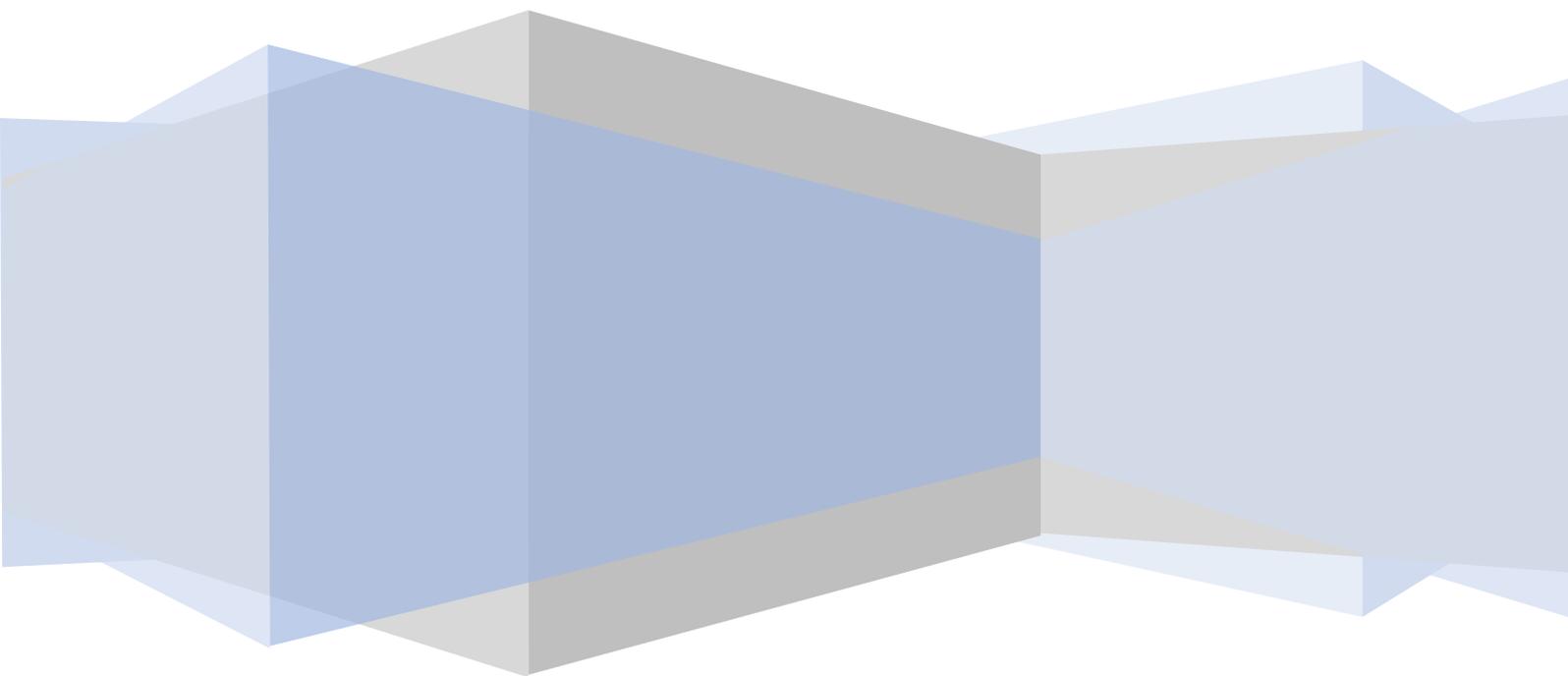


*Experts for Security and Global Affairs*

**MEDIATION OF GEORGIA'S POLITICAL CRISIS BY  
EUROPEAN UNION**

**Policy brief**

Sorin Bogdea



## Abstract<sup>1</sup>

After contesting the results of Georgia's parliamentary elections by opposition parties was placed a political impasse between the ruling party Georgian Dream and opposition parties. Negotiations between the parties on overcoming the political crisis have on multiple occasions run into a dead-end, and only as a result of significant external pressure did the parties eventually sign the agreement, which came in the form of a document prepared and presented by a European Union representative. The policy brief aims to analyze the effectiveness of the mediation between the ruling and opposition political parties and the implementation of compromise-based policy. Against the post-electoral crisis in Georgia, EU intervention has been a severe test of its leverage over the country. The main goal of the analysis was to define the role of the European Union in the mediation of the political crisis in Georgia and determine if this external support can prevent an imminent crisis.

