

## Opinion – Georgia’s Democracy Still in Peril

Written by Martin Duffy

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MARTIN DUFFY, OCT 9 2021

When arriving in the Georgian capital, one is immediately struck by echoes of the Cold War. Communist era nostalgia is redolent on Tbilisi’s beautiful streets. The ghost of Stalin seems to percolate the air. Poised in the maelstrom of historic territorial rivalry, Georgia suffers the collective pains of Russia, Armenia and Azerbaijan, as if it did not have crises enough of its own. War in Abkhazia and in South Ossetia are overwhelming for any post-Soviet state, but in the Georgian case they are compounded by ongoing conflicts among neighboring territories. Unavoidably, Georgian democracy is imperiled by ‘forever wars’ internally and along its international boundaries.

The escalation of the conflict between Armenia and Azerbaijan proves that a frozen conflict can surface abruptly and intensify apace. Nagorno-Karabakh has an intense ethnic and territorial conflict between Armenia and Azerbaijan over the disputed region of Nagorno-Karabakh (Mostly ethnic Armenian) and numerous traditionally Azerbaijani neighborhoods. These latter zones are under the Republic of Artsakh, but are internationally recognized as Azerbaijani territory. It is an old conflict but erupted in modern form in 1988 in the demand these lands join Armenia. War was only narrowly averted in 2020.

In terms of big power play, while Russia has historically backed Armenia with military bases on Armenian soil, it also soothed Azerbaijan by simultaneously arming Baku. As we will see later, enemies’ friends and friend’s enemies can appear confused in the Caucasus. Turkey openly bolsters Azerbaijan as evidenced by its increasing military exports to Baku. Georgia has maintained close ties and neighborly relations with both countries, keeping a neutral position when it comes to military escalation. Georgia is in something of a quandary when it comes to taking a stand on the cauldron of conflict around it. Russia, illegally occupies 20% of Georgia’s territory, so can hardly be considered a friend.

Indeed, the bullying posture from the Kremlin makes keeping peaceful relations with its other neighbors of vital importance, geopolitically and economically. Tbilisi has adopted a proactive approach to its regional relations by signaling to its neighbors its willingness to become a mediator in the ongoing conflict. While Tbilisi’s offer to play the role of a mediator has not been taken up by the conflicting sides, the approach is probably prudent even while Georgia was targeted with disinformation campaigns discrediting Tbilisi’s neutrality. Tbilisi certainly has to do something to neutralize the threat from Russia and has toyed at different times with both obvious diplomatic concepts, recognizing, “the enemy’s enemy is our friend” and almost symmetrically, acknowledging, “the enemy’s friend is our friend too”. Neither tactic has been entirely effective.

Georgia has significant ethnic Armenian and Azerbaijani minorities and these current tensions have the potential to radicalize ethnic minorities and cause atavistic clashes. This places Russia in a favorable position, as historically the Kremlin has been effective at exploiting ethnic tensions to bolster its own power-base. Thus, in the midst of chaos in the Caucasus, ethnic divisions may be yet another opportunity for the Kremlin to seek to further destabilize the internal political situation in Georgia. That is the context to the upcoming local elections in Georgia. Following an invitation from the authorities of Georgia and in accordance with its mandate, ODIHR has deployed an Election Observation Mission (EOM) for 2 October 2021 local elections. The ODIHR EOM will assess the elections for their compliance with OSCE commitments and other international obligations and standards, as well as with national legislation, including post-election developments. Specific aspects include the implementation of the amended legal framework, candidate registration, the campaign, election dispute resolution and election media coverage. They will

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also assess how prior ODIHR election related recommendations were considered. As part of the observation, the ODIHR EOM will conduct comprehensive monitoring of the media.

In the elections of 31 October and 21 November 2020, the ruling Georgian Dream party under Prime Minister Giorgi Gakharia won re-election for a third term in office, making it the first party in Georgian history to achieve a 3rd term. The election also saw a record number of opposition parties elected to parliament. However, the opposition parties boycotted the second round of the elections and called on voters to abstain. The turnout in the second round fell to a mere 26.29%, raising questions about credibility.

The Georgian parliament passed further electoral reforms; however, the ultimate constitutional changes came from OSCE-ODIHR suggestions to the existing electoral code rather than the negotiations between the government and opposition. These include the regulation of election ads, the involvement of non-government entities in the electoral process, the regulation of the publication of opinion polls, and introducing a gender quota of 25%. The quota will probably remain intact till 2028. The US embassy has enthusiastically praised the reforms, though voiced concerns over the remaining gaps in the electoral legislation, including lack of transparency in selecting Election Commission Members, dispute resolution mechanisms, voter intimidation and providing for suitable and safe alternative channels to campaign during the COVID-19 pandemic. In all of these deliverables, parliament failed.

