

THE PARLIAMENTARY OVERSIGHT SINCE THE RULES OF PROCEDURE REFORM



**GEORGIAN
YOUNG
LAWYERS'
ASSOCIATION**

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REFORM**

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Authors of the research:

Head of Research and Academic Editor: VAKHUSHTI MENABDE

Researchers: GIORGI ALAVERDASHVILI

TORNIKE GERLIANI

ANA JABAURI

Assistant of the Research: NIKOLOZ ODIKADZE

Editor: KHATUNA KVIRALASHVILI

Technical Editor: IRAKLI SVANIDZE

Responsible for the Edition: SULKHAN SALADZE

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J. Kakhidze street #15, Tbilisi, Georgia

(+995 32) 295 23 53, 293 61 01

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1. RESEARCH METHODOLOGY

1.1. Research goals, Reporting Period and Subjects

The comprehensive constitutional reform, which was carried out in 2017-2018 also covered the parliamentary oversight tools. Following the novelty, the legislative body adopted completely new Rules of Procedure, which not only clarified the oversight mechanisms, but also equipped the Parliament with levers. This report seeks to measure the effectiveness of these changes. Both documents entered into force on December 16, 2018, upon taking the oath by the 5th President. Therefore, the research covers the analysis of the period from the moment of entry into force till 2020 fall session (including August 31).

The document focuses on parliamentary oversight of the Government of Georgia and the security sector. Both, the oversight general mechanisms as well as the institutions established for the oversight of the security sector are being analyzed. This approach presented more clearly the flaws of legislative framework on the one hand, and, the problems identified during the enforcement on the other hand. The research authors not only have identified the challenges, but propose the legislators reasonable ways to solve them, which are attached to the paper as recommendations.

1.2. Research Methods

Doctrinal method has been used when working on this document, which relies on the legislation and other primary and secondary sources and analyzes and interprets the law through them (using them).

While working on the paper the authors were also guided by non-doctrinal method. They sought problems (problem study) existing in Georgia in terms of the parliamentary oversight and in separate cases focused on the policy, which is the basis of this paper (policy study) and its implementation. Through revealing the flaws in the law and in its implementation, the researchers developed the proposal (reform study) on amendments to the Rules of Procedure and the Constitution.

Group of authors also used comparative legal research, which implies comparison of a problem or an issue of one society and the regulations and norms for its resolution to the regulations and norms for resolution of the same type of a problem or an issue in other society.

The parliamentary oversight section analyzes legislation of both Georgia as well as foreign countries. Mostly these are the acts of constitutional significance, as well as Rules of Procedure of representative bodies. The document relies on scientific researches and technical reports on the parliamentary oversight.

The following criteria was used when selecting foreign countries: the membership of the EU, continental law system in the country, governance model (semi-presidential, premier-presidential and parliamentary governance). The criteria of being a member of the EU has become important as Georgia seeks to become the member of the organization and therefore, to harmonize the democratic standards in it. While the governance model was selected in resemblance with Georgia. Another criterion was its belonging to the family of the continental law countries, since Georgia is also its member that gives more chances of logical coincidence of institutional governance. Finally, 12 countries were selected.

Following sources have been used when working on this report:

- Legislation of Georgia;
- Relevant parliamentary reports, shorthand records of the committee and plenary sittings received in the form of public information;
- Analysis of Rules of Procedure and other relevant normative acts of parliaments of foreign countries;
- Information received from parliaments of foreign countries regarding implementation of separate mechanisms of the parliamentary oversight;
- Documents prepared by the international organizations;
- Analytical materials regarding parliamentary oversight mechanisms of security sector.

1.3. The international standards and practice

As stated above, the group of authors have processed legal framework of the parliamentary oversight of 12 EU member-states. All 12 countries belong to the family of the continental law countries. In terms of governance model, part of the mentioned countries are of semi-presidential governance system and the other part – parliamentary governance. For research purposes, Matthew Shugart and John Carey classifications are used for semi-presidential model definition, who outline two sub-types of semi-presidential systems – “premier-presidential” and “president-parliamentary”.¹ In the premier-presidential system the president selects the prime minister, however authority to dismiss the cabinet rests exclusively with the parliament.² In the president-parliamentary system the executive government is dually accountable both towards the head of the state as well as the legislative branch.³

As a result of 2017-2018 constitutional reform, the parliamentary system was established in Georgia, based on which the President shall be fully distanced from implementation of executive powers. Furthermore, s/he shall be elected by the 300 member electoral college.⁴ However, this rule shall be effective in 2024, when the term of office of active president expires. From this moment the country shall move to the classical type parliamentary system. However, if the term of the president is prematurely terminated, the new president shall be selected in accordance with the mentioned procedure. In this case, this date shall be considered as the date of transition to parliamentary system. Until then semi-presidential, premier-presidential sub-type will be maintained.

The researchers have used the experience of five member-states of the EU with semi-presidential (premier-presidential sub-type) system. These are: Bulgaria, Croatia, Slovakia, Lithuania, which were selected because of having the similar history of statehood as Georgia during the post-socialist period, and Finland – because of relatively long tradition of democracy.

The group of authors studied 7 countries with parliamentary system of governance, which are: Greece, Estonia, Latvia, Hungary, Italy, Spain and Germany. Out of these countries Estonia, Latvia and Hungary were selected based on the post-socialist experience, and Greece, Italy, Spain and Germany were selected as the countries with relatively experienced parliamentary systems.

Systems of Bulgaria, Croatia, Slovakia, Latvia, Greece, Estonia, Lithuania, Hungary are dis-

¹ Shugart S. M., *Semi-Presidential Systems: Dual Executive and Mixed Authority Patterns*, French Politics, Issue 3, 2005, p. 333.

² Ibid.

³ Ibid, p. 334.