**Keywords:** Georgian post-election crisis, elections, compromise-based policy, mediation.

## Introduction – Background

Ahead of the parliamentary elections on October 31 2020, the electoral system changed significantly due to negotiations between the ruling party, opposition and the pressure from civil society, which lasted for several months. Georgia has a mixed electoral system under which part of the Parliament is elected by a proportional representation of deputies that has increased from 77 to 120, and the number of majoritarian seats was reduced from 73 to 30. The ruling party Georgian Dream won the elections for the third time in a row, but the opposition parties rejected the official results and have accused the government of election fraud, even though the external observers present at the elections from the EU countries and the US considered the elections quite fair and competitive. After the press conference in Brussels, the vice-President of the European Commission and High Representative of the EU for Foreign Affairs and Security Policy Josep Borrell Fontelles told journalists that "*Georgian elections were free and competitive.*"<sup>2</sup> The situation further intensified in February 2021, when the leader of the United National Movement,

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<sup>2</sup>Agenda, "EU Reiterates 'Georgian Elections Were Competitive' amid Opposition's Demands for Repeat Elections," March 17, 2021, <https://agenda.ge/en/news/2021/707>.

Nika Melia, was accused of leading the parliament's storming during the June 2019 protests.<sup>3</sup>

The International Society for Fair Elections and Democracy (ISFED) has published the final report on the electoral process, which states that the voting process in most polling stations proceeded mainly under legal procedures.<sup>4</sup> After closing polling stations, the United National Movement forces the other party to boycott the election results.

Political polarization in Georgia is due to the two major political parties: the ruling Georgian Dream (GD), the opposition United National Movement (UNM), and their informal leaders Bidzina Ivanishvili and, respectively, ex-president exile Mikheil Saakashvili. Instead of effective debates over political issues, the major parties turn politics into personal attacks and build their lawfulness upon their opponents' denigrations, while political discourse serves as a discrediting process of the opposite side.

Also, according to Jin Shahin, "*when there are vacancies in the Georgian parliament, it is a loss for the Georgian people and a victory for Russia.*"<sup>5</sup> Therefore, it was necessary to eliminate political polarization and foreign partners to demonstrate that by negotiating exceeded adequately overcome the crisis.

### **The results of the parliamentary elections**

According to The Georgian Central Election Commission, nine parties crossed the threshold in the 2020 elections.

The parties are as follows:

- Georgian Dream ruling party - 48.15% of votes (61 mandates)
- United National Movement - United Opposition election bloc - 27.14% of votes (34 mandates)
- European Georgia - 3.78% of votes (4 mandates + one undistributed mandate)
- Strategy Agmashenebeli - 3.15% of votes (4 mandates)
- Lelo - 3.15% of votes (4 mandates)
- Alliance of Patriots - 3.14% of votes (4 mandates)
- Girchi - 2.89% of votes (3 mandates + one undistributed mandate)
- Aleko Elisashvili Citizens - 1.33% of votes (1 mandate + 1 undistributed mandate)

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<sup>3</sup> Salome Minesashvili, "Why do Georgian Political Parties Struggle to Negotiate? Structural Disincentives to Compromise-Based Politics", Policy Brief No. 33, Georgian Institute of Politics, May, 2021, <http://gip.ge/wp-content/uploads/2021/05/Policy-Brief-33.pdf>

<sup>4</sup> International Society for Fair Elections and Democracy, "Final Report of Monitoring of The 2020 Parliamentary Elections in Georgia," 2021, <https://www.isfed.ge/eng/angarishebi/2020-tslis-saparlamonto-archevnebis-saboloo-angarishi>.

<sup>5</sup> "Agenda," *US Senator Shaheen 'Surprised, Disappointed' with Political Crisis in Georgia* (blog), n.d., <https://agenda.ge/en/news/2021/784>.

- Shalva Natelashvili - 1% of votes (1 mandate)<sup>6</sup>

There are many critical questions and views on the electoral process and a fair number of votes, which have already become a precondition for protests and the rejection of mandates by opposition parties. The reduced threshold of one per cent for parliamentary representation increased the competitiveness of the pre-election environment, with many new parties entering the political arena. Contrary to good international practice, the boundaries for the single-member constituencies were defined solely through a political process, albeit one of consensus. The boundary delimitation resulted in the significantly unequal distribution of voters amongst the constituencies, undermining equality of the vote, which is inconsistent with the principle of equal suffrage.

Georgia's experience of implementing the new mixed electoral system allows us to draw two main conclusions:

- 1) The 1% threshold, as expected, proved to be an excellent chance to obtain the parliamentary representation of minor parties, which partially responds to one of the main objectives of the principle of proportionality. In particular, this implies that, as far as possible, the legislature's arrangement should be proportionate to the diversity of political views in the state. Of course, it is difficult to say that the parties that passed the 1% threshold in the 2020 elections are the voice or interests of all social groups. These reasons are part of Georgia's economic development model, which excludes the general public from the political agenda.
- 2) The recent elections also clearly show that the remaining component of the majority continues to make the final image unfair. Majority constituencies allow the ruling party to seize a disproportionate number of seats for its support, thus creating favourable conditions for long-term parliamentary work.

