

Georgia: opposition politicians pardoned ahead of the election

Wojciech Górecki

On 15 May, the president of Georgia, Salome Zourabichvili, pardoned two opposition politicians: Giorgi (Gigi) Ugulava and Irakli Okruashvili. Ugulava was a close aide of the former president Mikheil Saakashvili and served as mayor of Tbilisi, and is currently one of the leaders of European Georgia, a party that was formed after the split within Saakashvili's United National Movement. In February, Georgia's Supreme Court sentenced him to three years and two months in prison on charges of embezzlement. In turn, Okruashvili served as the minister of defence (amongst other positions). He faced corruption and abuse of power charges already during Saakashvili's presidency. He spent a few years in exile and currently leads a small party named Victorious Georgia. In April, he was sentenced by the Municipal Court in Tbilisi to five years in prison on charges of complicity in and leading an attempt to storm parliament in June 2019. Both activists have already been released from prison. According to the opposition, they were political prisoners. According to the government, they committed ordinary non-political crimes.

Commentary

- The pardoning is closely linked to the parliamentary election scheduled for autumn and the game being played for a change in the electoral system. At present, 77 out of 150 deputies are elected in a proportional system and 73 in a majority system; this has been criticised by the opposition. In practical terms in Georgia the majority system better serves the current governing party which may use the so-called 'administrative factor' (incumbency advantage). On 8 March, after many months of protests and in effect of Western diplomats' pressure and mediation, representatives of the governing Georgian Dream party and over 30 opposition groupings signed a memorandum calling for 120 deputies to be elected in a proportional system, starting from the next election. These changes were expected to be passed by the parliament and then entered into the constitution. However, the state of emergency introduced due to the pandemic caused delays in the planned work, and the opposition began insisting on releasing these two activists, otherwise it would not vote in favour of the reform (Georgian Dream no longer has a constitutional majority).
- The politicians were also pardoned in response to the criticism the government received from Western countries and institutions after their sentences were announced – concern

was voiced by the European External Action Service, representatives of the European Parliament, and the US and UK embassies in Tbilisi. These voices fitted in with a broader negative perception of changes taking place in Georgia. Since the beginning of this year, opinions have been repeated, including by US members of Congress, that Georgia is leaving the path of reform and is failing to respect human rights to an increasing extent (in fact, the situation in this respect has not changed much as compared to the preceding years). The formula adopted by the government (pardoning) meets Western expectations halfway regarding reducing pressure on the opposition, and is also safe for the government. The government will thus be able to both save face (the act of pardoning annuls the penalty and not the guilt, and does not question the court's sentence) and to take the initiative in the political process.

- At present, the opposition is also insisting on the release of Giorgi Rurua, the co-owner of TV Mtavari Arxi, who faced charges of the illegal possession of weapons (Rurua is under arrest, and his trial is underway). There are many facts suggesting that the opposition wants to force the government to make further concessions regarding the election because Georgian Dream still stands a great chance of winning the election even in the formula adopted on 8 March. Support for the government has increased owing to its effective dealing with COVID-19 (the lowest number of infections and victims in the region) and the fact that the economic consequences of the epidemic are not so visible as yet.