⁴ Constitution of Georgia, Article 50, cl. 3.

cussed in detail in the other report,⁵ therefore the authors will not discuss this issue here. As for Italy, Spain and Germany – their systems are as follows:

Germany – The President shall be elected with 5 years term of office with majority of votes of the members of the Federal Convention.⁶ The supreme representative body shall consist of two houses, Bundestag (lower house) and Bundesrat (upper house).⁷ Members of the Bundestag shall be elected for 4 years,⁸ while the members of Bundesrat shall be appointed by decisions of the members of the Land governments.⁹ The Federal Government shall consist of the Federal Chancellor and the Federal Ministers.¹⁰ The Federal Chancellor shall be elected by Bundestag on the proposal of the Federal President.¹¹ Federal Ministers shall be appointed by the Federal President upon the proposal of the Federal Chancellor.¹² There is a rule of a constructive vote of no confidence¹³ and negative votes.¹⁴ The President shall not dissolve the cabinet, Premier or federal ministers independently.

Italy - The President of the Republic is elected for seven years,¹⁵ by Parliament in joint session of its members.¹⁶ In addition to the MPs, three delegates from all regions participate in the elections, which shall be elected by relevant regional councils.¹⁷ The parliament of Italy consists of two houses - Chamber of Deputies and the Senate of the Republic.¹⁸ They are elected for five years.¹⁹ Council of Ministers consists of President of the Councils and Ministers.²⁰ The President shall appoint the President of the Council of Ministers and, on his/her proposal, the Ministers.²¹ The Government, as the collegial body,²² must have the confidence of both Houses.²³ The President is not authorized to dissolve the cabinet, Premier or separate ministers.

Spain - The King is the Head of State of Spain,²⁴ and the legislative body is - Cortes Generales.²⁵ The lower house, Congress, shall consist of a minimum of three hundred and a maximum of four hundred Members, elected for four years.²⁶ The upper house, Senate, is the house of territorial representation. In regions the voters elect in total 266 representatives

⁵ Menabde V. (Head of Research and Academic Editor) et al, 20 years without Parliamentary Oversight. Oversight of the Security Sector by the Supreme Representative Body in Georgia, Second Revised Edition, Tbilisi, 2019, pp. 25-31.

⁶ Basic Law for the Federal Republic of Germany, art. 54, cl. 6.

⁷ Ibid. art. 38 and 50.

⁸ Ibid. art. 39, cl. 1.

⁹ Ibid. art. 51.

¹⁰ Ibid. art. 62.

¹¹ Basic Law for the Federal Republic of Germany, art. 63, cl. 1.

¹² Ibid. art. 64, cl. 1.

¹³ Election of the Federal Chancellor, Bundestag official webpage, available at: <https://www.bundestag.de/en/parliament/function/chancellor>, updated at: 14.09.20.

¹⁴ Basic Law for the Federal Republic of Germany 68, cl. 1.

¹⁵ Constitution of Italy, art. 85.

¹⁶ Ibid. art. 83.

¹⁷ Ibid.

¹⁸ Ibid. art. 55.

¹⁹ Ibid. art. 60.

²⁰ Ibid. art. 92.

²¹ Ibid.

²² Bulmer E., Government Formation and Removal Mechanisms, International IDEA Constitution-Building Primer 17, Stockholm, 2017, p. 8, available at: <https://tinyurl.com/y47smgde>, updated at: 25.08.2019.

²³ Constitution of Italy, art. 94.

²⁴ Constitution of Spain, art. 56, cl. 1, available at webpage of constituteproject: https://www.constituteproject.org/constitution/Spain_2011?lang=en, updated at: 14.09.20.

²⁵ Ibid. art. 66.

²⁶ Ibid. art. 68, sec. 1.

for four years.²⁷ The Government consist of the President, Vice-Presidents, when appropriate, Ministers and other members as may be created by law.²⁸ The head of the Government is the President (Chair of the Government, Prime-minister).²⁹ The Congress grants the candidate its confidence and not the Cabinet.³⁰ After the candidate for the presidency receives the vote of confidence, the King shall appoint other members of the Government at the President's proposal.³¹ The Congress may adopt a motion of censure against the Government.³² The Constitution also acknowledges the negative vote of confidence.³³ The King is not authorized to dissolve the cabinet, Premier or separate ministers.

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²⁷ Ibid. art. 69.

²⁸ Ibid. art. 98, sec. 1.

²⁹ Ibid. art. 98, sec. 2.

³⁰ Ibid. art. 99.

³¹ Ibid. art. 100.

³² Ibid. art. 113.

³³ Ibid. art. 112.

ABBREVIATIONS

- NNLE - Non-entrepreneurial (Non-commercial) Legal Entity
- Bulgaria – Republic of Bulgaria
- Germany – Federal Republic of Germany
- email – electronic mail
- Spain – Kingdom of Spain
- Estonia – Republic of Estonia
- TSU – Tbilisi State University
- Jun - June
- Latvia – Republic of Latvia
- Lithuania – Republic of Lithuania
- E.g. - for example
- OTA - Operative-technical Agency
- Greece – Republic of Greece
- SSPS - Special State Protection Service of Georgia
- Slovakia – Republic of Slovakia
- LEPL – Legal Entity of Public Law
- SSSG – State Security Service of Georgia
- Hungary – Republic of Hungary
- Finland – Republic of Finland
- LTD - Limited Liability Company
- MIA – Ministry of Internal Affairs
- Croatia – Republic of Croatia
- Art – article
- Cl – clause
- OSCE - Organization for Security and Co-operation in Europe
- P – page
- Pp – pages
- Para – paragraph
- Et al - and others

RESEARCH FINDINGS

Governmental Program and the Report of the Prime Minister

- Date of submission of the Report of the Prime Minister does not coincide with the date of declaration of the vote of confidence to the Cabinet, which reduces the effectiveness of the Parliamentary control;
- The Governmental Program covers only general provisions and does not allow for comprehensive evaluation of its implementation;
- In 2019 the Parliament neither has discussed the Prime Minister's annual report nor has requested its extraordinary hearing; in 2020, after the hearing of the report of the Head of the Government, debates were held mainly on such issues that were not considered neither by Governmental Program nor the report.