Transparency International Georgia appealed to the summary protocols of 61 polling stations across the country. They called for the cancellation of the summary protocols in 60 polling stations and the recount of votes, as the ratio between the ballots in the ballot box, the invalid ballots and the voters who came to was unbalanced.

Four opposition parties - European Georgia, Lelo, Strategy Agmashenebel and Girchi - issued a joint statement, saying in response to a statement by the leader of the United National Movement, Grigol Vashadze, which he did not intend to recognize rigged elections: "*We continue*

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<sup>6</sup>The Central Election Commission Summarized Results of the 31 October Parliamentary Elections of Georgia, n.d., [https://cesko.ge/eng/list/show/123458-tsentrallurma-saarchevno-komisiam-saqartvelos-parlamentis-2020-tslis-31-oqtombris-archevnebi-sheadjama?\\_\\_cf\\_chl\\_jschl\\_tk\\_\\_=pmd\\_1f1d125c10622bf76152211d1f2d89982b18ecf6-1629377901-0-gqNtZGzNAqKjcnBszQiO](https://cesko.ge/eng/list/show/123458-tsentrallurma-saarchevno-komisiam-saqartvelos-parlamentis-2020-tslis-31-oqtombris-archevnebi-sheadjama?__cf_chl_jschl_tk__=pmd_1f1d125c10622bf76152211d1f2d89982b18ecf6-1629377901-0-gqNtZGzNAqKjcnBszQiO).

to protest peacefully against rigged elections. Our demands remain unchanged: re-election, change of the CEC administration and release of political prisoners."<sup>7</sup>

### **The EU's intervention in defusing a political crisis**

Political tensions after the first round of parliamentary elections in Georgia have also caused concern in Germany. German Ambassador to Georgia Hubert Knier responded to the prospects for dialogue between the opposition and the ruling team in a statement on November 10, stating that it will facilitate dialogue between political actors in any way possible.<sup>8</sup>

On November 20, 2020, the leaders of the eight opposition parties that exceeded the 1% threshold in the October 31 elections met individually with US and EU Ambassadors Kelly Degnan and Carl Hartzel.

The European Union has decided to step up its efforts to help Georgia overcome the acute political crisis. During a visit to Tbilisi, European Council President Charles Michel forced the authorities and the opposition to sit down at the negotiating table again. Approval of a new six-point plan could help the country emerge from the crisis envisaged ambitious electoral and judicial reforms, a solution to alleged political prisoners, the possibility of new elections, and power-sharing in the Parliament. In cooperation with High Representative for Foreign Affairs and Security Policy Josep Borrell, Charles Michel mandated a delegate Christian Danielsson to engage in political compromise-based dialogue.<sup>9</sup> The two-round mission of Christian Danielson failed, and the Georgian authorities and the opposition did not find sufficient responsibility for compromise and agreement.

The new document entitled "*A way ahead for Georgia*"<sup>10</sup>, presented by the European Council President, covers many important issues to help overcome the political crisis. Charles Michel's proposal covers electoral and justice reforms, provides amnesty for political detainees, also envisages that early parliamentary elections shall be called in 2022 if the Georgian Dream party receives less than 43% of valid proportional votes in the October 2021 local self-government elections. This compromise document was signed on April 19, 2021, by six opposition parties and

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<sup>7</sup>"Agenda, European Georgia, Girchi, Strategy Aghmashenebeli, Lelo Continue 'Long, Peaceful Protest,'" n.d., <https://agenda.ge/en/news/2020/3547>.

<sup>8</sup> "The Meeting of the Faction 'Our Georgia – Independent MPs' with the German Ambassador," <https://parliament.ge/en/print/news/the-meeting-of-the-faction-our-georgia-independent-mps-with-the-german-ambassador>.

<sup>9</sup> Panchulidze Elene and Young Richard, "Defusing Georgia's Political Crisis: An EU Foreign Policy Success?," <https://carnegieeurope.eu/2021/05/10/defusing-georgia-s-political-crisis-eu-foreign-policy-success-pub-84494>.

