48th SESSION

Report
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The situation of local and regional democracy in Georgia

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Summary

1. L: Chamber of Local Authorities/R: Chamber of Regions.
EPP/CCE: European People's Party Group in the Congress.
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats.
ILDG: Independent Liberal and Democratic Group.
ECR: European Conservatives and Reformists Group.
NR: Members not belonging to a political group of the Congress.

DRAFT RECOMMENDATION

1. The Congress of Local and Regional Authorities of the Council of Europe ("the Congress") refers to:

a. the principles laid down in the European Charter of Local Self-Government (ETS No. 122), which was ratified by Georgia in 2004, as well as the Additional Protocol to the European Charter of Local Self-Government on the rights to participate in the affairs of a local authority (CETS No. 207), ratified by Georgia in 2019;

b. Congress Recommendation 477 (2022) "Local elections in Georgia (2 October 2021)"

c. Congress Recommendation 476 (2022) "The situation of independent candidates and the opposition in local and regional elections";

d. Congress Recommendation 426 (2018) "Local and regional democracy in Georgia";

e. Congress Declaration 10 (2024) "The situation in Georgia", adopted during the 47th Session of the Congress, in which its members expressed deep concern over clear signs of democratic backsliding and the weakening of human rights in Georgia, marked by increased polarisation of society and the enactment of legislation that ran counter to Council of Europe standards;

f. the statement adopted by the Congress Bureau on 10 February 2025 on the urgent situation in Georgia, which called on the government of Georgia "to fully respect European standards […] paving the way to free and fair repeat elections at the national level, free and fair elections at the local level and the just treatment of all Georgians including locally elected representatives", as well as the statements of the Congress President with respect to Georgia on 15 May 2024, 18 September 2024 and 27 October 2024;

g. the report of the Parliamentary Assembly on the Observation of the parliamentary elections in Georgia, 26 October 2024;

h. the statement of the Council of Europe Secretary General on his country visit to Georgia, released on 20 December 2024, and subsequent declarations;

i. the Venice Commission Code of Good Practice on Electoral Matters (2002), its interpretative declaration on the stability of electoral law and recent Venice Commission opinions on Georgia;

j. the statement made by the Council of Europe Commissioner for Human Rights following his country visit to Georgia in January 2025, "Protect freedom of assembly and expression, ensure accountability for human rights violations and end stigmatisation of NGOs and LGBTI people".

2. The Congress recalls the Reykjavik Declaration (2023), endorsed by all Heads of State and Government, including the then Prime Minister of Georgia, in particular Appendix III on the Reykjavik Principles for Democracy (2023), which applies to all levels of government and states "We will meet our obligations under international law. We will prevent and resist democratic backsliding on our continent […] by enhancing our shared commitments as member States of the Council of Europe";

3. The Congress reaffirms that local and regional authorities are key in upholding and defending democracy, human rights and rule of law, not only within their communities, but as part of the system of checks and balances which represents the backbone of a genuine pluralistic democracy. It underlines the crucial importance of ensuring and guaranteeing a secure and trust-based environment for genuine, open and constructive dialogue, as well as space for the opposition, as is required in a pluralist democracy. It stresses that the right of local authorities to exercise self-government without fear of persecution or retaliation must be guaranteed regardless of the political views of their leaders and representatives.

4. The Congress also reiterates that genuine local democracy allowing all citizens to freely form and express their opinion on the matters closest to them cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised without discrimination.

5. It highlights its commitment to pursuing constructive political dialogue with the Georgian authorities, notably in the framework of a high-level visit to Georgia. This high-level visit was carried out on behalf of the Congress by the President and the Chamber Presidents on 3-4 February 2025. On 10 February 2025, the Congress Bureau instructed the Chamber Presidents to present their report on the situation of local and regional democracy in Georgia to the Congress at its 48th Session in March 2025.

6. The Congress wishes to thank the authorities for facilitating the high-level visit, which allowed the delegation to hold open discussions with various institutions at all levels of government. The delegation also exchanged views with representatives of the opposition and civil society.

7. Based on the findings of the above-mentioned high-level visit of its three Presidents, the Congress expresses its concern on the following issues:

a. amid deepening polarisation in Georgia, the rapid and dramatic democratic backsliding observed over the past two years, has affected local democracy in Georgia increasingly: this has intensified in the aftermath of the 2024 parliamentary election, which were rejected by all opposition parties, domestic and some international election observers, notably due to concerns over their integrity, and of the decision to halt Georgian EU accession on 28 November 2024;

b. the progressive marginalisation of the opposition from the political scene and the lack of dialogue between the authorities and the opposition has led to a *de facto* absence of political pluralism, including in municipal councils. This situation has led to an excessive concentration of power by the ruling party, and has prompted the opposition to boycott all decision-making bodies, shrinking the space for negotiation and mediation;

c. following the highly controversial adoption of the Law on Transparency of Foreign Influence and the Foreign Agents Registration Act (FARA) adopted in first reading, there has been increased intimidation and stigmatisation of NGOs and dissenting voices in the media, which work under increasingly challenging conditions, undermining their freedom of association and freedom of expression. In a democratic society, freedom of expression must be protected, supported and promoted irrespective of whether it is critical of the government, and even if it is influenced by international discourse;

d. the brutal repression of peaceful protesters and opponents by law-enforcement authorities in many cities and particularly in the capital city of Tbilisi, has violated both the freedoms of expression and assembly. Moreover, freedom of assembly in Georgia has been negatively affected by recent legal amendments to increase sanctions and offences related to public demonstrations, which according to the Venice Commission introduced “vague and broadly framed provisions, granting the authorities [including local authorities] excessively broad discretion in their application”. This situation forced to local authorities to take decisions that are not compliant with democratic standards;

e. the instrumentalisation of public institutions including at local level, has resulted in numerous reports of dismissals, intimidation and pressure on civil servants, facilitated by the adoption of amendments to the Law on Public Service;

f. the recent findings by both international and domestic observers have also raised concerns regarding the politicisation of public administration, widespread misuse of administrative resources and pressure on voters during electoral campaigns, unduly tilting the playing field between candidates and distorting voters’ will;

g. the legal framework applicable to local elections in Georgia has been amended repeatedly, more than 20 times since the last elections without extensive consultations and broad consensus, which is not in line with the principle of stability of electoral law. The amendments have reinforced the dominant position of the ruling party in the Central Election Commission, undermining its independence, and have also wound back fundamental rules pertaining to the electoral system, gender quotas and the establishment of electoral districts.

h. consequently, the many shortcomings and challenges affecting the respect of democracy, rule of law and human rights have led to a collapse in public confidence in democratic institutions for large

parts of the Georgian population, and notably the young people, and damaged local democracy, which is not conducive to holding the 2025 local elections in a trust-based environment; in fact, it risks exacerbating the situation.

8. In the light of the above, the Congress invites the Georgian authorities, as regards the overall situation of local and regional democracy, to:

a. urgently resume political dialogue at all levels of government, through an inclusive political process which engages all stakeholders, including local authorities, opposition and civil society, to reduce polarisation, restore the checks and balances essential in a pluralist democracy and regulate the participation rights of the opposition;

b. repeal legislation in breach of human rights, in particular the Law on Transparency of Foreign Influence, and refrain from enacting the FARA adopted in first reading, and avoid taking any actions that would further impede the indispensable work of civil society and have a chilling effect on media outlets or undermine the foundations of democracy, all of which would be detrimental to local self-government in Georgia;

c. thoroughly investigate instances of arbitrary arrests and violent actions towards non-violent protesters and journalists at local level, as recommended by the Human Rights Commissioner, release those who are detained including Ms Mzia Amaghlobeli, and, as requested by the Venice Commission in its urgent opinion on amendments to the Code of administrative offences and the Law on assemblies and demonstrations CDL-PI(2025)004, ensure lawfulness, necessity and proportionality in the sanctions for offences related to public demonstrations in municipalities;

d. repeal the contentious amendments of the Law on Public Service and reintegrate employees of local public service dismissed on the basis of these provisions.

9. As regards elections, the Congress urges the Georgian authorities to restore the conditions for a democratic environment ahead of the 2025 local elections, in accordance with the Venice Commission Code of Good Practice on Electoral Matters and previous Congress Recommendations, as these constitute preconditions for the holding of free and fair elections, and in particular to:

a. repeal the amendments adopted in December 2024 to return to the ratio of proportional and majoritarian seats established following the 2021 broad political agreement, and, in accordance with Congress Recommendation 390 (2016) “Women’s political participation and representation at local and regional levels”, reinstate the gender quota applicable for candidates in local elections;

b. undertake comprehensive legislative reform to address the major shortcomings identified in this field;

c. stop cases of voter intimidation, pressure on public employees, vote buying and electoral violence and proactively investigate and sanction any such cases when they occur;

d. guarantee the independence of the election administration and return to consensus-based decision-making involving the opposition parties in the election administration, and step up the effectiveness of existing legal provisions to prevent misuse of administrative resources;

e. take steps to encourage the opposition to take part in political processes and guarantee fair speaking time in all the media, especially the public media, for all the political parties;

f. secure the right of domestic election observers and continue to regularly invite the Congress to observe local elections in the country and in particular the upcoming local elections;

g. carry out civic education programmes for all stakeholders to mainstream democratic principles.

10. The Congress calls on the Committee of Ministers and the Parliamentary Assembly of the Council of Europe to take account of this recommendation and the explanatory memorandum contained in document CG(2025)48-xx in their activities with respect to Georgia.

DRAFT RESOLUTION

1. The Congress of Local and Regional Authorities of the Council of Europe ("the Congress") refers to:

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f. the statement adopted by the Congress Bureau on 10 February 2025 on the urgent situation in Georgia, which called on the government of Georgia "to fully respect European standards […] paving the way to free and fair repeat elections at the national level, free and fair elections at the local level and the just treatment of all Georgians including locally elected representatives", as well as the statements of the Congress President with respect to Georgia on 15 May 2024, 18 September 2024 and 27 October 2024;

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5. It highlights its commitment to pursuing constructive political dialogue with the Georgian authorities, notably in the framework of a high-level visit to Georgia. This high-level visit was carried out on behalf of the Congress by the President and the Chamber Presidents on 3-4 February 2025. On 10 February 2025, the Congress Bureau instructed the Chamber Presidents to present their report on the situation of local and regional democracy in Georgia to the Congress at its 48th Session in March 2025.