Minister's hour and Question Time

- The Rules of Procedure allows for several Minister's hours per day, and such overload of the plenary sitting hinders the effectiveness of the process;
- The existing format of the Minister's hour is often used improperly, and the MPs refer to it to discuss actual issues with the Ministers rather than oversee the Governmental Program implementation;
- If the vote of confidence is declared to the new cabinet, there is no binding requirement to develop the updated schedule of Minister's hour that reduces the effectiveness of the Parliamentary oversight; furthermore, its frequent changes create the sense of political manipulation;
- In 2019, the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia have not appeared before the Parliament in accordance with the procedures of the Minister's Hour, which violated the Rules of Procedure;
- The Rules of Procedure does not envisage "Question Time". The MPs have no leverages, that would allow them to receive and discuss the timely information from ministers on current and problematic issues.

Interpellation

- Periodic restrictions under the Rules of Procedure regarding the Interpellation fail to comply with the nature of this mechanism and good international practices;
- Interpellation topics and the discussions held on its basis are often inconsistent with each other;
- Raising several fundamentally different from each other issues during one interpellation, reduces the possibility of effective parliamentary oversight; plus, the parliamentary discussions fail to focus on thorough analysis around specific topic;
- The Rules of Procedure fail to define clearly the link of interpellation with the no-confidence procedures;
- The Rules of Procedure does not clearly indicate the possibility of immediate initiation of discussion and voting on the draft resolution following the interpellation;
- The Rules of Procedure does not provide for the obligation to promulgate the interpellation questions.

Question

- MPs asked the members of the Cabinet 305 questions in total, out of which 251 were answered, 54 questions were left unanswered; the addressees themselves have signed

in 110 cases; 117 cases of delayed responses have been identified; Vakhtang Gomelauri, the **Minister of Internal Affairs** was asked 10 questions (the response was delayed in 4 cases, did not respond once, in 100% of cases the responses were signed on behalf of him); Giorgi Gakharia, the **Minister of Internal Affairs** was asked 13 questions (response was delayed on one question, did not answer 3 questions, in 100% of cases the responses were signed on behalf of him); the **Minister of Justice** – 15 questions (the response was delayed in 4 cases, did not respond five times, in 100% of cases the responses were signed on behalf of her); Levan Izoria, the **Minister of Defense** was asked 8 questions (the response was delayed in 3 cases, he responded on all questions, in 100% of cases the responses were signed on behalf of him), while Irakli Gharibashvili, the **Minister of Defense** was asked 4 questions (he responded all questions in timely manner and signed all responses himself); Vakhtang Gomelauri, the Head of **State Security Service** was asked one question (he responded in timely manner and signed himself), Grigol Liliashvili, the Acting Head of the **State Security Service** was asked 1 question (which remains unanswered). Furthermore, one question was addressed to the head of the **Special State Protection Service** (he responded on time and signed himself). There have been no questions addressed to the **Georgian Intelligence Service** and **Operative-technical Agency**. Authors of the questions were rejected the responses in 4 cases, on the grounds that they consisted of personal and commercial secret information, which is a violation of the Rules of Procedure, - the question shall be responded in any case (only in such cases the rule of exemption shall be implied);

- The Parliament failed to respond to the ignorance and delay of questions by the addressees.

Request of Information from accountable Persons and Study of Activities of an Administrative Body

- The Committees can define the accountable bodies the terms for providing the information, however in most cases they fail to do so;
- In some cases, the accountable persons violate the terms defined for them by the committee to provide requested information. There are cases when the committee orally receives the information, which was requested in writing;
- The right of the committee to study the activities of an administrative body are duplicated in several provisions, which is the cause of confusion.

Summoning an Official to a Committee Sitting

- The Rules of Procedure do not provide for deadlines for the Committee chair to provide the summoned person the information on being summoned, which creates possibility for manipulation and reduces the effectiveness of the control mechanism;
- According to the Rules of Procedure, any person summoned to a committee sitting by a faction, may be re-summoned within the following two months only with the support of a majority of the enlisted members of the committee, and it protects excessively the executive government from the Parliamentary oversight;
- The Rules of Procedure does not oblige the accountable official to appear at the sitting at short date, which allows for manipulations;
- Faction is not empowered to invite the Prime Minister, the Prosecutor General and the Head of the State Security Service of Georgia at the committee sitting, which also reduces the effectiveness of the Parliamentary oversight of them.

Thematic rapporteur of a Committee

- Committee's Action Plan structure is not clearly defined and that promotes formation of nonuniform practice;
- According to the Action Plans, the Committee Chairs and first deputies are Thematic rapporteurs on majority of topics. Mostly, commitments taken by them are unrealistic;
- The opposition rarely refers to the tool of Thematic rapporteur, therefore its effectiveness is reduced;
- Some Committee's Action Plans do not define the Thematic rapporteurs on certain issues, while the others refer to certain unions of MPs (e.g. parliamentary delegation, working group, trust group). In some cases, an Office employee is identified as such person. Each of these cases violates the Rules of Procedure;
- Changes in committee members are not reflected within the action plans. There are cases when MP, after leaving certain committee is still indicated in the Action Plan of the committee as a Thematic rapporteur, which is illogical;
- Committee's Action Plan format does not comply with the Rules of Procedure.

Committee on Defense and Security and Trust Group

- The Defense and Security Committee oversees the Ministry of Defense, MIA, SSS, GIS, SSPS and OTA. Such a large-scale mandate reduces the ability of the committee to effectively fulfil its obligations;
- The parliamentary subjects do not fulfill their obligation to appoint members of the group in timely manner, hindering the functioning of the tool;
- The frequency of group meetings is not specified that reduces the effectiveness of its work. The convening of a group meeting is up to the Chair. This hinders the opposition's ability to oversight properly;
- The relevant agencies are being notified regarding the group visit right before the visit is conducted that reduces the effectiveness of the monitoring tool.