During the 2020 Parliamentary Elections, the OSCE Parliamentary Assembly stated that “elections were competitive”, while also reported “pervasive allegations of pressure on voters and blurring of the line between the ruling party and the state”. The United States embassy in Georgia, commenting on the OSCE statement, said: “We call on all parties to address these deficiencies in advance of the second round and in future elections. These efforts to corrupt the electoral process through voter intimidation, vote buying, interfering with ballot secrecy, blurring of party and official activities, and violence against election observers and journalists, while not sufficient to invalidate the results, continue to mar Georgia’s electoral process and are unacceptable”.

After the first round, public protests were held in Tbilisi, with almost 50,000 people attending a near-riot situation on 8 November that was eventually broken up with water cannons. Eight opposition parties subsequently announced they would not attend parliament. On 3 November 2020, all Georgian opposition parties signed a joint statement renouncing their seats in the parliament until the parliamentary elections (which they consider null and void) are repeated. Georgian democracy is genuinely in peril.

As Thomas De Waal has written,

For Georgia’s ruling party, regime survival seems to trump all other considerations. Georgian Dream’s fight with Western partners and persistent political polarization risk undoing the country’s democratic progress.

Georgia does not have the scale of human tragedy we see in the Armenian-Azerbaijani conflict nor the absolute oppression of President Alexander Lukashenko’s Belarus. But Georgia’s long-accumulated achievements in building something approaching a democratic state are now in danger of “suffering death by a thousand cuts”.

The Georgian Dream ruling party is in a fight with the EU and the United States. The country’s leaders also quarreled with Western partners over the Tbilisi Pride march in July. On July 5, they failed to protect journalists from violence by anti-LGBTQ extremists, who ripped the EU flag from parliament buildings. Prime Minister Irakli Garibashvili dubbed the event a “propagandistic parade,” attacking the EU as a liberal hegemon imposing its values on the unwilling Georgian nation. However, as Nino Lejava has written in Carnegie Europe’s Future of Georgia project; looking at divisions in Georgian society, Georgian elites’ pro-European platform is generally more about geopolitical protection than signing up to common values.

Georgia’s instability is not just down to the machinations of the Georgian Dream Party. There is a constant tinderbox of trouble between the country’s main opposition grouping, and former ruling party, the United National Movement (UNM), led from exile by ex-president Mikheil Saakashvili. While in office, Saakashvili was hardly any less free of corrupt practices, but they now accuse Georgian Dream of large-scale corruption –of politicizing the judiciary,

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suppressing independent media, and openly harassing opposition candidates. These claims may be somewhat exaggerated. Moreover, both sides have an abundance of corruption allegations to explain.

Saakashvili wanted a boycott of the new parliament following the 2020 elections. Eventually it required an international mediator to negotiate a compromise between these irreconcilable political forces. European Council president Charles Michel struck a compromise by which Georgian Dream agreed to hold early parliamentary elections if it received less than 43 percent in the municipal elections scheduled for October 2, 2021. Smaller opposition parties signed the agreement, but the UNM did not, leading the ruling party to complain it was making unilateral concessions and getting nothing in return. Some continue to interpret Georgian politics in starkly geopolitical terms, always seeing the hand of Moscow looming around. However, it is worth noting that the Georgian Dream government remains sympathetic towards the EU and NATO, which still commands strong public support. Russia has had no formal diplomatic relations with Georgia since the 2008 war and that is unlikely to change so long as the perpetual stand-off over Abkhazia and South Ossetia continues.

Russian Foreign Minister Sergei Lavrov could not miss an opportunity to comment on events and say that the door was open to Georgia for better relations, but he offered no path to make that a reality. Georgian Dream founder Bidzina Ivanishvili and Garibashvili are not so much emulating Russia, as the transactional relationship Georgia’s other neighbors, Azerbaijan and Turkey, have with Western countries. Saakashvili has allied with Hungary’s Prime Minister Viktor Orbán and even invited him to Georgia in 2012. Indeed, regime survival seems to trump all other considerations – even macro-financial aid. In so much as Garibashvili and his masters have strategy, it seems to involve all the following. First, controlling the media, judiciary, and elections. Second, wooing the public with talk of “Georgian values” and a morbid fear of Saakashvili to distract them from other issues. Third, preserve reasonably good working relations with both Washington and Brussels, while not burning all its political bridges with Moscow.