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a. amid deepening polarisation in Georgia, the rapid and dramatic democratic backsliding observed over the past two years, has affected local democracy in Georgia increasingly: this has intensified in the aftermath of the 2024 parliamentary election, which were rejected by all opposition parties, domestic and some international election observers, notably due to concerns over their integrity, and of the decision to halt Georgian EU accession on 28 November 2024;

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c. following the highly controversial adoption of the Law on Transparency of Foreign Influence and the Foreign Agents Registration Act (FARA) adopted in first reading, there has been increased intimidation and stigmatisation of NGOs and dissenting voices in the media, which work under increasingly challenging conditions, undermining their freedom of association and freedom of expression. In a democratic society, freedom of expression must be protected, supported and promoted irrespective of whether it is critical of the government, and even if it is influenced by international discourse;

d. the brutal repression of peaceful protesters and opponents by law-enforcement authorities in many cities and particularly in the capital city of Tbilisi, has violated both the freedoms of expression and assembly. Moreover, freedom of assembly in Georgia has been negatively affected by recent legal amendments to increase sanctions and offences related to public demonstrations, which according to the Venice Commission introduced “vague and broadly framed provisions, granting the authorities [including local authorities] excessively broad discretion in their application”. This situation forced to local authorities to take decisions that are not compliant with democratic standards;

e. the instrumentalisation of public institutions including at local level, has resulted in numerous reports of dismissals, intimidation and pressure on civil servants, facilitated by the adoption of amendments to the Law on Public Service;

f. the recent findings by both international and domestic observers have also raised concerns regarding the politicisation of public administration, widespread misuse of administrative resources and pressure on voters during electoral campaigns, unduly tilting the playing field between candidates and distorting voters’ will;

g. the legal framework applicable to local elections in Georgia has been amended repeatedly, more than 20 times since the last elections without extensive consultations and broad consensus, which is not in line with the principle of stability of electoral law. The amendments have reinforced the dominant position of the ruling party in the Central Election Commission, undermining its independence, and have also wound back fundamental rules pertaining to the electoral system, gender quotas and the establishment of electoral districts.

h. consequently, the many shortcomings and challenges affecting the respect of democracy, rule of law and human rights have led to a collapse in public confidence in democratic institutions for large

parts of the Georgian population, and notably the young people, and damaged local democracy, which is not conducive to holding the 2025 local elections in a trust-based environment; in fact, it risks exacerbating the situation.

8. In the light of the above, the Congress:

a. instructs the Monitoring Committee to continue its work to extend the guarantees for free and fair elections applicable to local and regional electoral processes and to delay the visit to monitor the application of the European Charter of Local Self-Government to after the upcoming local elections;

b. stands ready to carry out, if necessary, a fact-finding or high-level visit, depending on the progress made on fulfilling the points raised in Recommendation XX (2025) and invites the Standing Rapporteur on Human Rights to take part in such a visit to assess the situation of human rights at local level in the country;

c. invites its Bureau and Monitoring Committee to introduce a standing item on the agendas of their future meetings to discuss the situation of local democracy in Georgia until Recommendation XXX (2025) has been fully implemented;

d. continues to support the implementation of the Council of Europe Action Plan for Georgia (2024-2027) through dedicated cooperation projects; and in particular, reinforce the capacities of local authorities and their representative association, to work as a fully-fledged intermediary to promote the needs and identify the challenges existing at local level;

e. calls on the National Association of Local Authorities of Georgia to ensure that it serves as the representative body of all local authorities, not only those in which the majority of seats are held by the ruling party and that all political actors take part in its work;

9. The Congress stands ready to pursue its political dialogue with the delegation of Georgia to the Congress, in its full composition, to cooperate on the implementation of Recommendation XXX (2025) and the present Resolution.

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1. INTRODUCTION

1. Over the past years, the Congress of Local and Regional Authorities of the Council of Europe ("the Congress") has expressed increasing concern regarding political developments in Georgia, particularly in relation to democratic principles, human rights, and the treatment of locally elected representatives.

2. In May 2024, the President of the Congress, Marc Cools, expressed his preoccupation regarding the adoption of the Transparency of Foreign Influence Law and in July 2024, the Monitoring Committee adopted a statement to express its deep concern regarding the tensions and increasing polarisation within Georgian society, fuelled by the adoption of legislation which did not align with European democratic norms and standards.[2]

3. In September 2024, the Congress President deplored the adoption by the Parliament of Georgia of the legislation "On protecting family values and minors". He stated that :"This legislation seems fundamentally at odds with the principles enshrined in the European Convention on Human Rights and a draft constitutional law with similar content previously received a critical opinion from the Venice Commission. It denies LGBTI people their human dignity, undermining the values of equality, inclusion and diversity that underpin cohesive democratic societies and which the Congress resolutely defends and promotes across regions and municipalities in Europe and beyond."[3]

4. On 17 October 2024, the Congress adopted a declaration highlighting "clear signs of democratic backsliding and the weakening of human rights" in Georgia. The declaration emphasised the country's growing societal polarisation and the enactment of legislation contrary to Council of Europe standards, in particular the law on transparency of foreign influence and the anti-LGBTI legislative package. These developments have been condemned by other Council of Europe bodies and the international community as well. However, the Congress also reaffirmed its commitment to constructive political dialogue with the Georgian authorities, proposing a high-level visit to facilitate discussions.[4]

5. After the country's parliamentary elections on 26 October 2024, the President of the Congress expressed his preoccupation regarding deepening political divisions in Georgia,[5] and the fact that the elections were marred by an uneven playing field, pressure and tension, even if they were organised efficiently.[6]

6. By December 2024, the situation prompted the Congress Bureau to issue a declaration condemning the violence against locally elected representatives in Georgia. The Bureau underlined that, as a Council of Europe member State, Georgia is obliged to uphold democratic values, the rule of law and human rights and that adherence to these principles is essential for Georgia's continued membership in the Council of Europe.[7] The Congress has continued to follow the situation closely, advocating for the protection of local democracy and the safety of elected officials.

7. On 13 December 2024, Stewart Dickson, United-Kingdom (R, ILDG), Congress Spokesperson on local and regional elections, expressed his concern about the proposed amendments to the Electoral Code on the electoral system which were being considered through an expedited procedure in the Parliament of Georgia. Later adopted, these amendments, planned to be implemented in the 2025 local elections, reduce the share of councillors elected in the municipal councils via a proportional system, while increasing the number of majoritarian members, thus partially returning to the situation of 2017. He deplored that "rules that change frequently, notably on decisive aspects of seat allocation, may confuse voters and ultimately impact the trust citizens put in the democratic process". He called on the Georgian authorities to refrain from a hasty adoption of these draft amendments, without open dialogue and consultations with representatives of all political forces, local authorities and NGOs, and to ensure that the stability and integrity in electoral processes at all levels are fully respected.

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2 https://www.coe.int/en/web/congress/-/council-of-europe-congress-statement-by-the-monitoring-committee-on-the-situation-in-georgia?p_l_back_url=%2Fen%2Fweb%2Fcongress%2Fnews%3Fq%3Dtbilisi

3 https://www.coe.int/en/web/congress/-/congress-president-deplores-adoption-of-anti-lgbti-legislation-in-georgia?p_l_back_url=%2Fen%2Fweb%2Fcongress%2Fnews%3Fq%3Dgeorgia%26delta%3D20%26start%3D1

4 Congress, Declaration 10 (2024) "The situation in Georgia".

5 https://www.coe.int/en/web/congress/-/congress-president-expresses-deep-concern-about-the-draft-law-in-georgia-1?p_l_back_url=%2Fen%2Fweb%2Fcongress%2Fnews%3Fq%3Dgeorgia%26delta%3D20%26start%3D2

6 Congress, Georgia elections: Congress President expresses concern over deepening political divisions, 27 October 2024.

7 Congress Bureau, Declaration on the situation in Georgia, 5 December 2024.

8. In view of the forthcoming local elections, the Congress President, by letter of 23 December 2024, also asked for an opinion from the Venice Commission on proposed amendments to the Electoral Code which modified the ratio of proportional and majoritarian seats in local councils established following the 2021 broad political agreement.

9. At the same time, the Bureau reaffirmed the commitment of the Congress to constructive political dialogue with the Georgian authorities. As a result, in December 2024, the three Presidents of the Congress decided to carry out a visit of the Presidents to Georgia. This visit took place on 3-4 February 2025 and aimed at gathering first-hand information about the current political situation of local authorities in the country. The objective of the mission was also to assess the difficulties faced by local authorities in light of the current political situation and to address recommendations to national authorities in the light of European standards, to which Georgian authorities are committed.

10. Congress President Marc Cools (Belgium, L, ILDG), President of the Chamber of Regions, Cecilia Dalman Eek (Sweden, R, SOC/G/PD) and President of the Chamber of Local Authorities, Bernd Vöhringer (Germany, L, EPP/CCE), accompanied by Congress Secretary General Mathieu Mori, met various Georgian institutions, as well as local authorities of all main political parties and representatives of NGOs. The programme of the visit is appended to the present report.

11. The Congress wishes to thank all interlocutors for their open and constructive dialogue in the framework of this visit and thanks the Permanent Representation of Georgia for facilitating the organisation high-level visit.

2. RELATIONS BETWEEN THE CONGRESS AND GEORGIA

12. In 1999, Georgia became the 41st member State of the Council of Europe. Georgia accepted the obligations incumbent on all member States under Article 3 of the Statute, i.e. compliance with the principles of pluralist democracy and the rule of law as well as respect for human rights and fundamental freedoms of all persons placed under its jurisdiction.[8] To date the country has signed and ratified numerous treaties and protocols of the Council of Europe and is subject to a number of Council of Europe monitoring mechanisms.[9]

13. Georgia has ratified the European Charter of Local Self-Government (ETS No. 122) in 2004, as well as its Additional Protocol on the rights to participate in the affairs of a local authority in 2019. Since the ratification of the European Charter on Local Self-Government by Georgia 20 years ago, the Congress has built a strong and longstanding relationship with Georgia, through cooperation activities and regular monitoring reports and election observation missions. It has witnessed the progress accomplished by this member State since the ratification of the Charter.

14. The last monitoring visit was held in 2018 and led to the adoption of Recommendation 426(2018) on local and regional democracy in Georgia. The report highlighted the substantial progress achieved by Georgia in the field of local democracy since the previous Congress monitoring visit (2013).[10] However, the rapporteurs expressed their concerns about difficulties faced by some opposition members in access to information held by municipal administrations and the risks of over-concentration of power in the hands of the mayor in view of his/her role in the appointment of deputy mayors. Already back in 2018, the rapporteurs suggested adopting various measures aimed at restoring mutual trust between the representatives of the ruling party and the opposition which they deemed necessary for the proper functioning of local democracy. Positively, Georgia also ratified the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority in 2019, just after the monitoring visit.