Thematic Scrutiny Group

- The principle of proportional representation of political fractions is not applied in the staffing of the thematic scrutiny groups, which goes against the general principle of setting up the parliamentary institutions;
- Against the logic of the Rules of Procedure, in majority of cases the number of members is more than required. In most cases, the group members often are not the members of its founding committee/council;
- The changes to committees, councils and factions is not reflected on group composition;
- The majority required to create the group is high and does not comply with international experience;
- The term of the group authority is blanket term and does not consider individual specifics of study of the issue; their work experience shows that terms are violated in most cases;
- The Rules of Procedure does not clearly define subject responsible for extension of the term of the group;
- The Rules of Procedure does not regulate the consequences of violation of terms defined for it;
- The groups sometimes fail to publish on the Parliament's webpage the plan and the schedule, an information received within the framework of the research, as well as the

- information regarding its own meetings, which is the violation of Rules of Procedure;
- The groups, in almost every case, have published on the Parliament's webpage the documentation received within the framework of the research;
- If the groups unite, no new schedule or plan is being developed that is a deviation from the logic of the Rules of Procedure;
- The Parliament fails to consider the opinions submitted by the groups in a timely manner.

Temporary Commission

- The Rules of Procedure does not define proportion of members when establishing the temporary commission;
- The temporary commission is authorized to submit a request to the Prosecutor General of Georgia and study a criminal case and make copies – these powers are inconsistent with the mandate of the commission;
- The terms of authority of the Commission is of blanket nature and does not consider individual specifics of study of the issue;

Working Group

- There are cases when a working group functions without the act on its creation;
- No opposition representatives are presented in any of the groups;
- In the contrary to the Rules of Procedure, in certain cases, the members of the working groups are the staff of Office of the relevant Committee and of Executive Branch;
- The Rules of Procedure does not provide for the terms of work of the working group and its powers.

Temporary Investigative Commission

- The number of MPs (1/3) required for creation of the temporary investigative commission is high;
- Based on the Rules of Procedure, independent MPs also participate in staffing of the commission, which contradicts the Constitution;
- The Rules of Procedure provides for the terms for activities of the commission that deprives commission the flexibility;
- Decision-making procedures required for collecting the data, in some cases allows the half of the members to block the work of the commission;
- In case of non-fulfillment of the tasks of the commission it is unclear in which case shall the administrative liability be applied and in which – the criminal responsibility.

Ministries

- The legislative body is not engaged in government renewal process;
- The response forms on breaches of the Rules of Procedure by the ministers is insufficient; the legislation does not provide for neither binding nor recommending parliamentary leverages to impose political responsibility on an individual minister;
- The number of MPs (1/3) required to initiate the issue of a declaration of no-confidence is irrelevantly high;
- The restriction for re-initiation of declaration of no-confidence during 6 months by the same MPs unreasonably limits the ability of the Parliament to impose political liability on the Cabinet;
- Forms of liability for non-fulfillment of obligations by the accountable bodies as provided for by the Constitution and the Rules of Procedure are of extreme nature, which makes them ineffective and inflexible.

State Security Service

- The procedures defined for appointing the Head of State Security Service carries the risk of politically motivated consequences and is not consensus-oriented;
- The authority of the Deputy Head of the State Security Service to present the report on activities of the Service contradicts the idea of accountability of the Head of the Service to the Parliament;
- The model of responsibility defined for the Head of the State Security Service represents the mechanism of quasi-distrust and allows for possibility to be used for political purposes.

Intelligence Service and Special State Protection Service

- The procedure defined for assignment/dismissal of the Head of the Intelligence Service carries the risk of politically motivated decisions. Should also be noted that the preconditions for termination of his/her authorities are not defined that even more increases the mentioned risk;
- The parliamentary oversight of the Intelligence Service is exercised only by the committees and the trust group;
- The process of assignment/dismissal of the Head of SSPS is carried out directly by the Prime Minister and the legislative body does not participate in it that carries the risk of unbalanced and politically motivated decision.

2. A GOVERNMENT PROGRAM, REPORT OF THE PRIME MINISTER, MINISTER'S HOUR AND SUMMONING ACCOUNTABLE OFFICIALS TO THE PLENARY SITTING

2.1. A Government Program

The Government Program is a guiding document of the activities of the Government. Therefore, majority of the agenda of the executive body is based on it. As a rule, the document covers the full term of the Cabinet, however, there are cases when the executive government presents the mentioned document only for a year.³⁴ Given the fact that program performance is an indicator of the activities of the Government, it is important for the Parliament to consider its thorough and in-depth discussions as a special responsibility.³⁵

According the Constitution of Georgia, prime minister-designate shall develop the Government program,³⁶ which shall be an action plan of the future cabinet. After the vote of confidence, an annual report on the implementation of the Government Program shall be submitted to the Parliament.³⁷

As an example, below is the analysis of the information on research subjects in the Program of the Government of Giorgi Gakharia, which includes:³⁸ the issues of institutional reform of MIA and its subunits, for example, such as reforms of the Criminal, Border and Patrol Police; separation of investigative and prosecution functions; issues related to the cooperation with international police structures and human resources management. The document also reviews the measures to be taken in terms of state defense capabilities, however there is no information regarding SSSG, Intelligence Service, Special Penitentiary Service and OTA. Furthermore, discussions on democratic accountability of the security sector and challenges in this regards are fully disregarded.

This Government Program repeats the problems that have been existing for years:³⁹ it provides the Parliament only partial information about some activities, problems and goals of the defense and security sector, and fails to provide information about the others; information on institutional reforms is relatively detailed. This approach contributes to superficiality and shallow discussion of the issues, and therefore is desirable to be changed. The Program should become the guiding document of the Government and it should review all goals thoroughly and systematically.⁴⁰

2.2. An annual and Extraordinary reports of the Prime Minister

The Head of the Government shall submit the legislative body a report on performance of the Program once a year,⁴¹ in the last month of plenary sittings of the spring session.⁴² After

³⁴ Yamamoto H., Ed., Tools for Parliamentary Oversight, A Comparative Study of 88 National Parliaments, Inter-Parliamentary Union, 2007, p. 45, available at: <http://www.ipu.org/PDF/publications/oversight08-e.pdf>, updated at: 16.10.2018.

³⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 47.

³⁶ Constitution of Georgia, art. 56, cl. 2.

³⁷ Ibid, art. 55, cl. 5.

³⁸ Government Program of September 3, 2019, pp. 7-12.

³⁹ For the Government Programs existing before 2019 see Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 49.

⁴⁰ Ibid.

⁴¹ Constitution of Georgia, art. 55, cl 5; Rules of Procedure of the Parliament of Georgia, art. 150, cl. 1.

⁴² Rules of Procedure of the Parliament of Georgia, art. 150, cl. 1.

a speaker completes the speech, MPs shall ask the questions and discuss the report.⁴³

The Rules of Procedure provides for the set time for presenting the annual report of the Head of the Government. Such strict regulation is ineffective, **and therefore, it is recommended for this event to coincide with the anniversary of the declaration of vote of confidence**, otherwise the Prime Minister with vote of confidence declared by the newly elected Parliament will be obliged to submit the annual report in less than 6 months after taking the office, and in case of extraordinary elections or formation of a new government this term may even be shorter. It does not make sense for the newly appointed Head of the Government to submit the annual report on program performance to the legislative organ.

Along with a regular report, there is a possibility of extraordinary invitation of the Prime Minister, which implies the ability of the legislative organ, to request the Head of the Cabinet the submission of report on the progress of specific chapters of the Government Program.⁴⁴ The Parliament shall take this decision based on the request of a committee or a faction, with the majority of the MPs present, but with no less than one-third of the full composition of the Parliament.⁴⁵ In this case as well obligation of oral hearing of the report is established.⁴⁶

The hearing of an annual report during the spring session 2019 was to be held in June („the last month of the plenary sittings of the spring session“).⁴⁷ Plus, the Prime Minister was obliged to submit the written report to the legislative body before June 1st.⁴⁸ He has fulfilled this obligation,⁴⁹ however, there was no discussion held. Therefore, the new rule was unsuccessful the first time it was applied. Furthermore, in 2019 the Parliament have not requested extraordinary submission of the report.⁵⁰

It is essential, that the representatives of the legislative branch understand the significance and role of each tool of the parliamentary oversight in the democratic processes. The mechanism of the annual report of the Prime Minister shall be implemented effectively. The efforts of the Parliament are crucial in the process to avoid the problems related to the verbal hearing in the coming years.

Unlike the previous year, this procedure was carried out by the end of spring session 2020, on June 26. The report in written was sent to the Parliament according to the terms prescribed by the Rules of Procedure.⁵¹ The hearing lasted total 7 hours and 37 minutes, out of which the Prime Minister was given 1 hour and 14 minutes. The rest of the time was given to questions and answers. Representatives of all political parties were present at the sitting. 51 MPs took floor (out of which 24 were from the Majority, and 27 from the opposition). 13 questions were related to the report, other 38 were related to the current issues, such as, events of June 20, 2019, COVID 19, Frontera case, victims of financial group “Sakartvelo”

⁴³ Ibid, art. 150, cl. 3.

⁴⁴ Ibid, art. 151, cl 1.

⁴⁵ Ibid.

⁴⁶ Ibid, art. 151, cl. 3.

⁴⁷ Ibid, art. 150, cl. 1.

⁴⁸ Ibid.

⁴⁹ Freedom, rapid development, welfare, report on implementation of 2018-2019 Government Program, webpage of the Parliament of Georgia, available at: <https://bit.ly/34U3Xwp>, updated at: 01.09.2019.

⁵⁰ Letter #1-15068/19, dated of August 22, 2019, of the Parliament of Georgia.

⁵¹ Report on implementation of 2019-2020 Government Program, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/y2qkkn0t>, updated at: 02.09.20.

(Georgia), and fake news.⁵²

It is recommended to conduct debates following the Prime Minister's speech directly around the issues covered by the Government Program and the report. The Rules of Procedure provide for other mechanisms to discuss the current issues and obtain the information on them.

2.3. Minister's hour

The current Rules of Procedure introduced the procedure of the Minister's hour, which refers to the obligation of certain members of the Government, to present before the plenary sitting of the Parliament the report on the respective components of the Government Program implementation no less than once a year.⁵³ The schedule should ensure that at least one minister's hour is planned every two weeks during plenary sittings (except for the week when annual report of the Prime Minister is presented).⁵⁴ The Q&A as well as debates are held following the report hearing.⁵⁵ However, possibility of raising current and important issues by the MPs is closed out.⁵⁶

The Rules of Procedure refers to this mechanism as Minister's Hour that creates the perception of Question Time, however these two mechanisms have nothing in common. The legislation analysis shows that the Minister's hour is the same as the Minister's Report.⁵⁷ The Minister's Hour and Question Time serve different goals. The Question Time aims at giving MPs the opportunity to receive responses from relevant ministers on interesting and urgent issues for them, while the Minister's Hour is the tool for informing the legislative body on measures taken in the certain area for implementation of the Government Plan.⁵⁸

One more issue related to the abovementioned procedure is related to its schedule. The Bureau develops the schedule before the start of the spring session.⁵⁹ However, the following circumstance shall be considered: the Minister's Hour is directly related to the Government Program, and, therefore to the directions and strategies of the Government Program. **Considering this, it would be reasonable, if drafting a new schedule will become mandatory in case if a new Cabinet is declared a vote of confidence.** The Bureau shall adjust a new schedule to a configuration of the new Cabinet, new Government Program and actual ability to report on its implementation.

