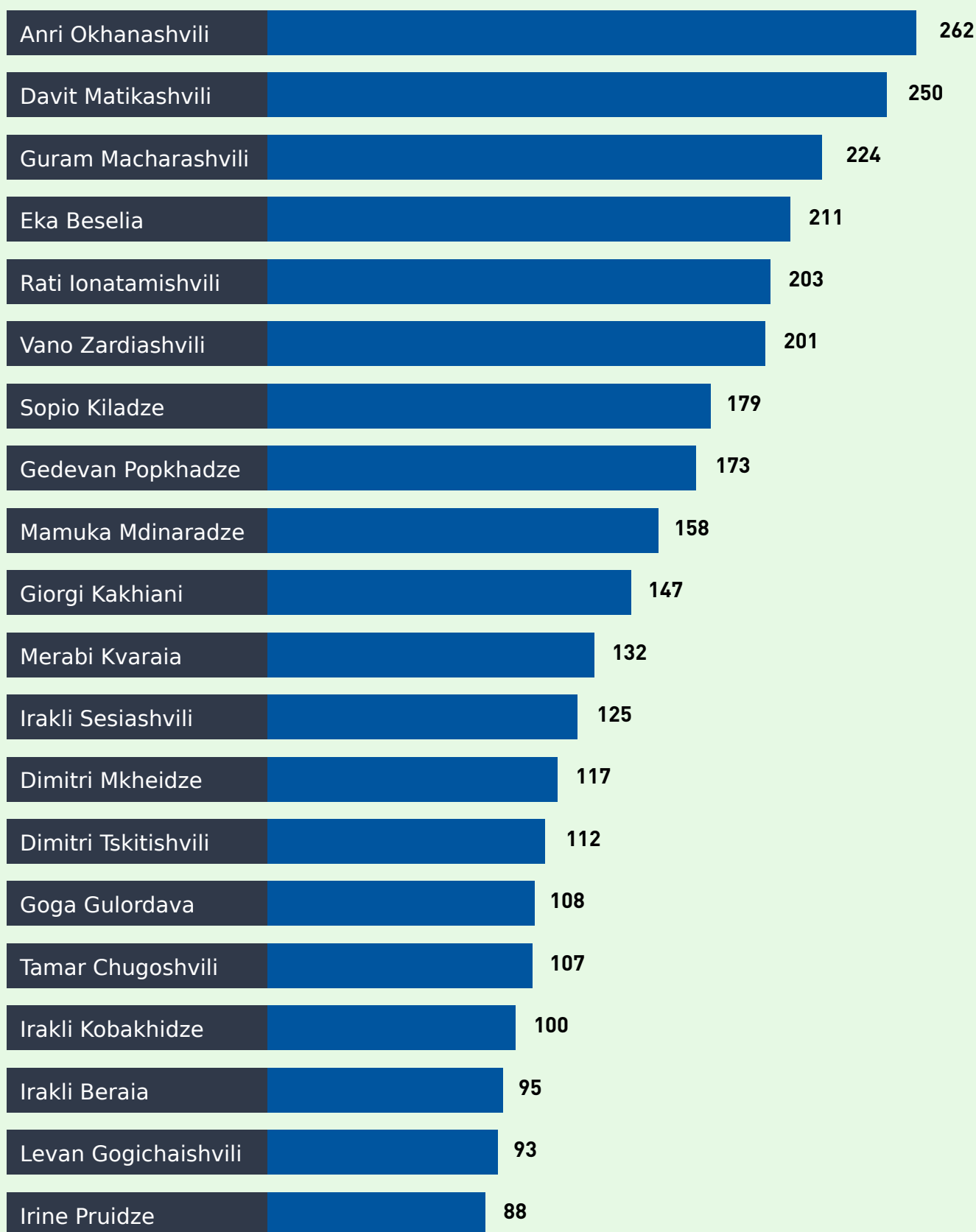
7.2 INITIATED AND ADOPTED LAWS

In the Parliament of the Ninth Convocation, individual MPs initiated 5,570 draft laws. This right was exercised by 139 MPs.²⁹

28 He spoke once in the Parliament of the Eighth Convocation.

29 These statistics do not include constitutional amendments since the law envisages a formal requirement concerning the number of initiators of constitutional amendments; specifically, more than half of the total composition of the Parliament must propose constitutional amendments (no less than 75 MPs). Correspondingly, an increase in the number of initiators is often conditioned by fulfilling this formal requirement.