8 Statute of the Council of Europe (ETS No. 1).
9 Council of Europe Treaty Office, Treaty list for Georgia: signatures with ratification and Treaty list for Georgia: signatures without ratification.
10 The rapporteurs positively noted the integration of the subsidiarity and commensurability principles and the clause of general competence into the Constitution and inter alia, the development of a comprehensive reform strategy for decentralisation and modernisation of local government, the introduction of direct election of mayors, the strengthening of the financial capacity of local self-government and the constitutional status of the Autonomous Republic of Adjara, the modernisation of the auditing system and the official recognition of the representative position of the National Association of Local Authorities of Georgia (NALAG). See for more details, Congress of Local and Regional Authorities, CG35(2018)18final, Local and regional democracy in Georgia, 7 November 2018.

15. In 2021, the Congress observed local elections in Georgia for the eighth time since 2001. Despite a legal framework which was overall conducive to holding democratic elections, the Congress observers pointed out that the election legislation in Georgia remained unnecessarily complex and excessively regulated many aspects of the process. The overall unlevel playing field, emanating from the dominance of the ruling party, pressure on voters, and alleged cases of vote-buying were features of these elections which raised the concern of the Congress delegation. Moreover, frequently observed practice of domestic observer organisation representatives acting as party supporters as well as the intimidating presence of party activists outside some polling stations were another worrying finding of the Congress observers. In addition, from the perspective of the Congress delegation, due to the protracted political crisis, the elections were excessively focused upon national political issues, thus representing a missed opportunity for local democracy in Georgia.[11]

16. At the same time, Georgia adopted laws and implemented several reforms with the aim to strengthen decentralisation and to enhance civic engagement in decision-making, including the Article 7 of the Constitution of Georgia which introduced constitutional guarantees for local self-government, the adoption of the 2014 Self-Government Code, and of the Decentralisation Strategy 2020-2025. Georgia also implemented since 2014 the National Strategy for the Protection of Human Rights, accompanied by successive action plans.

17. Georgia has also benefited from co-operation programmes of the Council of Europe since 2006. Since 2013, three Action Plans have provided a strategic framework for co-operation with the Council of Europe in support of democratic reforms in Georgia.

18. The current Council of Europe Action Plan for Georgia 2024-2027 was adopted by the Committee of Ministers on 18 October 2023 and officially launched in Tbilisi on 18 January 2024.[12] This fourth Action Plan has been prepared in close consultation with the Georgian authorities and its priorities also reflect the recommendations set out in the European Commission's opinion on Georgia's application for European Union (EU) membership as well as Georgia's national reform agenda. The Action Plan is a strategic programming instrument that aims to bring Georgia's legislation, institutions and practice in line with European standards in the areas of human rights, democracy, and the rule of law.

19. One of the main results of previous Action Plans is a "reinforced National Association of Local Authorities of Georgia, as a fully-fledged intermediary to promote the needs and identify the challenges existing at local level before the central government with a view to securing efficient and effective localisation of human rights principles and increased engagement of citizens and civil society organisations (CSOs) in decision-making processes."[13]

3. CONTEXTUAL ELEMENTS ON THE POLITICAL SITUATION IN GEORGIA

20. Georgia is a parliamentary republic, which gained independence from the Soviet Union in 1991.[14] In 2003, parliamentary elections were widely denounced as fraudulent which sparked the 'Rose Revolution' and brought to power the United National Movement (UNM), which it kept until 2012. In August 2008, the Russian Federation invaded the territories of Abkhazia and South-Ossetia, resulting in these two territories, representing 20% of Georgia, being occupied.[15]

21. Since 2012, the political landscape is dominated by the ruling Georgian Dream (GD) under the political and financial leadership of its founder Bidzina Ivanishvili, while the UNM is considered the strongest political opposition force. Prior to the 2024 parliamentary elections, the Parliament of Georgia was elected under a mixed majority and proportional electoral system, and was constituted of 90 seats for the GD out of a total of 150 seats, 36 for UNM and the remaining seats were split between other

11 Congress, Recommendation 426 (2018) and Report CG35(2018)18, Local and regional democracy in Georgia and Report on the Local elections in Georgia (2 October 2021).
12 Council of Europe Action Plan for Georgia 2024-2027.
13 Council of Europe Action Plan for Georgia 2024-2027, p.8.
14 The following section is based upon: EPRS | European Parliamentary Research Service (author: Anna Caprile), Georgia at a crossroads: October 2024 parliamentary elections, PE 762.474 – October 2024, p. 1-6.
15 In July 2024, the Monitoring Committee reaffirmed its full support to the independence, sovereignty and territorial integrity of Georgia within its internationally recognised borders, while 20% of Georgian territory is occupied by Russia. See https://www.coe.int/en/web/congress/-/council-of-europe-congress-statement-by-the-monitoring-committee-on-the-situation-in-georgia?p_l_back_url=%2Fen%2Fweb%2Fcongress%2Fnews%3Fq%3Dgeorgia%26delta%3D20%26start%3D1

parties. While international observers noted that the elections had been 'competitive and administered efficiently', they also regretted that 'widespread allegations of pressure on voters and the blurring of the line between state and ruling party reduced public confidence in some areas of the process'. The opposition rejected the election results, alleging fraud. They boycotted the second round of elections and refused to take their seats in parliament.

22. Following the signature of an EU-brokered agreement (also known as the Charles Michel Agreement), the political deadlock was resolved in April 2021. It included the cooperation between the GD and several opposition parties. It entailed the return of the opposition in Parliament, the change to a fully proportional electoral system for legislative elections and an ambitious justice sector reform as well as a redistribution of power. It also integrated the possibility of early parliamentary elections in 2022 if GD failed to reach 43% of the votes in the 2021 local elections.[16] However, GD later withdrew from the agreement in July 2021, citing the fact that two opposition parties had not signed it.

23. The 2021 local elections further solidified the ruling party's power at local level, with GD winning 63 out of 64 mayoral elections. It also won the local council elections, as only three municipal councils had a majority of opposition parties. The Congress, alongside other international observers, noted that the local elections had been “marred by widespread and consistent allegations of intimidation, vote-buying, pressure on candidates and votes […] and an uneven playing field”.[17] The Congress observers noticed “a number of irregularities that, to some extent, affected the quality of the election process. Apart from the overwhelming focus on national politics during the campaign, which overshadowed local issues, there were notable cases of undue advantage of the incumbency, misuse of the role of citizen observers acting, de facto, as party representatives, and several other inappropriate practices.” The observers recommended improving legal provisions to prevent the misuse of administrative resources, introducing measures to fight hate speech and fake news online, strengthening existing provisions to increase participation of women in local politics (only three of the 64 newly elected mayors were women), preventing the practice of representatives of election observation organisations acting, *de facto*, as party supporters; and finally, strengthening the regulatory framework ensuring transparency and accountability of campaign finances.[18]

24. Since 2018, the goal of 'full integration' into the EU and NATO has been enshrined in Georgia’s Constitution (Article 78), creating a constitutional obligation for constitutional bodies to take all measures within the scope of their competences to ensure this goal is reached. Opinion polls show that popular support for EU integration often reaches 80%, while support for NATO integration is closer to 60%.[19] Following the start of Russia's war of aggression against Ukraine in February 2022, the two contrasting foreign policy objectives, between support to EU accession and reconciliation with Russia, have appeared to be increasingly difficult to reconcile.

25. Georgia was granted EU candidate status on 14 December 2023, on the condition that the country made progress in nine key areas.[20] Since then, however, the ruling party has introduced a number of legislative acts considered contrary to EU values. On 3 April 2024, the chairperson of the parliamentary faction of the ruling Georgian Dream party, Mr Mamuka Mdinaradze, announced the introduction of a bill entitled the “Law on Transparency of Foreign Influence”. A previous version of this law had been put forward in March 2023 and withdrawn following widespread demonstrations, but the ruling party decided to re-introduce it after slightly amending the wording.[21]

26. The Law on Transparency of Foreign Influence was adopted, after overriding the presidential veto, on 28 May 2024.[22] While introduced as a law to counter foreign interference and disinformation, its wording remains vague and allows the authorities to exercise excessive administrative or political

16 https://www.eeas.europa.eu/sites/default/files/210418_mediation_way_ahead_for_publication_0.pdf
17 https://www.osce.org/odihr/elections/georgia/499468
18 Congress Report on the Local elections in Georgia (2 October 2021).
19 https://www.ndi.org/publications/ndi-poll-georgian-citizens-remain-committed-eu-membership-nation-united-its-dreams-and and https://www.commonspace.eu/news/large-majority-georgians-support-eu-membership-survey-finds
20 https://commission.europa.eu/news/enlargement-commission-recommends-starting-accession-negotiations-ukraine-moldova-bosnia-and-2023-11-08_en
21 The term “agent of foreign influence” was replaced by “organisation pursuing the interests of a foreign power”, but the rest of the text was largely retained in its original form.
22 The Public Defender of Georgia called on the authorities not to override the presidential veto, as more dialogue was needed on this proposal. See Public Defender of Georgia, “Public Defender Calls on Parliament not to Override Veto on Law on Transparency of Foreign Influence”, 27 May 2024.

control over civil society and the media by controlling their sources of funding. In short, organisations which receive more than 20% of their total annual income from one or more foreign sources would have to register as pursuing the aims of a foreign power and submit reports on their activities or face heavy fines in case of non-compliance. The 20% threshold has been deemed low and arbitrary by the Venice Commission.[23]

27. The adoption of the law was also marred by systematic pejorative rhetoric on CSOs by the authorities, aiming to undermine trust of the public in reputable NGOs and independent media, in particular critical ones, during a tensed pre-election period. The stigmatisation of NGOs adversely impacted the working conditions of independent media and NGOs, which need foreign funding to carry out their activities.[24]

28. The hasty adoption and damaging content of this law was condemned by the Council of Europe, the European Union,[25] the OSCE/ODIHR,[26] the UN Human Rights High Commissioner,[27] the USA[28] and other partners of Georgia. It was largely perceived as potentially detrimental for freedom of speech and association in Georgia,[29] as it could stifle the work of civil society organisations, in particular the ones working on electoral integrity and/or critical of the ruling party.[30] On 30 June 2024, the European Council stated that the adoption of this law de facto resulted in a halt of the accession process.[31]

29. This law represented another step of a wider U-turn away from European standards. In parallel to the adoption of the Foreign Influence Law, other rushed legal initiatives were passed in mid-2024, namely the abrogation of gender quotas, the adoption of amendments to the Electoral Code on the composition of the Central Election Commission and the Law on the protection of family values. As a result, the accession of Georgia to the European Union, only agreed upon under conditions in December 2023, was put on hold by the EU and the USA put cooperation with Georgia on halt, while considering sanctioning its ruling elite.[32]

30. In June 2024, the Venice Commission issued an opinion on the amendments to the Election Code that abolished gender quotas.[33] Expressing its concern that removing these quotas could hinder women's political participation and representation, the Commission recommended that Georgia consider reinstating them or implementing alternative measures to ensure balanced gender representation in elected bodies.