The Bureau is authorized to conduct this type of change of the schedule, which it did 7 times in 2019.⁶⁰ This kind of practice carries the risk of political manipulation and therefore, **the Bureau shall use the mentioned mechanism only in extreme cases.** The fact that in 2020

⁵² The Plenary sitting of the Parliament, annual report of the Prime Minister of Georgia on Government Program implementation, June 26, the official Facebook page of the Government of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/397388674550520> and <https://www.facebook.com/parliamentgeo/videos/2620039391617357>, updated at: 02.09.20.

⁵³ Rules of Procedure of the Parliament of Georgia, art. 153, cl. 1.

⁵⁴ Ibid. art. 153, cl. 2.

⁵⁵ Ibid. art. 153, cl. 4.

⁵⁶ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 52.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Rules of Procedure of the Parliament of Georgia, art. 153, cl. 2.

⁶⁰ Letters #1-20623/19 dated of November 22 and #1-25495/19 dated of December 24, of the Parliament of Georgia.

the Bureau have not made any changes to the established agenda is welcomed.⁶¹

On September 8, 2019 the Parliament declared vote of confidence to the new composition of the Government.⁶² Therefore, during the reporting period, the legislative body had hearings on two different Government plans.

In 2019, 10 procedures were carried out in the Parliament in the format of Minister's Hour. In 5 cases out of mentioned 10 – the ministers had speech as the members of the Cabinet of Prime Minister Mamuka Bakhtadze. These were: the Minister of Regional Development and Infrastructure (20.02.2019); the Minister of Environment and Agriculture (07.03.19); the Minister of Justice (20.03.19); the Minister of Defense (04.04.2019) and the Minister of Internal Defense (02.05.2019).⁶³ The rest 5 ministers have presented before the legislative body as the members of the Government of Prime Minister Giorgi Gakharia. State Minister for Reconciliation and Civic Equality (20.09.2019); the Minister of Foreign Affairs (17.10.2019); the Minister of Finance (28.11.2019); the Minister of Education, Science, Culture and Sports (20.12.2019) and the Minister of Economy and Sustainable Development (20.12.2019).⁶⁴

It should also be noted that the Minister's Hour of the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs was not held at the plenary sitting on December 20. The same day the Chair (Speaker) of the Parliament announced the closure of the fall session. The Rules of Procedure envisages one-year cycle for the Minister's Hour,⁶⁵ which in turn implies two consecutive (next) sessions. In this sense the Rules of Procedure requires that the Minister shall present before the Parliament during at least one of the sessions, spring or fall. As noted above, there was no Minister's Hour held with participation of the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs in 2019 (the Minister arrived before the Parliament on spring session 2020⁶⁶), thus the legislative organ has violated its own Rules of Procedure.

It is important to note that, three Minister's Hours were planned at this sitting in total (there was a hearing of (1) the Minister of Economy and Sustainable Development⁶⁷ and (2) the Minister of Education, Science, Culture and Sports⁶⁸), and overloading the plenary sitting this way precludes the effectiveness of the process. **The Rules of Procedure should restrict more than one Minister's Hour per day.**

The following ministers have presented before the Parliament in the framework of the Min-

⁶¹ Letter #1-9604/20 dated of July 28, 2020 of the Parliament of Georgia.

⁶² The Parliament declared the vote of confidence to the renewed composition of the Government, information agency Interpressnews, available at: <https://www.interpressnews.ge/ka/article/562874-parlamentma-mtavro-bis-ganaxlebul-shemadgenlobas-ndoba-gamoucxada/>, updated at: 19.02.2020.

⁶³ Letters #1-15068/19, dated of August 22, 2019 and #1-20623/19, dated of November 22, of the Parliament of Georgia.

⁶⁴ Letter #1-25495/19 dated of December 24, 2019 of the Parliament of Georgia.

⁶⁵ Rules of Procedure of the Parliament of Georgia, art. 153, cl 1.

⁶⁶ The Parliament heard the Minister of IDPs from the Occupied Territories, Labor, Health and Social Protection, Ekaterine Tikaradze, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/yxg6bpvf>, updated at: 19.02.2020.

⁶⁷ The Parliament heard the Minister of Economy and Sustainable Development and discussed the Bills at the Extraordinary Session, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/y2gymo8v>, updated at: 11.02.2020.

⁶⁸ The Parliament heard the Minister of Education, Science, Culture and Sports, Mikheil Chkhenkeli at the Extraordinary Plenary Session, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/yy7smt5c>, updated at: 11.02.2020.

ister's Hour during 2020 spring session: Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs (05.02.20.), the Minister of Finance (20.02.20.), the Minister of Regional Development and Infrastructure (06.03.20.) and the Minister of Defense (12.06.20.).⁶⁹ Below are the Minister's Hours that failed to be held due to COVID 19 state of emergency (1) the Minister of Internal Affairs (2) the Minister of Foreign Affairs, (3) the Minister of Education, Science Culture and Sports (4) the Minister of Justice (5) the Minister of Environment and Agriculture. However, the Bureau hasn't used possibility of modifying the schedule, which means that the parliament won't hear those ministers. This is against the requirements of the Rules of Procedure.

2.3.1. The Minister's Hour - 2019

The Minister's Hour – the Minister of Internal Affairs: the procedure (except the closing speech of the Minister) lasted for 2 hours and 16 minutes, while the speech took 27 minutes.⁷⁰ The speech was mostly in line with the thematic aspects of the Government Program and it was kind of a report of planned and already carried out reforms.⁷¹

It is noteworthy that the absolute majority of the MPs have not expressed the interest with the report details. The majority of questions was in relation to the current topics. 44 MPs asked questions,⁷² out of which 20 MPs were representatives of the Minority and 24 – the Majority. 30 questions of MPs (14 the Majority, 16 the Minority) were not related to the Government Program. They were mostly addressed to the current issues such as, the Khorava street murder case, Pankisi special operation and issues around David Gareji monastery.⁷³

This tool implies to provide the Parliament information regarding the measures taken by the Government in accordance with the Government Program, however sitting of 2nd of May was largely around actual topics from recent past.