GRAPH 10. MPS WHO EXERCISED THE RIGHT OF LEGISLATIVE INITIATIVE MOST FREQUENTLY (TOP 20) ³⁰

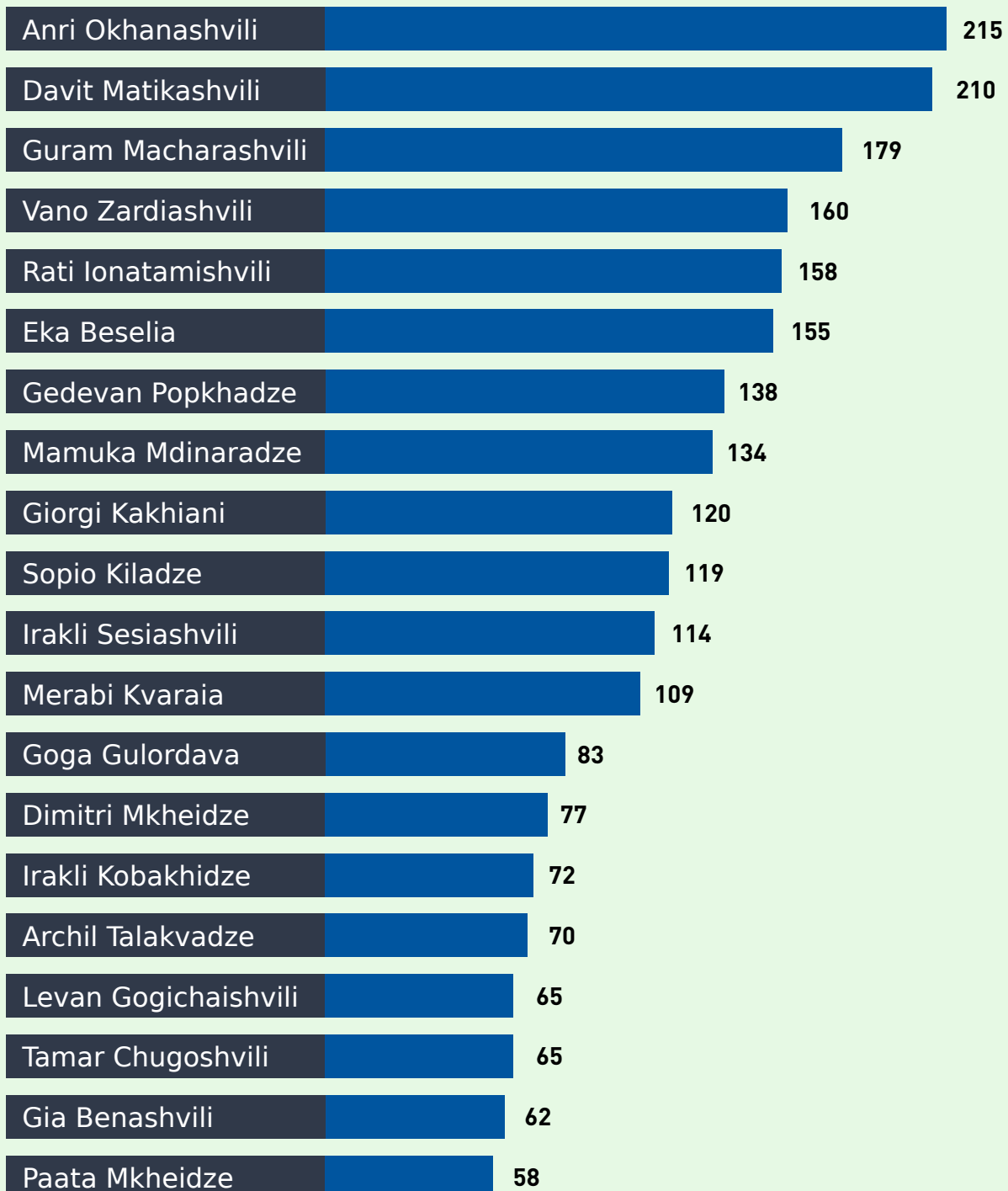


³⁰ Initiatives on each draft law exercised by individual MPs as well as legislative initiatives registered jointly with other MPs were counted.

- **Adopted laws**

During the reporting period, the legislative body passed **661** draft laws initiated by MPs.³¹

GRAPH 11. NUMBER OF ADOPTED LAWS AND THEIR INITIATORS (TOP 20)³²