31. Also in June 2024, the Venice Commission published its follow-up opinion on the June 2024 draft amendments to the Electoral Code and the Rules of Procedure of the Parliament, stressing its concern that none of the recommendations had been taken into account by the Georgian authorities and that the amendments to the Electoral Code were made less than a year before the parliamentary elections,

23 In Georgia, due to the lack of public funding and the difficulty to fundraise locally, NGOs traditionally get funding by international organisations, such as the EU or the Council of Europe, embassies and foreign affairs ministries or private foreign donors. The NGO sector in Georgia is vibrant and has contributed to democratisation of Georgia since the early 1990s.
24 See interview of Professor Stephen Jones, Director of the Program on Georgian Studies at Harvard University, "Georgian Dream Is 'Isolated' And The 'Foreign Agent' Law Is Just 'A Way To Maintain Power'", 15 May 2024.
25 European Union, "Statement by President von der Leyen on the situation in Georgia", 1 May 2024.
26 OSCE/ODIHR, "Georgian authorities should reconsider legislation impacting civil society, international human rights office ODIHR says", 23 May 2024.
27 UN Office of the High Commissioner for Human Rights, "Georgia: UN experts condemn adoption of Law on Transparency of Foreign Influence", 15 May 2024
28 LUKIV J. "US reviews Georgia ties over 'foreign agent' law", BBC, 24 May 2024.
29 This law was compared by the Venice Commission to the ones enacted in the Russian Federation, Hungary and Kyrgyzstan and considered for adoption in the Republika Srpska of Bosnia and Herzegovina (since then, withdrawn). These laws rely on excessively ambiguous and wide wording to be used at the discretion of the national authorities and risk having a chilling effect on freedom of expression and association. See Venice Commission, CDL-AD(2024)020e, "Urgent Opinion on the Law of Georgia on Transparency of Foreign Influence, issued on 21 May 2024, pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure, endorsed by the Venice Commission at its 139th Plenary Session (Venice, 21-22 June 2024)".
30 To see an exert of international reactions to reintroduction of the law in 2024, see: International Reactions to Reintroduction of Draft Law on Foreign Agents – Civil Georgia, 17 April 2024.
31 https://www.consilium.europa.eu/en/meetings/european-council/2024/06/27/
32 In December, the EU granted Georgia candidate status on the understanding that it would take nine steps, namely: combating disinformation, aligning foreign policy with the EU, reducing political polarisation, ensuring fair elections, strengthening parliamentary oversight, reforming the judiciary, fighting corruption, moving away from oligarchy, and protecting human rights. See EU Delegation to Georgia, "2023 Communication on EU Enlargement Policy (extract about Georgia) ", 8 November 2023 and full EU Georgia 2023 Report, 8 November 2023.
33 Venice Commission, Georgia - Opinion on amendments to the Election Code which abolish gender quotas, approved by the Council for Democratic Elections at its 80th meeting (Venice, 20 June 2024) and adopted by the Venice Commission at its 139th Plenary Session (Venice, 21-22 June 2024), CDL-AD(2024)023-e.

which undermined public confidence.[34] The Commission emphasised the need for a consensus-based process for appointing non-partisan CEC members and the Chairperson. It also criticised the anti-deadlock mechanism, which allows for a simple majority vote, as it risks allowing the ruling party to dominate the composition of the CEC, undermining both its independence and public trust. The OSCE/ODIHR expressed similar concerns about the lack of broad consensus and public consultation around the amendments.[35] However, the amendments were adopted, again overriding the President's veto.

32. In March 2024, the Speaker of Parliament announced that two constitutional draft laws – on Amendments to the Constitution of Georgia and on Family Values and the Protection of Minors – would be introduced by 84 MPs from the parliamentary majority. The proposal envisaged the addition of a paragraph to Article 30 of the Constitution of Georgia and modified 18 laws to ban same-sex marriage, the adoption of children by same-sex couples and medical interventions for sex change. The amendments would also strongly limit the possibility to organise gatherings, raise awareness or disseminate information on LGBTI+ matters in public spaces.

33. Rhetoric on the family values and anti-LGBTI speech increased dramatically after 17 May – International Day Against Homophobia, Biphobia and Transphobia – when the ruling party decided to make Family purity day, a day celebrated by the Orthodox Church since 2013, an official public holiday. Such rhetoric was still very much present during the campaign for the parliamentary elections.

34. For the Congress, while the consequences of this law are hard to forecast, the fundamental rights of LGBTI+ citizens could regularly be violated including at local level. The law remains incompatible with international human rights standards, and in particular the European Convention on Human Rights. The legislative proposal also raised many questions on the responsibilities of local authorities which may have to enforce these laws and bans in local communities, which would need to be clarified.

35. On 7 October 2024, the ruling party announced that the Parliament had initiated a new attempt to impeach President Salome Zourabichvili for violating the Constitution by making official visits abroad without the Prime Minister's consent. A previous attempt, on the same premise, failed in October 2023.

36. The 26 October 2024 parliamentary elections campaign environment was tense and polarised. The party in government since 2012, Georgian Dream, described the elections as a choice between 'peace and war'. Meanwhile, the opposition framed them as a choice between the democratic West and authoritarian Russia. For these elections, most opposition parties united into three coalitions: the "Coalition for Change" (*Ahali, Girchi* – More Freedom, *Droa!*, and Republican Party), "Strong Georgia" ("Strong Georgia – *Lelo*", For the People, Freedom Square, and Citizens), and "Unity – to Save Georgia" (UNM, European Georgia and *Strategy Aghmashenebeli*).

37. The 2024 parliamentary elections were held, for the first time, under a fully proportional election system. The 150 parliamentary seats are now allocated among the political parties that receive at least 5% of the valid votes cast by participating voters in the elections, in a single country-wide constituency (Article 37 of the Constitution).[36] Thus, the 2024 elections were held under a significantly revised legal framework. A number of changes, introduced in 2022, were adopted through broad consultations and with cross-party support. These changes partly addressed previous ODIHR recommendations.[37] All other amendments in 2024 were however adopted without broad consultations, at the sole initiative of the ruling party. Among the opposition and civil society, it led to a feeling that the framework was subject to political manipulation to change "the rules of the game".

38. Following the elections, international observers, including those from the Council of Europe, reported that the elections were marred by an uneven playing field, pressure and tension, though voters were offered a wide choice. The PACE/OSCE/NATO/European Parliament international observation

34 The Electoral Code has been amended seven times in 2024 and once in 2025. The Congress has requested an opinion of the Venice Commission on 23 December 2024 on the latest amendments, which should be adopted on 14 March 2025. https://matsne.gov.ge/ka/document/view/1557168?publication=93

35 OSCE-ODIHR, Opinion on Two Organic Laws of Georgia Amending the Election Code and the Law on Political Unions of Citizens in Relation to Gender Quotas, Warsaw, 11 June 2024, Opinion-Nr.: ELE-GEND-GEO/501/2024 [ELD/NS].

36 Under the new legislation, parties may designate a candidate as a 'delegate' from specified districts. If elected, such a member of parliament will represent the inhabitants of that district, provided the designating party received the highest number of valid votes in that district. For the 2024 elections, only Georgian Dream (GD) made use of this opportunity.

37 https://www.osce.org/odihr/elections/georgia/584029

mission expressed concerns regarding:[38] "entrenched polarisation and recently adopted legislation and its impact on fundamental freedoms and civil society. … In the run-up to the elections, numerous civil society organisations reported on the stigmatising impact of the 'law on transparency of foreign influence', together with incidents of attacks and intimidation. This, along with potential sanctions for not complying with the law, has also impacted their ability to carry out their work free from undue pressure." Although observers found the legal framework to be "adequate for holding democratic elections", they also noted that "some previous positive changes were reversed by recent amendments, and several longstanding recommendations remain unaddressed. Frequent revisions, including a number made shortly before the elections and without broad cross-party support, undermined stability, and raised concerns about the potential for misusing the changes to gain political benefit." In addition, they underlined that "Despite a constitutional obligation to ensure gender equality, legal changes made this year have undermined this aim and led to a significant decline in the number of women on party lists for these elections. Party programmes lacked messages specifically targeting women and featured few women in their campaigns. At the same time, women politicians in Georgia continue to face deeply rooted stereotypes and even violence." Overall, they observed that "Election day was generally well organised procedurally and orderly, but it was marked by a tense environment. The secrecy of the vote was frequently compromised and there were reports of intimidation and pressure on voters."

39. The outcome of the elections was also largely rejected by the opposition and civil society organisations[39] and complaints and appeals to repeat elections were dismissed. Subsequently, the opposition refused to take their seats in Parliament.[40]

40. In a statement of 28 November 2024, Prime Minister Kobakhidze declared that Georgia would halt EU accession for the next four years, although it remained an absolute priority of the country's foreign policy. [41] Mass demonstrations against this government decision to postpone EU negotiation talks led to violent clashes with law enforcement and mass arrests, challenging protesters' rights to freedom of assembly and deepening the political crisis.

41. On 30 November 2024, President Zourabichvili declared the Parliament illegitimate and claimed to be the sole "independent and legitimate institution" in the country.[42] The Constitutional Court eventually found the appeals from the President and the 30 opposition MPs inadmissible on 3 December 2024. On 14 December 2024, a GD-dominated electoral college elected Mikheil Kavelashvili as President amid ongoing protests, with President Zourabichvili, the opposition and civil society rejecting the legitimacy of the process. President Zourabichvili announced that she would not leave office at the end of her mandate, a move highly criticised by the ruling party, which introduced legal provisions to be able to remove her from office. She eventually left the presidential palace on 29 December 2024.