The Minister's Hour – the Minister of Regional Development and Infrastructure: the procedure (except the closing speech of the Minister) lasted 2 hours and 57 minutes, while the speech took 57 minutes.⁷⁴ The speech was related to thematic aspects of the Government Program and projects planned in 2019.⁷⁵

52 MPs asked questions, out of which 31 were from the Majority and 21 from the Minority. As 2018 Program does not provide extensive and detailed information in terms of infrastructure, it is difficult to thoroughly establish absolute correspondence of speeches both of the

⁶⁹ Letter of the Parliament of Georgia #1-9604/20, dated of July 28, 2020.

⁷⁰ May 2, plenary sitting of the Parliament, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/321487781868136/>, updated at: 29.02.2020.

⁷¹ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

⁷² For the research purposes only questions asked at the plenary sitting were counted; the clarification question are considered as the part of main question;

⁷³ For more specific examples, the first question (Talakvadze) was related to the Minister's vision for resolving David Gareji's issue, which actually is a topical issue at the moment and is not related to the Minister's report; the second question (Samadashvili): special operation held in Pankisi, which is also a topical issue; the third speaker (Nadirashvili) also touched the topic of Pankisi; the next MP (Gotsiridze) discussed uninvestigated cases; one of the MPs (Tsilosani) asked a question about the distribution of private footage; one question was also asked (Khutsishvili) about the construction of hydropower plants.

⁷⁴ Hearing of the Minister of Regional Development and Infrastructure, Maia Tskitishvili, the official Facebook page of the Parliament of Georgia, available at:

<https://www.facebook.com/parliamentgeo/videos/1163307443834058/>, updated at: 29.02.2020.

⁷⁵ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

member of the Cabinet, as well as MPs with the issues outlined in the Program.

The Minister discussed in her speech both the general as well as specific issues, however she has not addressed the issues such as, internetisation (however the question related to this topic was asked) or the issue of Anaklia Port. She focused on construction of highways, as well as the issues of waste management, which is presented as the generalized plan in the Program. She also addressed the issue of local self-government, which is also referred to in the Program (“Strengthening Local Self-government”). The report addressed such specific issues that were not mentioned in the Program (e.g. Shvabebi street rehabilitation or construction of Vani Archaeological Museum).

The majority of questions were related not to the actual issues or political part of the plan but were mostly requests of MPs to implement specific projects in their own districts (i.e. rehabilitation of schools, opening of the aerial tramways or stadiums). Clearly, not only Majoritarian MPs were interested in specific infrastructure projects. The questions asked in accordance with the certain place/regions/municipality, as already noted above, were not related to the issues covered by the Program, although they may be derived from general undertakings mentioned in it.

The Minister’s Hour – the Minister of Environment and Agriculture: the procedure (except the closing speech of the Minister) lasted 3 hours and 10 minutes, while the speech took 66 minutes.⁷⁶ The Minister’s speech mostly covered the Program topics.⁷⁷

46 MPs asked questions, out of which 31 were from the Majority and 15 from the Minority. The part of the questions were of current interest at the time of the sitting. For instance, the focus was made several times on damage caused by Asian Pharosana.

The rapporteur indicated in the beginning of own speech: “The policy pursued by the Ministry is based on three main strategic documents. This is Third National Environmental Action Program of Georgia, which defined the policy of our Ministry for 2017-2021. We have the Rural Development Strategy and Action Plan for 2017-2020, and we also have Agricultural Development Strategy and Action Plan for 2017-2020.”⁷⁸ It is noteworthy that the Minister have not mentioned the Government Program as the policy-guide document of the Ministry. Notwithstanding such approach, it should be noted that the Minister’s speech largely covered the topics outlined in the Program.

The Minister’s Hour – the Minister of Justice: the procedure (except the Minister’s closing speech) lasted for 2 hours and 14 minutes, while the speech took 45 minutes.⁷⁹ 39 MPs asked questions, out of which 23 were from the Majority and 16 from the Minority.⁸⁰

The Minister indicated in the beginning that the speech would address “the implementation of 2018-2020 Government Program in relevant directions for the last year.”⁸¹ The speech largely was in line with the Program.

⁷⁶ Minister’s Hour – the speech of the Minister of Environment and Agriculture, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/2128722870577668/>, updated at: 29.02.2020.

⁷⁷ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

⁷⁸ Ibid.

⁷⁹ Minister’s Hour – Tea Tsulukiani, the Minister of Justice of Georgia, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/852516625090073/>, updated at: 29.02.2020.

⁸⁰ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

⁸¹ Ibid.

MPs mostly focused (the Majority and the Minority) on current issues, such as Machalikashvili and Saralidze cases.

The Minister's Hour – the Minister of Defense: the procedure (except the closing speech of the Minister) lasted for 3 hours and 14 minutes, while the speech took 65 minutes.⁸² 38 MPs asked questions, out of which 20 MPs were from the Majority and 18 from the Minority.⁸³

Should be noted that substantial part of the Government Program is dedicated to the defense policy. In his speech the Minister largely focused on the steps already made and to be made towards NATO integration; the special programs, which are implemented together with strategic partners, to achieve compatibility with the Alliance. Should be also noted that the separate chapter of the document is dedicated to the integration issue, therefore the speech largely addressed the issues covered by it.

The majority of speeches of MPs were mostly in line with the Program topics. One of the MPs asked a question in relation to a specific issue not covered by the document. The MP was interested in the issue of transferring into ownership of flats to the military personnel living in a specific building.

The Minister's Hour – the State Minister of Georgia for Reconciliation and Civic Equality: the procedure (except the closing speech of the Minister) lasted 3 hours, while the speech – 61 minutes.⁸⁴ 23 MPs asked questions, out of which 18 MPs were from the Majority and 5 from other opposition parties.⁸⁵

There is no specific plan or project in the program related to the direction of the Ministry. The program is limited to the general political promises, such as: “special attention will be paid to implementation of reconciliation and engagement policy, which implies peace building, implementation of human-oriented policy, support of the population affected by the conflict on both sides of the occupational line, their support and social and economic empowerment, build of trust between the population separated by barbed wires.”⁸⁶

Indication of effective implementation of peace indicative “A Step to a Better Future” may be considered as more or less concrete. The initiative “aims at social and economic empowerment of the population living in Abkhazia and Tskhinvali region and promoting contacts, traffic, relations based on mutual interests.”⁸⁷ The speeches of the MPs were thematically in line with the content of the Minister's speech.