It is hard to judge how far the Georgian people buy this message. The National Democratic Institute survey from July 2021 makes for sobering reading. In this survey, fifty one percent of respondents said that “Georgia is not a democracy”. There is widespread political discontent and profound lack of confidence in political institutions. Indeed, in the NDI report, a mere 30 percent, “named a political party they would vote for”. Unemployment and welfare are still not addressed and that seems to undermine the soft words of Georgian politicians of any hue. In the upcoming local elections, it is encouraging that there are a good many independent candidates. The incumbent, Georgian Dream’s Kakha Kaladze, is the favorite to win. But if the independents do well, then we can at least say that “reports of the death of Georgian democracy are a bit exaggerated”.

Independents (however) are quick to point out that the existing majoritarian-style system of government makes it impossible for them to exercise power in parliament and accuse Russia-made billionaire and, briefly, Georgia’s prime minister, Bidzina Ivanishvili, of running a shadow government. Any party running on a pro-Russia platform in Georgia is likely to be dead on arrival – especially since Russia invaded the country in 2008 and still illegally occupies 20 percent of its territory. But there have also been accusations of shadowy ties between Ivanishvili and the Kremlin. The truth is sometimes stranger than fiction.

Since independence, Georgia has experienced a meteoric ascent from a war-torn, post-Soviet Union backwater to a relative metamorphosis as a regional model of democratic institution-building and integration with the West. A small Caucasus nation of less than 4 million people that could once hardly supply its citizens with daily power and water, is now aspiring to NATO and EU membership. Georgia has come far since it elected its first president, the pro-Western Zviad Gamsakhurdia, in 1991, who was deposed in a violent coup amid a two-year civil war, and replaced by his archrival Eduard Shevardnadze, whose eight years in power, from 1995 to 2003, were scandalized with rampant ill-disguised corruption and economic and political stagnation.

Georgians forced Shevardnadze ignominiously out of office in 2003 after massive electoral violations. They then embraced Mikheil Saakashvili who inclined Georgia toward the West but stumbled into all-out conflict with Russia in 2008. He was forced out of office in 2012 and convicted of abuse of power in absentia, but that in itself rather shows an improvement in Georgian conceptions of governance. Perhaps what Georgia genuinely needs is coalition rule. Certainly, civil society leaders and opposition parties warn Georgians are growing tired of the power struggles.

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Georgia’s stability is vital to the safeguarding of the entire region, and yet its political leaders lack the sincerity of democratic commitment required to take a leap of political faith. One side is still seeking only to lock the other out, when the political nomenclature of Georgia cries out for some kind of coalition-building.

While Georgia’s ruling party Georgian Dream secured a convincing victory in October local elections that were widely seen as a referendum on the current authorities, this will not produce a government. The next elections in a month’s time will struggle even to do that. Moreover, the arrest of former president Mikheil Saakashvili shows that political tensions will go on. According to an EU-brokered agreement reached in April 2021 that aimed to resolve Georgia’s long-running political crisis, early parliamentary elections would be called for 2022 if Georgian Dream failed to secure at least 43% of the vote in Saturday’s local elections. Based on preliminary results from the country’s Central Election Commission, Georgian Dream comfortably passed this threshold with 46.7% of votes. However, a 2<sup>nd</sup> round will be necessary and may not even then be decisive.

Saakashvili’s arrest has sparked international concern and looks set to deepen domestic divides within Georgian society as the country braces for a series of second round run-off votes in major cities including Tbilisi. Local elections were a chance to demonstrate a new Georgian democratic spirit but did the exact opposite. The verdict of the OSCE/ODIHR team was clear but nuanced. While not claiming the vote was invalid, it noted numerous flaws such as “widespread and consistent allegations of intimidation, vote-buying, pressure on candidates and voters, and an unlevel playing field.” These are all uppermost in the international observers “tool-kit” of metaphors of circumspection. Also, while noting that “the legal framework is generally conducive to democratic elections and preparations for the elections were transparent and professionally managed,” it complained about “intimidation and violence against journalists” and “significant imbalance in resources, insufficient oversight of campaign finances and an undue advantage of incumbency”. While recognizing the “orderly and transparent” conduct of the elections, the OSCE/ODIHR team also pointed to abuses such as “groups of individuals potentially influencing voters outside some polling stations.” Claims of fraud were made by Georgian Dream, UNM, and other parties.

It seems unlikely that a month will generate a new reconciliation spirit for coalition-building and that most likely Georgia’s politicians will engage in another dogfight over the corpse of a tentative democracy.

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### **About the author:**

Martin Duffy has participated in more than two hundred international election and human rights assignments since beginning his career in Africa and Asia in the 1980s. He has served with a wide range of international organizations and has frequently been decorated for field service, among them UN (United Nations) Peacekeeping Citations and the Badge of Honour of the International Red Cross Movement. He has also held several academic positions in Ireland, UK, USA and elsewhere. He is a proponent of experiential learning. He holds awards from Dublin, Oxford, Harvard, and several other institutions including the Diploma in International Relations at the University of Cambridge.