42. In December 2024, the Secretary General of the Council of Europe, Alain Berset, visited Georgia, highlighting the country's obligations as a member State and expressing his concerns to all sides. He focused on three key aspects: fundamental freedoms, democracy and recently adopted laws. During the visit, the government gave assurances that it would amend the Foreign Influence Law through a working group with the CoE."[43]

43. Council of Europe Commissioner for Human Rights Micheal O'Flaherty, visiting Georgia in January 2025, expressed "concern over the lack of accountability for allegations of unlawful arrests and excessive use of force by law enforcement and unidentified masked individuals ("*titushkis*") in the context of public demonstrations in April 2024 and since 28 November 2024". In this regard, he observed that criminal prosecutions against protesters had advanced, but that despite numerous credible reports of ill-treatment, no law enforcement officers had been prosecuted. The Commissioner also expressed

38 Extracts from the statement: Council of Europe – PACE – APPS, Georgia's elections marred by an uneven playing field, pressure and tension, but voters were offered a wide choice, according to international observers, 27 October 2024 ().
39 See the 2024 Election Assessment by ISFED, https://www.isfed.ge/eng/2024-saparlamento/archevnebis-shefaseba-2024-tslis-sagartvelos-parlamentis-archevnebi
40 ODIHR Election Observation Mission Final Report, Georgia Parliamentary Elections, 26 October 2024, p. 4.
41 Statement by the High Representative / Vice-President of the Commission Kaja Kallas and Commissioner for Enlargement Marta Kos on Georgia, 30 November 2024. https://ec.europa.eu/commission/presscorner/detail/de/statement_24_6161
42 Following the 2017 constitutional amendments, President Salome Zourabichvili was the last directly elected president. As of 2024, the president is now elected by a 300-member Electoral College, which comprises all members of the parliament and regional and representatives of local self-government bodies, within 45 days of the first meeting of the newly elected parliament (Article 50 of the Constitution).
43 https://www.coe.int/en/web/portal/-/secretary-general-concludes-visit-to-georgia

his concern about the shrinking space for civil society organisations through a combination of rampant disinformation and stigmatising legislation. The Commissioner observed that the combination of legislative measures, the failure to ensure prompt accountability for human rights violations and a strong perception in civil society of their inability to obtain justice through the Georgian courts, effectively negates their human rights. [44]

44. In January 2025, the Parliamentary Assembly of the Council of Europe resolved to delay ratifying the full credentials of the Georgian delegation until stringent conditions were met to set Georgia back on the democratic path.[45] The Assembly insisted that the Georgian authorities should announce new elections and release all political prisoners by its next session (25 April 2025). In the meantime, the Georgian delegation was deprived of several rights in the Assembly. The same day, the members of the Georgian delegation decided to withdraw from the Parliamentary Assembly of the Council of Europe.

45. In 2023[46], 2024 and 2025, demonstrations by pro-European protesters, activists, youth, civil society organisations and the opposition were heavily repressed.[47] Many reports of disproportionate use of force against protesters and of physical and verbal intimidation emerged in the weeks leading to the final adoption of the Foreign Influence Law,[48] as well as following the announcement of final results of the 2024 elections[49] and the halting of EU accession process.[50] In addition, the freedom of the press to cover both the parliamentary proceedings and the demonstrations clearly deteriorated. While protesters were arrested, very few prosecutions and investigations were directed at perpetrators of violence against demonstrators.[51] Offices or representatives of political parties and NGOs were also attacked or vandalised.[52]

4. LOCAL SELF-GOVERNMENT: DEVELOPMENTS SINCE THE LAST MONITORING VISIT

46. Georgia is a unitary state, and it includes two autonomous republics, Adjara and Abkhazia.[53] Since 2005, local government is realised only at a single level: that of the municipalities – self-government cities and self-government communities. There are five self-governed municipalities (Tbilisi, the capital, where 1/3 of the total population of the country resides, and Kutaisi, Batumi, Rustavi, and Poti) and 59 self-governed community municipalities in Georgia, i.e. altogether 64 entities at municipal level. The municipalities consist of three organs: the Council (*Sakrebulo*) is the representative legislative organ. The City Hall (*Gamgeoba*) is the local administrative organ and is headed by the Head of municipality (*Gamgebeli*), who is the executive organ in a self-governing community. The head of a self-governing city is called the Mayor (*Meri*).

47. In its latest monitoring report on Georgia adopted in November 2018, the Congress highlighted the substantial progress achieved in the field of local democracy since the previous Congress monitoring and post-monitoring visits and welcomed measures such as the development of a comprehensive reform strategy for decentralisation and modernisation of local government, the introduction of direct election of mayors, the strengthening of the financial capacity of local self-government and the official

44 CoE Commissioner for Human Rights, Statement on Georgia: Protect freedom of assembly and expression, ensure accountability for human rights violations and end stigmatisation of NGOs and LGBTI people, Tbilisi 24 January 2025).
45 Parliamentary Assembly Resolution 2585 (2025) "Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Georgia". The resolution was adopted on 29 January 2025, with 114 votes in favor, 13 against, and seven abstentions.
46 European Union External Action, Statement by the High Representative on the adoption of the Foreign Influence Law, 7 March 2023.
47 Civil Georgia, "2024/2025 Chronicle of Repression" (since 29 April 2024), as updated on 12 February 2024.
48 The Secretary General of the Council of Europe called for investigations and accountability on the reported acts, Secretary General of the Council of Europe, Situation in Georgia: Statement by the Secretary General, 28 May 2024. In addition, the Public Defender of Georgia raised the alarm on cases of violence against civil society activists. See Public Defender of Georgia, Statement on Recent Attacks against Human Rights Defenders, 11 June 2024.
49 Le Monde, Georgians protest contested election results, 28 October 2024.
50 Le Monde, Thousands of pro-EU protesters march on Georgia Parliament, 7 December 2024. OC-MEDIA, Anti-government protests spread to Georgia's regions: the case of Marneuli, 5 December 2024.
51 KINSHA S., " Beatings, harassment, and no arrests: Georgian Government critics under attack" 3 June 2024
52 Georgian Public Broadcaster, UNM says party central office attacked, 1 June 2024 and KUCERA J., "Opponents of Georgia's 'Foreign Agent' Law accuse government of targeting them in campaign of intimidation", *Radio Free Europe*, 6 June 2024. Georgian opposition leader beaten up, blames governing party members, BBC, 15 January 2025.
53 The local self-government authorities in Adjara Autonomous Republic are determined by the Constitutional Law of Georgia on the "Status of Adjara Autonomous Republic", the Organic Law of Georgia on "Approval of the Constitution of Adjara Autonomous Republic".

recognition of the representative position of the National Association of Local Authorities of Georgia (NALAG). [54]

48. The next monitoring visit of the Congress, originally planned for January 2025, was postponed due to the organisation of the high-level visit. The regular monitoring of the Charter in Georgia will therefore be resumed after the upcoming local elections.

4.1. Legislative amendments regarding local elections

49. On 15 May 2024, the Georgian Parliament adopted amendments to the Electoral Code of Georgia (Chapter XV – Elections of the Municipality Bodies),[55] abolishing the 40 percent threshold for majoritarian candidates for local councils, elected via a first-past-the-post system. Now, candidates only need a relative majority of votes in their district to be elected to the city councils (Article 149). This change cancelled the second round of elections and therefore removed the opportunity for supporters of opposition parties to support a candidate of the unified opposition in the ballot. It thus increased the risk of electing a person in respect of whom more people voted against than for.[56] These changes, introduced unilaterally and without consultation, contradict the recommendations of the Venice Commission and the OSCE/ODIHR, which stress the importance of stable electoral legislation based on broad consensus and implemented well in advance of elections in order to maintain confidence in the process.[57]

50. In December 2024, new amendments further tilted the mixed electoral system (majority and proportional elements) towards the first-past-the-post-system:[58]

- In the 50-member *Sakrebulo* of Tbilisi, 25 seats will be distributed according to the majoritarian system instead of 10, while the number of deputies elected according to the proportional system will be reduced from 40 to 25.
- In other self-governing cities (Kutaisi, Batumi, Rustavi, Poti), the number of *Sakrebulo* members will be reduced from 35 to 25. At the same time, the number of deputies elected on the basis of the majoritarian system will increase from 7 to 10, and the number of deputies elected on the basis of the proportional system will decrease from 28 to 15.
- In self-governing municipalities, the *Sakrebulos* will consist of 15 members elected proportionally and 1 majoritarian member elected from each settlement. Additional majoritarian seats will be allocated in administrative centers based on voter population: 2 seats for 4,000-10,000 voters, 3 for 10,000-20,000, 4 for 20,000-35,000, and 5 for over 35,000 voters. This rule is identical to the pre-2021 rule, increasing the proportion of majoritarian seats and reducing proportional mandates. Currently, 1/3 of *Sakrebulo* seats are majoritarian, while 2/3 are proportional, compared to an average of 49% majoritarian mandates before 2021.

51. The proposed amendments also increase the electoral thresholds set for the electoral subjects in the proportional component. In particular, in Tbilisi the threshold will be raised from 2.5% to 4%, and in other municipalities from 3% to 4%. The amendments also included provisions on the drawing of electoral constituencies, that would give the Central Election Commission wide margin of appreciation on boundary delimitation, potentially jeopardising the principle of equal suffrage.[59] The above amendments abolished all changes in the municipal electoral system agreed upon in the Charles Michel Agreement.

52. In view of the forthcoming local elections, the Congress President, by letter of 23 December 2024, also asked for an opinion from the Venice Commission on proposed amendments to the Electoral Code

54 Congress Monitoring Report: Local and regional democracy in Georgia, Report CG35(2018)18, 7 November 2018, and Recommendation 426 (2018)1, Local and regional democracy in Georgia. See also the Local Self-Government Index 2023, National Assessment of Georgian Municipalities, November 2023, conducted by the Institute for the Development of Freedom of Information (IDFI), in collaboration with its partner organisations, with financial support provided by the United Nations Development Programme (UNDP) and the Danish government. (https://idfi.ge/public/upload/Analysis/Report-eng%20-LSG%202023.pdf).
55 Articles 133 et seq. Text available at https://matsne.gov.ge/en/document/view/1557168?publication=90.
56 Transparency International, quoted by: Civil Georgia, Amendments to Electoral Code Adopted: Parties Can Designate 'Delegates,' 40% Threshold in City Councils Abolished, 15 May 2024.
57 Opinion Venice Commission
58 Civil.Ge, ISFED on Changes to Election Code, 20 December 2024.
59 Equal suffrage entails that seats should be distributed equally between electoral constituencies.

which modified the ratio of proportional and majoritarian seats in local councils established following the 2021 broad political agreement.

4.2. Decentralisation Strategy

53. Self-governing entities have their own independent budgets and are completely autonomous in planning them. The own revenues of the local self-governing entities include local taxes and fees, cohesion transfers and other receipts. Finances allocated from other budgets to the budget of self-governing units include special and conditional transfers and other receipts. However, local self-government bodies remain dependent on transfers from the national budget as local revenues are too small and the equalisation system does not work well. The budget of Tbilisi and other municipalities is therefore composed mainly of transfers from the central government and major projects are not possible without these, as was underlined during the visit in Rustavi. Consequently, the fiscal independence of local self-governing units appears restricted and fiscal decentralisation does not function effectively.

54. This impression contrasted with the Ministry of Regional Development, responsible for local self-government. The Deputy Minister explained that after the expiry of the 2020-2025 Decentralisation Strategy, and an assessment of its results, a draft strategy for the next years will be developed from October 2025. It will increase the share of value added tax attributed to municipalities, enhancing their fiscal capacity. It will also increase their functions and strengthen their financial independence. According to the Ministry, municipal income had already doubled since 2020. It was stressed that due to "a different culture at local level", there were fewer tensions in the periphery compared with the capital city, partly as a result of greater involvement of citizens and their consultation, e.g. regarding development plans. A critical area remains the mountain regions, for which a specific Spatial Law of high mountain regions has been adopted, followed by a specific strategy (2024-2030) and a three year action plan, together with a spatial fund of 20 million GEL.