31 Source: official website of the Parliament, <https://bit.ly/3s4sMkx>

32 See <https://bit.ly/2ZoEUk0> , official website of the Parliament

7.3 MPS' PARTICIPATION IN PLENARY AND COMMITTEE SESSIONS OF THE PARLIAMENT, DISCIPLINARY RESPONSIBILITY

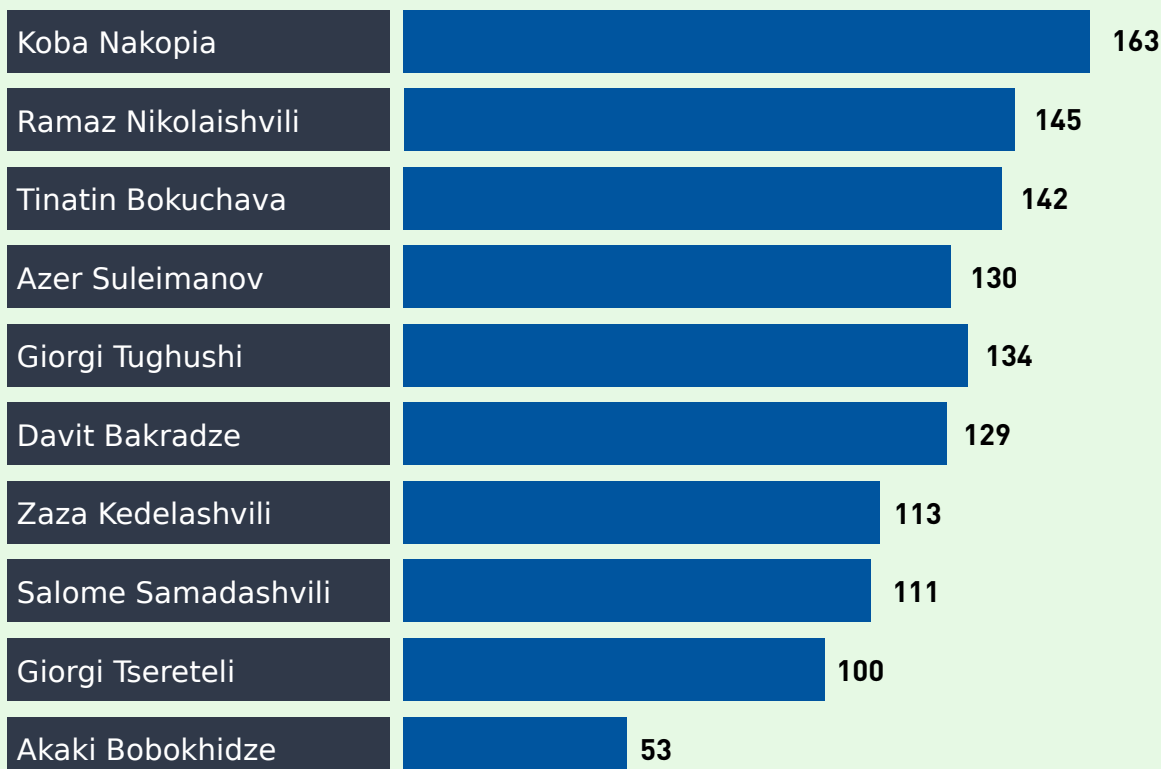
The issue of MPs' participation in sessions has been a problem for years. This includes the failure to respond to absences. The new Parliamentary Rules of Procedure changed both the legal framework and the existing practice. Specifically:

