



GYLA evaluates the legislative and supervisory activity of the Parliament

On January 10, 2018, the Georgian Young Lawyers' Association (GYLA) will present the ***Report on the Monitoring of the Activity of the Parliament of Georgia which contains the evaluation of the exercise of legislative and supervisory functions by the Ninth Parliament during the fall session of 2016 and the spring session of 2017.*** The report is based on the analysis of public information received from the Parliament and that posted on the Parliament's website, as well as on media reports on the parliamentary activity and information collected as a result of attendance at the Parliament's committee sessions.

To evaluate the Georgian Parliament's exercise of legislative functions, we analyzed the legislative initiatives examined in the reporting period, in terms of both content and procedure.

The legislative initiatives were grouped into three categories: a) positive legislative initiatives; b) positive legislative initiatives that required improvement; and c) negative legislative initiatives. We also evaluated the practical and legal aspects of the use of accelerated procedure by the Parliament of Georgia, as well as the President's motivated remarks and the specific manner in which they were examined. Considering that the reporting period encompassed the process related to the constitutional amendments, this issue was also analyzed in the report.

The exercise of the supervisory function by the Parliament of Georgia was evaluated in five major areas: a) the government's hour; b) hearing of annual reports of bodies accountable to the Parliament; c) invitation of bodies accountable to the Parliament to committee sessions; d) MPs' questions; e) creation of investigative and other ad hoc commissions. The report analyzes the frequency and effectiveness of using supervisory mechanisms in the Parliament of Georgia; the involvement of members of the parliamentary majority and minority in the supervisory activity; and the influence of parliamentary control on the activity of accountable bodies.

The following important findings were revealed as a result of the study:

a) Legislative activity

- *The elaboration and examination of the law on constitutional amendments was accompanied by numerous shortcomings;*
- *It is necessary to strengthen the role of MPs with regard to positive initiatives that require further improvement;*
- *The Parliament also made negative legislative changes, most of which were equally unacceptable for the parliamentary opposition, the President of Georgia, and the civil society sector. However, these initiatives were still adopted;*
- *There was a non-uniform practice related to examination of draft laws in an accelerated manner, which was mostly caused by flawed regulation provided for in the Rules of Procedure of the Parliament;*

- The reporting period saw not a single case when the President motivated remarks were taken into consideration;
- MPs were willing to accept a part of the motivated remarks of the President, although the Rules of Procedure of the Parliament didn't make this possible;
- With regard to election of office holders, in a number of cases, negative attitudes to candidates were disregarded, while in some cases there was a lack of political will to improve the current legislation in this regard.

b) Supervisory activity

- The government hour was not held at the Parliament of Georgia during the reporting period;
- Representatives of the parliamentary majority and minority heard the annual activity reports of bodies accountable to the Parliament of Georgia in a non-uniform manner;
- Representatives of the parliamentary majority expressed their interest in future measures to be taken by accountable bodies and in legislative changes necessary for these measures, while members of the parliamentary minority emphasized problematic issues of the reporting period, although, in most cases, their views contained a political context, due to which their questions were only given political answers;
- With few exceptions, committees did not actively use the possibility to invite representatives of bodies accountable to the Parliament and to hear their reports at committee sessions;
- MPs did not use MPs questions in order to exercise parliamentary control purposefully and effectively;

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- In the reporting period, it was always members of the parliamentary minority who initiated the creation of investigative commissions on issues important for the public, which, as a rule, was not supported by the majority. At the same time, the Parliament created other ad hoc commissions initiated by the majority and by the Budget and Finance Committee.