55. During their visit, the Rapporteurs were also informed about the Decentralisation Strategy 2020-2025, which identifies some factors hampering the full execution of powers by local self-governments, including: the absence of a long-term vision for the development of municipalities, a low level of involvement of the general public, including businesses, in the exercise of power at local level, resulting in a mismatch between decisions and local needs and interests, and underdeveloped co-operation between municipalities. The Decentralisation Strategy pursues three strategic goals: 1. increase local self-governments' role in managing a substantial share of public affairs; 2. ensure adequate materials and financial resources for local governments; 3. develop reliable, accountable, transparent and results-oriented local self-government. Therefore, one of the main strategic priorities and objectives of the strategy is to "Facilitate effective participation in decision making and implementation at a local level".[60]

56. In 2023, the Ministry of Restoration presented a comprehensive roadmap for decentralisation and local self-government reform for the period 2024–2027. This strategic plan outlines steps to devolve more authority and resources to local governments, aiming to foster greater autonomy and responsiveness at the municipal level.

57. According to the European Commission's 2024 annual assessment, the capacity of local self-government was strengthened, in line with the 2023-2026 strategy on public administration reform. However, the political culture for multi-party dialogue and coalition governance at local level needed to be improved.[61]

5. MAIN OBSERVATIONS DURING THE VISIT

58. The overall impression from the high-level visit is that Georgia's democratic system is under extreme pressure. The general climate is characterised by a complete lack of trust, along with intimidation and polarisation. The country is experiencing a fully-fledged constitutional and political crisis, as well as a crisis of human rights and democratic standards. Democratic backsliding has dramatically accelerated since the parliamentary elections of 26 October 2024 and rejection of results by the opposition and domestic observers. Since then, the current Parliament has de facto operated as a one-

60 Council of Europe Action Plan for Georgia 2024-2027, p.35, and Decentralisation strategy 2020-2025. Also the National Strategy for the Protection of Human Rights in Georgia for 2022-2030 emphasises that it is impossible to effectively protect human rights if appropriate measures are not taken at both the central and local levels.
61 European Commission, Georgia 2024 Report, Brussels, 30.10.2024, SWD(2024) 697 final, p. 29.

party organ of the ruling party (Georgian Dream). This is incompatible with the essence of pluralistic parliamentary democracy and raises serious questions about its democratic legitimacy.

59. During the visit, interlocutors from outside the opposition and critical voices referred repeatedly to the "winner takes all" concept. It appears that this general approach, which also characterised Georgia's political situation before the current Georgian Dream majority, is the main reason for the lack of readiness for concessions which are necessary incentives for compromise. One concrete example of a clear attempt to silence critical voices is the amendment to the Law on public service which simplifies the procedures for dismissing public servants, several of whom have been dismissed for participating in protests.

60. This impression is consolidated by the observation that important elements of democracy, human rights and the rule of law are systematically violated, restricted or under threat. These are fundamental values of the Council of Europe which apply to local democracy and local self-government. Pluralist democracy, the guarantee of rights as well as checks and balances and local autonomy are all affected by the current situation.

5.1 Democracy and Local Self-Government

61. The Rapporteurs were informed that the general tense and polarised political situation in Georgia is also reflected at the local level. In a comparatively unique constellation, all 64 municipal entities in the country have a GD mayor (there is no opposition mayor), and there are only three municipal/city councils in which all opposition councillors together have a majority. However, due to the boycott of the institutions by the opposition, most opposition councillors are currently leaving their seats vacant. The delegation was informed that a boycott of the Tbilisi City Council has been in effect for six months. Some interlocutors referred to the "complete dysfunction of the local self-government system" due to the misuse of administrative resources without control and the frequent laying off of municipal employees who are not party members, even when they held permanent contracts.[62]

62. Moreover, the practice of frequently amending electoral legislation is also a source of great concern. Such frequent changes are not in line with the stability of electoral law principle, as enshrined in the Code of Good Practice on Electoral Matters of the Venice Commission and its interpretative declaration.[63] This widely accepted principle establishes that last-minute changes to the electoral framework can be perceived as political or as a way to manipulate the outcome of the elections and should be avoided in the year preceding the elections. It also risks confusing voters, parties and candidates, and makes it difficult for the competent electoral authorities to apply the law, which may lead to mistakes in the electoral process and, as a consequence, distrust in the elected bodies.[64]

63. Therefore, the conditions for fair local elections have been compromised by these recent and frequent legislative changes, in particular by the abolition of the 40% threshold (and second round) for majority candidates, the increase of the share of majoritarian seats in *Sakrebulo* elections (art. 138 Electoral Code – on Local Elections) and the possibility for the election administration to modify boundary delimitation. The remaining concerns and outstanding international recommendations need to be addressed in such a reform, to prevent frequent changes in future and to achieve stability.

64. During the visit, the authorities underlined that following the 2024 elections, there had been few complaints and that none had been successful. While amendments to legislation and irregularities in the electoral procedures, such as the secrecy of voting, have been challenged before the Constitutional Court, none of the complaints had been upheld.[65]

62 See on this matter, the statement by ISFED, GYLA and Transparency International Georgia, It is inadmissible to persecute or exert pressure on public servants due to differing political views, 2 December 2024.
63 Venice Commission, Stability of the electoral law – revised interpretative declaration, CDL-AD(2024)027
64 Venice Commission, Georgia. Opinion on amendments to the Election Code which abolish gender quotas, CDL-AD(2024)023, Opinion No. 1189/2024, 20 June 2024, para. 21.
65 Article 60.6 of the Constitution provides that "A legal norm regulating elections shall not be recognised as unconstitutional by the Constitutional Court within the respective election year, unless this norm has been adopted within 15 months before the month of the respective elections." By limiting the Constitutional Court's ability to review recent election laws during an election year, the provision reduces the likelihood of urgent, politicised legal battles that could overburden the judiciary and create confusion among the electorate. However, it may also limit the Constitutional Court's ability to address and rectify hasty or problematic electoral legislation. This allowed potentially unconstitutional provisions to remain unchallenged and in effect during the election, potentially impacting its fairness and integrity. In fact, in its 2017 Opinion on the draft revised Constitution of Georgia, the Venice Commission expressed concern that this exemption could prevent the Constitutional Court from addressing potentially

65. The abolition of rules facilitating the participation of women in politics, including at local level, is also worrying. On 4 April 2024, the Parliament of Georgia abolished mandatory gender quotas in an accelerated manner, following an agreement between the ruling Georgian Dream party and the parliamentary opposition Girchi.[66] Prior to this decision, the Electoral Code of Georgia required that at least one out of every four persons on a party list must be a woman. Women's representation in local councils rose from 13.8% (in 2017) to 24% (in 2021). In its Recommendation 477 (2022) on the 2021 local elections, the Congress had called to strengthen existing provisions to support the participation of women in local politics. However, gender quotas have now been completely abolished at all levels without being replaced by other measures aimed at facilitating the election of female candidates.[67] While the Equality Council in Parliament has also been dissolved, local gender equality councils, established with the support of the German GIZ, still exist in municipalities. While at local level, there are female councillors, there are only two female mayors in municipalities and only one in a self-governing city (Rustavi). On 4 March 2025, the Parliament also adopted in first reading an amendment to the Law on Gender Equality aiming at removing all mentions to the word "gender" in Georgian legislation.[68]

66. On 6 February 2025, the Georgian Dream majority in Parliament approved amendments to the Rules of Procedure and a package of legislative amendments. The changes include revisions affecting the status of institutions operating within the Parliament, among which the liquidation of the Research Center of the Parliament, within two months. The employees alleged that this was retaliation for their public criticism of the GD government's decision to abort EU accession talks until 2028. The Center's assets and resources will be transferred to the Parliament. Dismissed employees will receive compensation equivalent to three months' salary.

67. The delegation is alarmed about the situation of the opposition. Amid concerns over the legitimacy of the widely disputed 2024 elections, the opposition parties that passed the 5% threshold, (Coalition for Change, UNM-Unity, Strong Georgia, Gakharia for Georgia) refused to take their seats in protest. On 5 February 2025, the ruling Georgian Dream party terminated the three opposition alliances' mandates, further consolidating its dominance in the legislature. During the visit, the delegation heard accusations that GD had installed a split party, People's Power, as a so-called opposition party in Parliament. The Executive Chair of People's Power party, Guram Macharashvili, stressed having "no fundamental disagreement" with GD. Still, he offered "a true, principled opposition to the government" and a "healthy critique" of the ruling party. [69]

68. The above changes of the Rules of Procedure also permit Members of Parliament to form parliamentary political groups with a minimum number of only three MPs, compared to seven required before the amendment. The change allowed three MPs from the GD party, to form a new "opposition group" called European Socialists. According to media reports, the group was registered on 7 February 2025, immediately after the adoption of the changes.[70]

5.2 Human Rights

69. The delegation was informed that freedom of assembly is no longer guaranteed in practice. Mass anti-government protests started again on 28 November 2024. Since then, peaceful protesters, political opponents and media representatives have been subject to brutal repression by the police and masked men. The Rapporteurs were informed that police officers, prosecutors, and judges have brought politically motivated administrative and criminal charges against protesters, journalists and members of the opposition. Since the protests began, according to the Public Defender, more than 500 people have

unconstitutional electoral laws during a critical period, thereby undermining the protection of electoral rights.Venice Commission, Opinion on the draft revised Constitution as adopted by the Parliament of Georgia at the second reading on 23 June 2017, Strasbourg, 9 October 2017, Opinion 876/2017, CDL-AD(2017)023 (https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD%282017%29023-e&utm_source=chatgpt.com).

66 See European Commission for Democracy through Law (Venice Commission), Georgia. Opinion on amendments to the Election Code which abolish gender quotas, CDL-AD(2024)023, Opinion No. 1189/2024, 20 June 2024 (https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)023-e).

67 Venice Commission, Georgia. Opinion on amendments to the Election Code which abolish gender quotas, CDL-AD(2024)023, Opinion No. 1189/2024, 20 June 2024, para. 34 and 35.

68 Georgian Dream Parliament Approves a Series of Repressive Legislative Amendments in First Reading – Civil Georgia

69 For more information, "People's Power" Stages Move into "Opposition" – Civil Georgia

70 The three MPs, Ilia Injia, Varlam Liparteliani and Nika Elisashvili, declared they "were leaving GD" to be a healthy opposition"; Civil.ge, GD Parliament Changes Rules: Dumps Protesting Civil Servants, Legalizes Fake Opposition Group, 7 February 2025 (https://civil.ge/archives/660882).

been arrested (in administrative or pre-trial detention) or punished, with this number is growing by the day. 80% of those detained reported experiencing physical violence and inhumane treatment by law enforcement officers, usually in the police cars, less during their arrest or detention.[71] No serious investigation of the violations committed by state structures has yet been conducted. All this suggests that Georgian authorities deliberately use disproportionate force and excessive violence against peaceful protesters and resort to arbitrary mass arrests and to systemic mistreatment of detainees, to thwart dissent.