- "Family circumstances" as a reason justifying absence was abolished;
- Birth, death and illness of an MP's family member was added to the list of absence justifications;
- It was defined that an MP's absence from a plenary session would not be considered unjustified if an MP was attending a meeting with representatives of another state's delegation on an official visit to the Parliament;
- An MP's powers shall be terminated early in the event of unjustified absence from more than half of sittings during a regular session period.

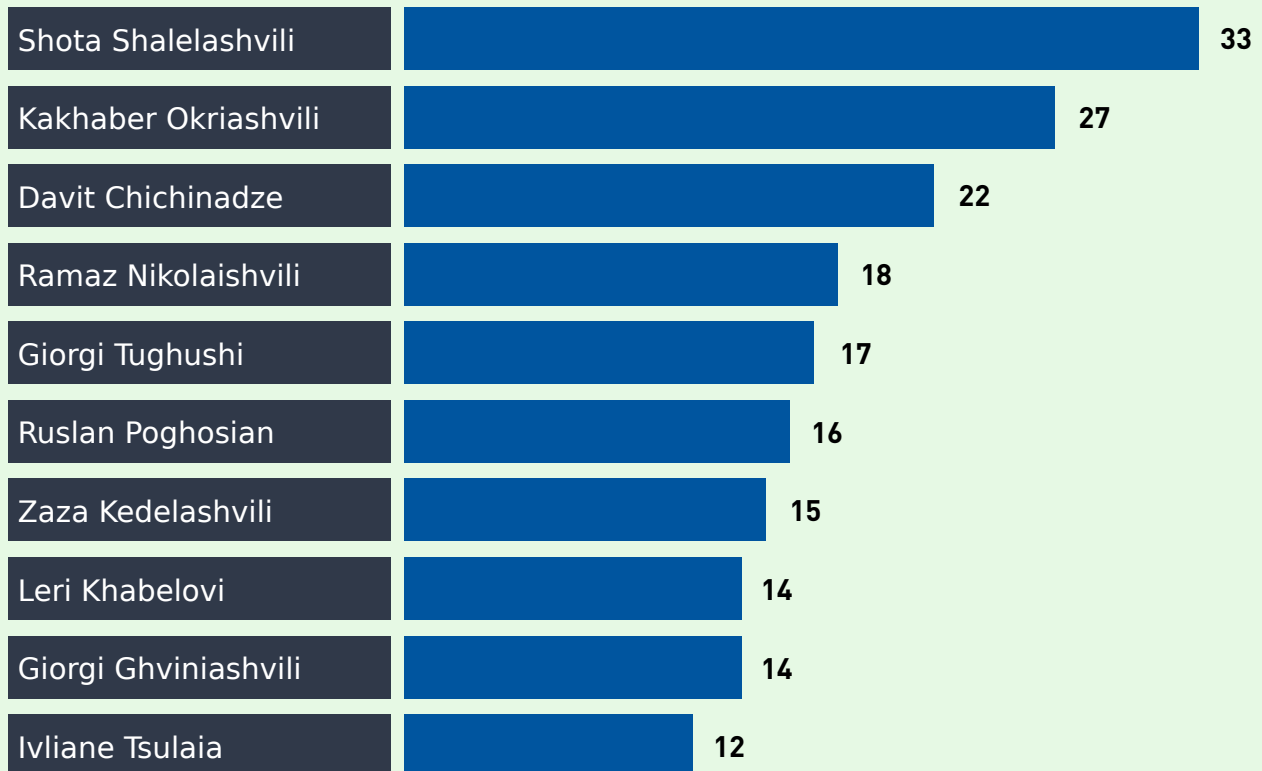
Similar to the Eighth Convocation, the highest number of absences were recorded for Ramaz Nikolaishvili, Koba Nakopia, Zaza Kedelashvili, Tinatin Bokuchava.