<sup>10</sup> "*A Way Ahead for Georgia*". Proposal by President of the European Council Charles Michel to the Representatives of Georgian Political Parties (blog), accessed August 26, 2021, <https://euneighbours.eu/en/east/stay-informed/publications/way-ahead-georgia-proposal-president-european-council-charles>.

the ruling party GD. However, the United National Movement (UNM) and European Georgia refused to sign the document because it did not contain items on holding early elections and releasing two political opponents of the ruling force from prison. However, they informally agreed with another main principle: to end the boycott of Parliament. After that, Charles Michel presented a new document, which referred to the pardon of all persons arrested in connection with the riots during the anti-government protests in 2019.<sup>11</sup> After the parliamentary majority of the Georgian Dream resumed the appointment of Supreme Court judges, the opposition accused the ruling party of violating the Agreement. Resolution signed by the parties reflects their commitment to the European course and its transatlantic aspirations only if it has fully implemented the terms of the agreement to allow political stability to prevail.

After one hundred days of signing the agreement with the opposition, the Georgian Dream Irakli Kobakhidze President believes that "*the agreement has already fulfilled its mission and was exhausted*"<sup>12</sup> afterwards announced that they are pulling out of an EU-brokered deal with the opposition. Georgian National Platform expressed indignation at the decision taken by the ruling party to cancel the April 19 agreement.<sup>13</sup>

The President of the European Council, Charles Michel, on July 19 in Batumi, repeated the messages sent earlier from Brussels to Tbilisi that the measures taken by the government violated the agreement signed between the political forces. None of the sides is talking about details, but we still can say something from the whole picture. The government did not agree that the two main demands of this agreement were significant for the opposition.

The EU's particular interest in Georgia's political processes can be further exemplified by its attempt to reconfirm its role as a mediator and to emphasize the importance of democracy and the rule of law in the wider region, in a riposte to Moscow.

Part of the added value of the EU confirms its role as a strategic development partner for Georgia and bringing in a compromise-based policy component as its field presence in regulating political crisis. The first two rounds of negotiations failed because negotiations showed an unfortunate feature of Georgian politics - it is always a zero-sum game, without compromising space. The most difficult to negotiate were the following points: the redistribution of power in the Parliament and changing the electoral system to a proportional. This is particularly worried of

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<sup>11</sup>Нестан Чарквиани, "Политический Кризис в Грузии Близится к Завершению", Golos Ameriki, <https://www.golosameriki.com/a/georgia-political-crisis-mediation/5858758.html>.

<sup>12</sup>Giorgi Lomsadze, "Georgian Ruling Party Walks out on Critical Political Agreement," *Euroasianet* (blog), accessed August 21, 2021, <https://eurasianet.org/georgian-ruling-party-walks-out-on-critical-political-agreement>.

<sup>13</sup>Eastern Partnership Civil Society Forum, *Statement of Georgian National Platform on the Decision of the Ruling Party to Cancel the Agreement* (blog), n.d., [https://eap-csf.eu/wp-content/uploads/GNP-Statement\\_Decision-to-Cancel-the-Agreement.pdf](https://eap-csf.eu/wp-content/uploads/GNP-Statement_Decision-to-Cancel-the-Agreement.pdf).

the opposition not to leave all the CEC control levers in the hands of the ruling party. The number of existing committees in Parliament has been reduced from 15 to 13, and opposition representatives should lead five of them.

## **Conclusions**

As a result, over the six months, Georgia has faced a severe political post-electoral crisis. Because the concern arises when the Georgian administration most of all needed external support. Under these conditions, the erupted political crisis in Georgia weakened Georgia's position in geopolitics in the South Caucasus. However, with the mediation of the EU, this issue has been resolved, at least temporarily. The reluctance of the parties to the agreement shows a tendency of the inability toward long-term tension reduction.

Thus, during Danielson's return visit to Tbilisi, at the beginning of the last phase of the mediation, the participants in the negotiation process correctly analyzed the importance of the success of the negotiation process. Charles Michel personally helped broker the agreement. The deal was supposed to pave the way for at least formal cooperation between Georgian Dream and several opposition parties following the last disputed parliamentary elections. During negotiations, the EU was equidistant, pressing both sides to consider concessions to unblock the crisis through a democratic relaunch. Therefore the success (and failure) of EU mediation is heavily reliant on how the EU can work together with stakeholders to assess the effectiveness of the mediation.

Despite the agreement's failure, politicians at the negotiating table have been allowed to take appropriate measures for the historic election of Georgian citizens by compromise. At the same time, according to the opposition, the whole negotiation process had at least one positive result - Western partners saw that the ruling party are not involved in reforming the electoral and judicial system. Regardless of the plans and actions of a particular political party, the ruling party is responsible for developing a positive agenda, fulfilling its international obligations, despite the actions of the radical opposition, and ensuring the resolution of internal and external development issues.

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