70. One of the many persons arrested was journalist Mzia Amaghlobeli, the director of the media outlet Batumelebi/Netgazeti. Ms Amaghlobeli was arrested on 12 January 2025 and charged with assaulting a police officer, which carries a sentence of four to seven years in prison.[72] The charges relate to her slapping the Batumi police chief in the face after he mistreated her in pre-trial detention. Earlier the same day, she was first arrested on administrative charges for displaying stickers calling for a national strike. In pre-trial detention, Ms Amaghlobeli started a hunger strike in solidarity with all political prisoners in Georgia. She remained in detention despite her deteriorating health. After receiving information from the public defender and from her lawyer, the delegation is particularly concerned about the state of health of Mzia Amaghlobeli. On 18 February 2025, after 38 days, the imprisoned journalist ended her hunger strike and remains in detention at time of finalisation of this report.

71. The rights to freedom of expression and peaceful assembly have been further restricted through amendments to the Criminal Code, the Code of Administrative Offences and the Law on Assemblies and Manifestations (in force since 30 December 2024). In particular, hefty fines have been introduced for the use of protest slogans and posters or other behavior during demonstrations. The police now have the power to detain individuals 'preventively' for 48 hours (the mere suspicion of planning to violate the rules governing public assembly may suffice). On 3 February 2025, harsher punishments for 'insulting public officials', the criminalisation of roadblocks and an increase in the duration of administrative detention from 15 to 60 days were announced. On 6 February 2025, the Parliament hastily adopted repressive legislative amendments initiated by Georgian Dream MPs, and discussed and adopted eight laws during only two plenary sessions, including the Law on Assemblies and Demonstrations, the Code of Administrative Offences and the Criminal Code. The changes to the law significantly increase the fines for administrative offenses, including verbal insults, swearing and other offensive acts against a police officer during the performance of his official duties. The fine for disobeying a police officer has been more than doubled and the sanction may be up to 60 days of imprisonment (previously a maximum of 15 days).

72. The Law on public service were also amended, simplifying procedures to dismiss public servants, several of whom have been dismissed for participating in protests. Public Defender Levan Ioseliani had warned before adoption that the amendments pose a serious threat to fundamental rights, including freedom of assembly, expression, and fair trial.[73]

73. The Law on Foreign Influence, which formally addresses foreign sources of finance for NGOs and CSOs with the declared objective of limiting external influence, is also of concern. In practice, it appears that the law, which is not yet fully implemented, is already creating a climate of uncertainty for donors and intimidation of both workers and those who may benefit from the services and work of the organisations. NGOs and CSOs are not only left without an important and traditional source of financing, but they and their work, often in the field of democracy, human rights and the rule of law, are also discredited.[74] The work in and with Armenian and Azerbaijani minority communities and the independent interaction across borders as well as in international networks is made extremely difficult. This creates operational problems on the ground, as CSOs can no longer rent public space.

71 "According to the Georgian Public Defender Levan Ioseliani, of the 156 detainees he visited at the beginning of the week, 124—roughly 80%—claimed they had been subjected to violence and inhumane treatment.", Police Brutality in Georgia: A Call for Accountability and Reform - Georgia Today.
72 The Legality of Mzia Amaglobeli's Arrest, Detention, and Charges - საერთაშორისო გამჭვირვალობა - საქართველო
73 Ombudsman Calls on GD Parliament not to Fast-Track Repressive Legislative Changes – Civil Georgia
74 Transparency International was notably one of the targeted NGOs. See The physical assault on Zviad Koridze is a deliberate attack by Ivanishvili's regime on Transparency International Georgia - საერთაშორისო გამჭვირვალობა - საქართველო

74. The government announced changes to the Law on grants and the creation of a foundation for financing civic initiatives, accessible only for CSOs which would ensure that they receive no foreign funding. It was feared this fund would allow excessively control over NGOs.

75. In a press release published after a phone conversation with Georgian Dream Prime Minister Irakli Kobakhidze, the Secretary General of the Council of Europe, Alain Berset, expressed "great regret" over the GD authorities' decision not to participate in a joint working group that would amend the Foreign Influence Law, contrary to what had been discussed and agreed during Berset's visit to Georgia in December 2024.[75]

76. Since the visit, the Parliament approved in its first reading the Foreign Agents Registration Act (FARA), requiring organisations and citizens receiving foreign funding (over 20%) to register as foreign agent, submit annual financial declarations and face criminal liability for non-compliance. This Act, which is modeled after the United States's FARA, has raised deep concern regarding further shrinking of civil space.

77. The delegation feared that the legal framework will not allow civil society and usual Congress partners to continue their work to strengthen local democracy and human rights without undue pressure. The Law on Foreign Influence, which is not yet fully implemented, appears to have had different impacts in different municipalities: while some CSOs do not register and no longer engage with local authorities, some still do in order to avoid (future) sanctions and continue to provide services. The Law creates mistrust and stigmatisation of CSOs and NGOs and of the people working for them. This even includes donor support from those international organisations, such as the United Nations and the Council of Europe, of which Georgia is a member State. Georgia was known for its strong and active civil society. The new legislation risks weakening civil society critically, despite its contribution to the provision of public services, in particular at local level.

78. Moreover, at the time of the visit, the delegation was informed that further restrictive legislation would also be adopted on the media. Subsequently, two legislative amendments on broadcasting were initiated by the ruling Georgian Dream party on 24 February 2025 and adopted early March. The first amendment seeks to ban foreign funding for audiovisual broadcasters, while the second would strip media organisations of self-regulation responsibilities by giving the Communications Commission sweeping powers to control broadcast content and to impose fines on television and radio stations. According to Transparency International-Georgia, the amendments aim to dismantle critical media and "clearly contradict international standards applicable to freedom of expression" as well as international human rights law and the Constitution.[76] The Rapporteurs expressed their concern that such situation could further curtain freedom of expression, notably in view of the upcoming local elections.

79. The lack of important guarantees for diversity was also found worrying. Disability inclusion needs to be brought back to the public discourse. The delegation heard complaints about the abolition of the disability inclusion council in the capital Tbilisi as well as about the guarantee of ballot secrecy for blind voters. The delegation also heard about the difficult situation of LGBTI people after the adoption of the "Law on Family Values". The law imposes several restrictions on freedom of expression and assembly for LGBTI people, bans gender reassignment surgeries and legal procedures for gender recognition, reaffirms the ban on same-sex marriage, bans adoption and fostering by LGBTI people, prohibits other alternative forms of civil union, and introduces censorship in media and education. The law contradicts basic constitutional principles, the European Convention of Human Rights and the case-law of the ECtHR; this is also the assessment of the Venice Commission, which had advised against the adoption of this legislation.[77] The Rapporteurs are concerned that such provisions will force local authorities to take decisions that are not compliant with Council of Europe standards.

75 On January 20, the Secretariat had sent a letter formally requesting the establishment of the working group. The CoE press release about the conversation says Kobakhidze cited "changed circumstances" as the reason. "However, he reaffirmed Georgia's commitment to continue working with the Council of Europe in the framework of intergovernmental cooperation." Secretary General expresses his concerns about Georgian Government's reversal on the "foreign influence" law, Press release, 7 February 2025 (https://www.coe.int/en/web/portal/-/le-secrétaire-général-du-conseil-de-l-europe-exprime-ses-préoccupations-suite-au-revirement-du-gouvernement-géorgien-concernant-la-loi-dite-sur-«-l-influence-étrangère-»).

76 Source: Civil.ge, TI Georgia: New Restrictive Legislation Aims to Destroy Critical TV Channels, 26 February 2025 (https://civil.ge/archives/665604).

77 Venice Commission, Opinion on the draft constitutional law on the Protection of Family Values and Minors, 26 June 2024, Opinion No. 1188/2024, CDL-AD(2024)021 (https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2024)021-e). The Commission calls on the government to "reconsider this legislative proposal entirely and to not proceed with

5.3 Rule of Law

80. The rule of law guarantees that citizens elect their representatives freely and democratically, that laws are applied uniformly, that no one is above the law and that no one is discriminated against or left out. Local and regional authorities therefore have an obligation to comply with domestic judgments and also with judgments of the European Court of Human Rights that concern them. They also have a duty to combat arbitrariness and attempts at corruption that may arise at their level.

81. The frequent changes of legislation are also problematic as regards the principle of the rule of law.[78] In terms of legal certainty, all elections during the last decade have been subject to considerable changes and to different rules, making it difficult for voters to understand the actual system applied when casting their vote. Over the last five years, there have been more than 20 changes of the Electoral Code, with the 2021 changes, based upon the compromise in the Charles Michel Agreement, now having been completely reversed. Some interlocutors told the delegation that the clear intention of those frequent amendments was "to go back to the situation of 2017", as they perceived it better for the country as the majoritarian system would guarantee territorial representation through the elected representative of a district. However, other interlocutors opined that all changes would favour the majority (higher threshold; fewer members elected by the proportional system and an increase in members elected through a majority system; elimination of second-round ballots).

82. As anti-regime protests have continued for more than 90 days (as of 25 February 2025), GD-controlled courts are issuing harsh fines and imprisonment for young people who actively participate in protest rallies. Many protesters face fines and incarceration for allegedly blocking roads and disobeying police orders. By contrast, there is a nearly complete absence of investigations regarding the disproportionate use of police force and of trials against police offices as well as against masked men beating up people critical of the ruling party, at the demonstrations or close to their home or work. The Rapporteurs were informed this perceived bias further erodes trust in the judicial authorities and their independence. In a statement, the German Embassy announced that, together with European and American partners, it continues to monitor the detainees' trials and stressed the importance of respecting the principles of the rule of law, equality before the law, proportionality, legal certainty, and the protection of freedom, which must be upheld.[79]

6. CONCLUSIONS

83. Local and regional authorities are key in upholding and defending democracy, human rights and the rule of law, not only within their communities, but as part of the system of checks and balances which represents the backbone of a pluralist democracy. A secure and trust-based environment for genuine, open and constructive dialogue, as well as space for the opposition, are crucial in this respect. Local authorities must moreover be able to exercise self-government without fear of persecution or retaliation regardless of the political views of their leaders and representatives.

84. In parallel, all citizens must be able to freely form and express their opinion on the matters closest to them. This is not possible unless a wide range of other human rights and fundamental freedoms can be exercised without discrimination.

85. The delegation notes with grave concern that amid deepening polarisation in Georgia, the rapid and dramatic democratic backsliding observed over the past two years has had an increasingly negative impact on local democracy in Georgia. This has intensified in the aftermath of the 2024 parliamentary elections, which were rejected by all opposition parties, as well as domestic and some international election observers, notably due to concerns over their integrity, and following the decision to halt Georgian EU accession on 28 November 2024.