7.3.1 MPS' ABSENCE FROM PLENARY SESSIONS

**GRAPH 12. JUSTIFIED ABSENCES FROM THE PLENARY SESSIONS
(MISSING 50 AND MORE SESSIONS)**

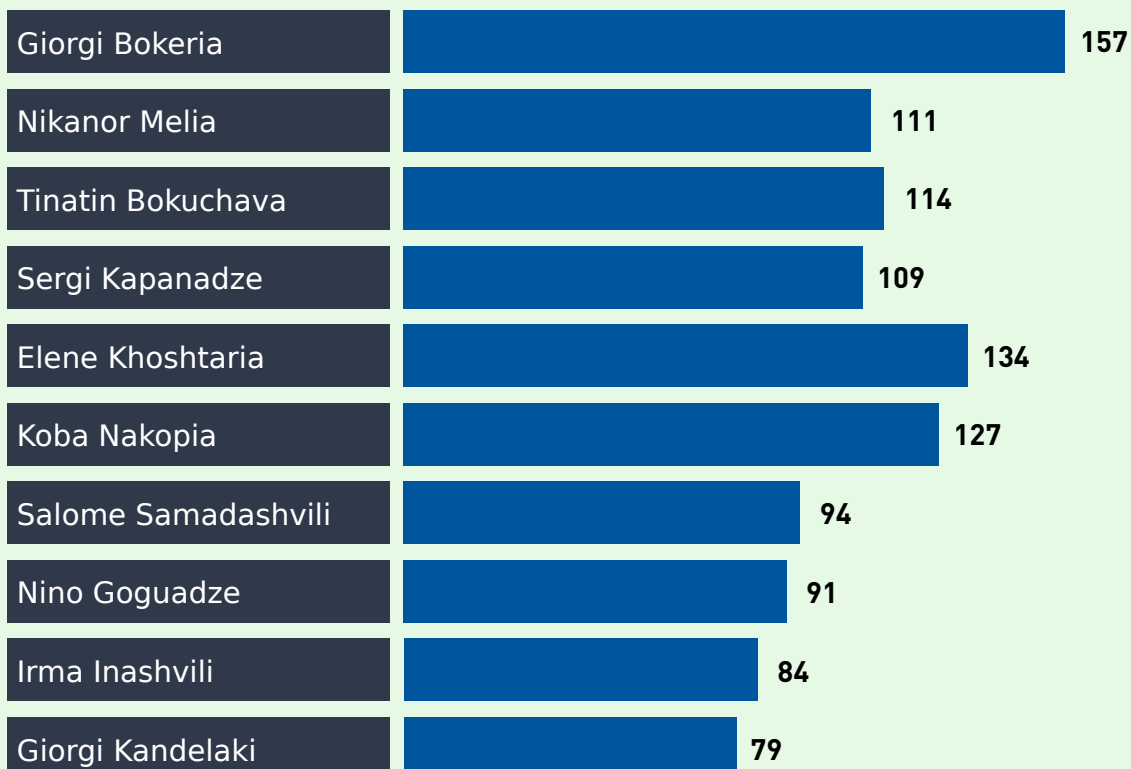


GRAPH 13. UNJUSTIFIED ABSENCES FROM THE PLENARY SESSIONS (TOP 10)