86. In addition, the progressive sidelining of the opposition from the political scene and the lack of dialogue between the authorities and the opposition has led to a *de facto* absence of political pluralism, including in municipal councils. This situation has led to an excessive concentration of power by the

its adoption" or, if it proceeds with its adoption, to remove/modify some of the articles in a way that ensures non-discrimination of LGBTI people and compliance with the European Convention on Human Rights.
78 Venice Commission, Rule of Law Checklist - CDL-AD(2016)007
79 German Embassy, Statement on February 12, 2025 (https://civil.ge/archives/662121).

ruling party, and has prompted the opposition to boycott all decision-making bodies, shrinking the space for negotiation and mediation.

87. Following the highly controversial adoption of the Law on Transparency of Foreign Influence and the Foreign Agents Registration Act (FARA) adopted in first reading, NGOs and dissenting voices in the media, which work under increasingly challenging conditions, have been increasingly subjected to intimidation and stigmatisation. This undermines their freedom of association and freedom of expression. In a democratic society, freedom of expression must be protected, supported and promoted irrespective of whether it is critical of the government, and even if it is influenced by international discourse.

88. The brutal repression of peaceful protesters and opponents by law-enforcement authorities in many cities, and particularly in the capital city of Tbilisi, has violated both the freedoms of expression and assembly. Moreover, freedom of assembly in Georgia has been negatively affected by recent amendments to legislation that increase sanctions and offences related to public demonstrations, which according to the Venice Commission introduced “vague and broadly framed provisions, granting the authorities [including local authorities] excessively broad discretion in their application”. This situation has forced local authorities to take decisions that do not comply with democratic standards.

89. The instrumentalisation of public institutions, including at local level, has resulted in numerous reports of dismissals, intimidation and pressure on civil servants. This has been facilitated by the adoption of amendments to the Law on Public Service.

90. Recent findings by both international and domestic observers have also raised concerns regarding the politicisation of public administration, widespread misuse of administrative resources and pressure on voters during electoral campaigns, which unduly tilt the playing field between candidates and distort the will of voters.

91. The delegation underlines that the legal framework applicable to local elections in Georgia has been amended more than 20 times since the last elections, without extensive consultations and broad consensus. This is not in line with the principle of stability of electoral law. The amendments have moreover reinforced the dominant position of the ruling party in the Central Election Commission, undermining its independence, and have also wound back fundamental rules pertaining to the electoral system, gender quotas and the establishment of electoral districts.

92. It notes with concern that these serious shortcomings and challenges affecting the respect of democracy, rule of law and human rights have led to a collapse in public confidence in democratic institutions for large parts of the Georgian population, and notably the young people, and damaged local democracy, which is not conducive to holding the 2025 local elections in a trust-based environment; in fact, it risks exacerbating the situation.

93. The delegation considers that urgent measures are needed to resume political dialogue at all levels of government and involving all stakeholders, to reduce polarisation, restore the checks and balances essential in a pluralist democracy and regulate the participation rights of the opposition.

94. It underlines that recently adopted and repressive legislation that imposes unjustified restrictions on freedoms of expression and peaceful assembly should be repealed, instances of arbitrary arrests and violent actions towards non-violent protestors and journalists at local level should be thoroughly investigated, and persons detained for non-violent participation in protests against the government should be released.

95. All necessary measures must furthermore be taken to provide the conditions for a democratic environment ahead of the next local elections, facilitating progress towards free and fair elections and a return to consensus-based decision-making.

96. The delegation underlines that future elections need to take place in an improved electoral environment, overseen by an independent and impartial election administration, and monitored through diligent international observation to guarantee a genuinely fair, free and transparent process. The government must take steps to encourage the opposition to take part in the forthcoming local elections and, in particular, guarantee fair speaking time in all the media, especially the official media, for all the

political parties. Such gestures and initiatives to reduce tension in the country must be taken before the local elections scheduled for October this year.

97. The elected representatives of all political parties, both majority and opposition, should be encouraged to take part in the work of the Georgian Association of Towns and Municipalities and to discuss together the recommendations to be made on behalf of local authorities.

98. The delegation considers that the Congress should, for its part, notably through the ongoing work of its Monitoring Committee and Bureau, continue to follow closely the situation of local and regional democracy in Georgia, and should stand ready to support the implementation of the Council of Europe Action Plan for Georgia (2024-2027), to reinforce the capacities of local authorities and their representative association to carry out their functions effectively, and to pursue its political dialogue with the delegation of Georgia to the Congress, in its full composition.

APPENDIX – Programme of the Congress high-level visit to Georgia (3-4 February 2025)

HIGH-LEVEL VISIT TO GEORGIA

Tbilisi and Rustavi
(3-4 February 2025)

PROGRAMME

Congress delegation:

Rapporteurs:

Mr Marc COOLS Authorities	President of the Congress of Local and Regional Communal Councillor of Uccle (Belgium) ILDG[80]
Mr Bernd VÖHRINGER	President of the Chamber of Local Authorities Mayor of Sindelfingen (Germany) EPP/CCE[1]
Ms Cecilia DALMAN EEK (Sweden)	President of the Chamber of Regions Member of Västra Götaland Regional Council SOC/G/PD[1]

Congress Secretariat:

Mr Mathieu MORI	Secretary General of the Congress
Ms Sevval SALMAN	Secretariat of the Congress

Expert:

Prof. Jens WOELK	Member of the Group of Independent Experts on the European Charter of Local Self-Government (Germany)

Interpreters:

Ms Mara TSAKADZE (3-4 February)
Ms Tinatin KHARTCHILAVA (3-4 February)
Ms Mariam PARESHISHVILI (3 February)
Ms Maia ZARIDZE (3-4 February)

80 EPP/CCE: European People's Party Group in the Congress
SOC/G/PD: Socialists, Greens and Progressive Democrats Group
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Member not belonging to any political group in the Congress

The working language of the meetings will be Georgian. Interpretation from and into English and French will be provided by the Congress.

Monday, 3 February 2025
Tbilisi

COUNCIL OF EUROPE OFFICE IN GEORGIA

- **Mr Svetislav PAUNOVIC,** Deputy Head of Office

MEETING WITH THE REPRESENTATIVES OF THE OPPOSITIONS

- **Mr Giorgi BUTIKASHVILI**, Coalition for Change, Head of the Office for Foreign Affairs International and Non-Governmental Organizations
- **Mr Zurab JAPARIDZE**, Girchi, co-founder of the Girchi party
- **Mr Grigol GEGELIA**, Foreign Secretary, Member of Political Council at Lelo for Georgia
- **Ms Barbara Jimeli SULASHVILI**, UNM
- **Ms Sevdia UGREXELIDZE**, UNM
- **Saba BUADZE**, Member of the Tbilisi city council, “Strong Georgia coalition'

MEETING WITH THE REPRESENTATIVES OF NGOs

- **Mr Levan NATROSHVILI**, Deputy Executive Director, International Society for Fair Elections and Democracy (ISFED)
- **Ms Nanuka KRUASHVILI**, Director of the Democratic Institutions Support Program, Georgian Young Lawyers Association
- **Mr Kakha GOGOLASHVILI**, Director of EU studies, Georgian Foundation for Strategic and International Studies (GFSIS)
- **Ms Elene RUSETSKAIA**, Chairwoman, Women Information Center
- **Ms Natia APHKHAZAVA,** LG expert, Civil Society Institute
- **Ms Esma GUMBERIDZE,** Advocacy for Opportunities

MEETING WITH THE REPRESENTATIVES OF THE DIPLOMATIC CORPS

- **H.E. Robert GERSCHNER**, Ambassador of Austria to Georgia
- **H.E. Darius VITKAUSKAS**, Ambassador of Lithuania to Georgia
- **H.E. Heidi GRAU,** Ambassador of the Swiss Confederation to Georgia
- **Mr Anders TRELBORG**, *Chargé d'affaires*, Embassy of Denmark in Georgia
- **Mr Maurice PAULUSSEN**, Deputy Head of Mission, Embassy of Netherlands in Georgia
- **Ms Rebecca LIE**, Deputy Head of Mission, Embassy of Norway in Georgia
- **Ms Jana GAŠPARÍKOVÁ**, Deputy Head of Mission; Embassy of Czechia in Georgia
- **Mr Stephen MCCORMICK**, Political Counsellor, Embassy of the United Kingdom in Georgia
- **Mr Dennis ZERVAS**, Economic and Development Cooperation Department, Embassy of Germany in Georgia

- **Mr Erik MALMGREN,** First Secretary at Embassy of Sweden in Tbilisi

JOINT MEETING WITH NATIONAL DELEGATION OF GEORGIA TO THE CONGRESS AND LOCAL AND REGIONAL ASSOCIATION

- **NATIONAL DELEGATION**

- **Mr Zurab ABASHIDZE, Deputy Head of Delegation Tbilisi (Member of Tbilisi Municipal Assembly)**

- **Mr George TKEMALADZE,** Member of Tbilisi Municipal Assembly,
- **Mr Otar GRIGOLIA,** Member of Tbilisi Municipal Assembly,

- **Ms Tatiana BOKUCHAVA,** Secretariat of the National Delegation, Deputy Executive Director for International Relations at NALAG

- **THE NATIONAL ASSOCIATION OF LOCAL AUTHORITIES OF GEORGIA**

- **Ms Nino RUKHADZE,** Executive Director

Tuesday, 4 February 2025
Tbilisi and Rustavi

CENTRAL ELECTION COMMISSION

- **Mr Giorgi KALANDARISHVILI,** President

- **Mr Giorgi SHARABIDZE**, Deputy Chairperson
- **Mr Giorgi JAVAKHISHVILI**, CEC Secretary
- **Mr Giorgi SANTURIANI**, Head of the CEC Office/Legal Department
- **Ms Eka TSABASHVILI**, Head of Election Process Management Department
- **Ms Tamar KAPANADZE**, Head of the International Relations and Protocol Division

PUBLIC DEFENDER (OMBUDSMAN)

- **Mr Levan IOSELIANI,** Public Defender

- **Ms Tamar GVARAMADZE,** First Deputy Public Defender

MINISTRY OF REGIONAL DEVELOPMENT AND INFRASTRUCTURE

- **Ms Mzia GIORGOBIANI**, Deputy Minister

MEETING WITH LAWYER OF MZIA AMAGHLOBELI

- **Ms Maia MTSARIASHVILI**, Lawyer

MEETING WITH THE MAYOR OF RUSTAVI

- **Ms Nino LATSABIDZE,** Mayor

MEETING WITH THE CHAIR OF RUSTAVI CITY COUNCIL

- **Mr Aleksandre BERIDZE,** Acting Chair of the City Council of Rustavi