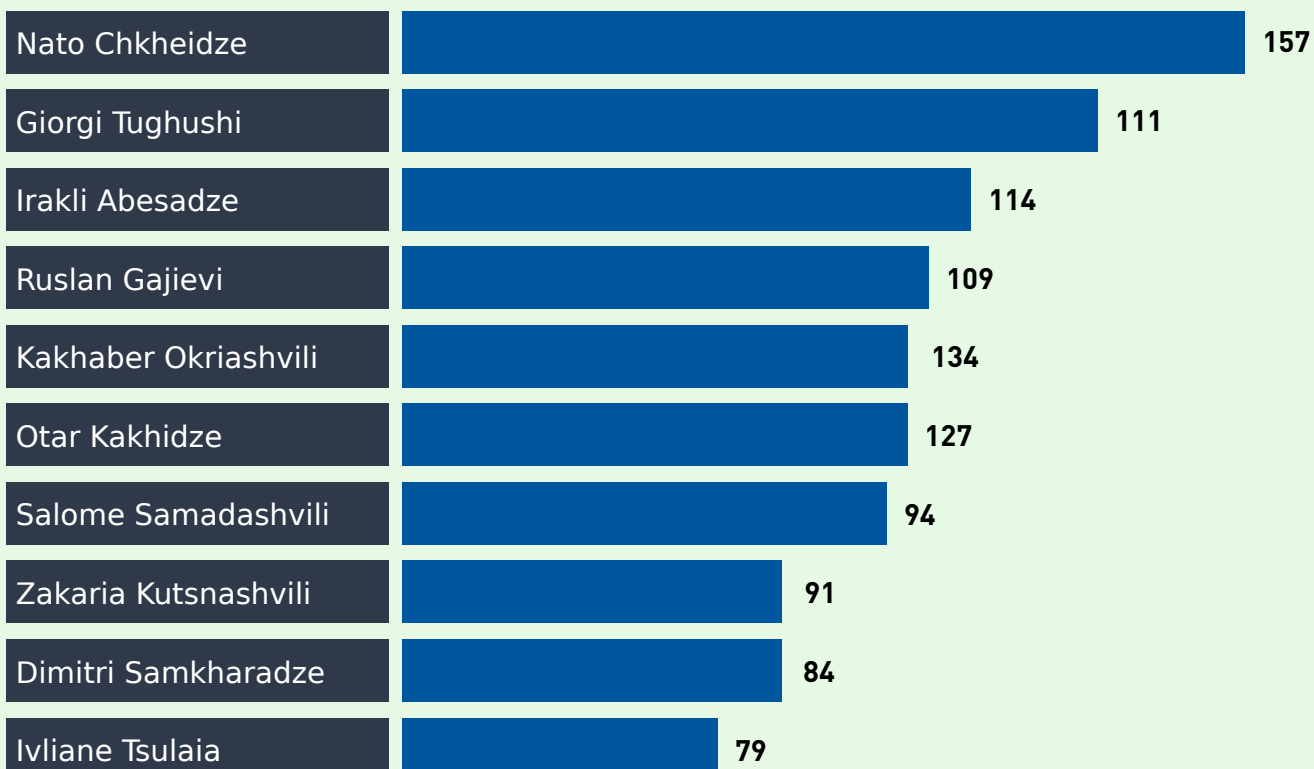


7.3.2 MPS ABSENCE FROM COMMITTEE SESSIONS

JUSTIFIED ABSENCES FROM COMMITTEE SESSIONS



UNJUSTIFIED ABSENCES FROM COMMITTEE SESSIONS



7.3.3 DISCIPLINARY RESPONSIBILITY



No disciplinary responsibility was imposed for absences in 2016-2017, 2018 and 2020.



In 2019, due to unjustified absences from plenary sessions, 10 percent of the salary of 25 MPs³³ was held back in 43 cases; overall, the sanctions amounted to GEL 39,651.60.



In 2019, on account of unjustified absences from committee sessions, 10 percent of the salary of 22 MPs³⁴ was held back, in 33 cases. Overall, the financial sanctions amounted to GEL 23,934.20.

7.4 BUSINESS TRIPS

During the reporting period, 137 MPs³⁵ travelled abroad on official and working visits; the total amount spent by the Parliament was GEL 5,354,370.93.

Business trips are financed by both the Parliament as well as various international organisations. It is noteworthy that, sometimes, the number and duration of an MP's business trips are conditioned by his or her position or key directions of activities in a given committee.

For detailed information on business trips, see [Annex](#).

33 Gajievi Ruslan, Samkharadze Dimitri, Khakhubia Irakli, Toloraia Edisheri, Kobiashvili Levani, Tsulaia Ivane, Okriashvili Kakhaber, Benashvili Gia, Khabelovi Leri, Inashvili Irma, Nakopia Koba, Makhatadze Sulkhan, Kakhidze Otari, Shalelashvili Shota, Chkheidze Nato, Koberidze Levani, Kutsnashvili Zakaria, Kapanadze Sergi, Danelia Otari, Kvachantiradze Zviadi, Manukian Samvel, Kantaria Aleksandre, Vakhtangadze Mukhran, Chichinadze Daviti, Zurabiani Tsotne.

34 Okriashvili Kakhaber, Samkharadze Dimitri, Tsulaia Iviane, Gajievi Ruslan, Chkheidze Nato, Abesadze Irakli, Bokeria Giorgi, Inashvili Irma, Kakhidze Otari, Marshania Ada, Makhatadze Sulkhan, Melia Nikanor, Nakopia Koba, Songhulashvili Davit, Popkhadze Gedevan, Ghviniashvili Giorgi, Chikovani Mamuka, Tsereteli Giorgi, Chiaberashvili Zurab, Chichinadze Davit, Khoshtaria Elene, Mikadze Gela.

35 This includes the MPs whose mandate in the Parliament of the Ninth Convocation was terminated at various times.

CHAPTER 8. RECOMMENDATIONS FOR THE PARLIAMENT OF THE TENTH CONVOCATION

In a parliamentary republic, it is critically important for a legislative body to be fulfilling its functions under the Constitution in a full-fledged and efficient manner. It is important that all of the new provisions with regard to the oversight role which were included in the law be properly implemented in practice, while a number of directions are still in need of legislative amendments. Provided below are the recommendations which are important to be considered by the Parliament of the Tenth Convocation in its performance:

Legislative Process

- Despite political changes, the legislative process must continue without interruptions, and both the majority and the opposition must actively participate in it;
- Experts and civil society members must be actively involved in the legislative process, committees must form working groups on important legislative amendments more often;
- The Parliament must continue working on the necessary reforms; noteworthy among them are the election reform and the creation of an anti-corruption agency which would be effective in investigating and responding to the alleged cases of high-level corruption;
- It is important that the consideration of draft laws occurs within the time frames established by the Rules of Procedure, and that the number of draft laws considered under the expedited procedure is reduced.

Parliamentary Oversight

- During a crisis situation that is especially serious for the country (e.g. during a pandemic), the Parliament must become more active, including in terms of the parliamentary oversight – not hand over all powers to the executive government;
- In order to efficiently exercise oversight over the government, it is important for the opposition to be equipped with appropriate oversight mechanisms;
- The Parliament must improve the mechanisms of oversight over the security sector;
- The government members must not evade parliamentary oversight and, in the event they fail to answer an MP's question or appear at a session, corresponding sanctions must be defined by the law;
- The mechanisms of the parliamentary oversight must be used more intensively: it is important to increase the periodicity of interpellation, simplify the procedure of summoning government members or other officials accountable to the Parliament to committee sessions, debates must be held after the Prime Minister's annual or special reports and after Minister's Hours.

Openness and Transparency

- With regard to the entry into the Parliament building, it is important that unsubstantiated refusals to let persons in no longer take place – something that happened on numerous occasions during the reporting period;
- It is critically important to launch the new website of the Parliament which would considerably improve access to the parliament-related information;
- The information about the implementation of the parliamentary oversight, the results of oversight and the related statistical data, including information about summoning officials accountable before the Parliament to the sessions, must be regularly published on the Parliament's website.

Accountability

- MPs must be actively attending parliamentary sessions and participate fully in the Parliament's work.

ANNEX 1. NUMBER OF SPEECHES