Should also be noted here that this hearing was held in about two weeks after approval of the new cabinet and of the new Government plan. Obviously, she has not reported on last two weeks and discussed previous year activities, as well as the future plans. Therefore, it turned out that the report was about the program, which no longer existed.

The Minister's Hour – the Minister of Foreign Affairs: the procedure (except the closing

⁸² April 4, Minister's Hour, the Minister of Defense - speech of Levan Izoria, the Minister of Defense, the official Facebook webpage of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/371436440129367>, updated at: 29.02.2020.

⁸³ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

⁸⁴ September 20, the Minister's Hour – Ketevan Tsilhelashvili, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/vb.210693318970694/2366987783575152/?-type=2&theater>, updated at: 29.02.2020.

⁸⁵ Letter of the Parliament of Georgia #1-20623/19, dated of November 22, 2019.

⁸⁶ Government Program 2019-2020, September 2019, p. 4.

⁸⁷ Ibid.

speech of the Minister) lasted for 2 hours and 8 minutes, while the speech took 55 minutes.⁸⁸ 31 MPs asked questions, out of which 22 were from the Majority and 9 from the Minority.⁸⁹ Should be noted, that the speech of the member of the Cabinet was mostly related to the thematic issues under the Program.

MPs asked various specific questions, which reflected issues of current interest. The report itself covered the period of term of office of David Zalkaliani and not the period since implementation of the Government plan. "Bearing in mind the fact that I hold the position of the Minister of Foreign Affairs from June 2018, I would like to present you the key directions of my activities on this position [...]"⁹⁰ This approach also fails to comply with the requirements of the Rules of Procedure. According to rule, the Minister shall report the legislative organ on implementation of Government plan rather than personal activities. Therefore, we face the same problem with the report of the Minister of Foreign Affairs, similar to the one - of the State Minister for Reconciliation and Civic Equality, which concerned the submission of a report on the implementation of the previous cabinet plan.

The Minister's Hour – the Minister of Finance:⁹¹ 13 MPs have asked the questions, out of which 10 were from the ruling party and 3 were the independent MPs.⁹² Should be noted that majority of the Minority was not present at the procedure.

The speech was related to the content of the Program(s), however it lacked detailed analysis.⁹³ The majority of the questions was regarding the inflation. The questions related to the issues such as increase of funding of Veterans State Service and museums, were also asked during the procedure.

The Minister's Hour – the Minister of Education, Science, Culture and Sports: the Procedure lasted for 2 hours and 58 minutes, while the speech took 32 minutes.⁹⁴ 19 MPs asked questions, out of which 16 were from the Majority and 3 - independent MPs. Only part of independent MPs from the Opposition attended the sitting.

The fact of suicide of 15 years old teenager had an influence on the content of the report. The Minister opened the speech with this issue and continued with discussion of safety issues in schools. Notwithstanding the fact that the Minister's speech was affected with the actual issue at that moment, this part, in general terms was still in line with the content of the Government Program(s)⁹⁵ (which aims to achieve students' physical and psycho-emotional safety).⁹⁶ Several MPs asked questions regarding this issue.

One speech was regarding the issue of certain stadium in majoritarian district of one of the MPs. No other critical questions were asked during the procedure.

⁸⁸ October 17, plenary sitting of the Parliament; the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/2421004064657230/>, updated at: 29.02.2020.

⁸⁹ Letter of the Parliament of Georgia №1-20623/19, dated of November 22, 2019.

⁹⁰ Ibid.

⁹¹ This Minister's Hour recording is not available.

⁹² Letter of the Parliament of Georgia #1-20623/19, dated of November 22, 2019.

⁹³ Ibid.

⁹⁴ December 20, the Minister's Hour, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/478050296230440/>, updated at: 29.02.2020.

⁹⁵ It is vague in this case as well, which Government Program was guiding for the Minister. The above discussion is addressed to both programs.

⁹⁶ Government Program, 2019-2020, September 2019, p. 28; Government Program Freedom, Rapid Development, Welfare, 2018-2020.

It is noteworthy that the majority of MPs did not refer to the Program as the key tool for evaluating the Minister's activities. MPs came up with general initiatives and expressed own opinions regarding schools and sports.

The Minister's Hour – the Minister of Economy and Sustainable Development: the procedure lasted for 1 hour and 57 minutes, while the report itself took 76 minutes.⁹⁷ 16 MPs asked questions, out of which - 15 were from the Majority and 1 – an independent MP.⁹⁸ This sitting was also attended by part of independent MPs from the Opposition.

According to the Government Program(s)⁹⁹ one of the starting points of economic policy is freedom of business, active dialogues with it and ensuring predictable environment.¹⁰⁰ The speech focused on the significance of the state property privatization issue. The majority of issues discussed at the procedure largely were in line with the Program, however, failed to fully cover it.¹⁰¹ As a question related to the specific issue (which the Program fails to focus on) can be considered the question of an MP regarding Agara sugar factory.

No unthematic questions were observed during the procedure. There was no actual criticism in the speeches of MPs and no focus was made on unsuccessful aspects of the activities of the Ministry.

2.3.2. The Minister's Hour - 2020

The Minister's Hour – the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia: the procedure in total lasted 4 hours and 33 minutes,¹⁰² while the speech itself took 23 minutes. The speech was in line with the issues under the Program. She also spoke about the COVID 19, combating the virus and expressed gratitude towards the medical staff. The rest of the time was dedicated to the questions and answers. In total 32 MPs took floor, out of which 9 were from the Minority and 23 – the Majority. Only part of independent MPs were present at the sitting. 15 questions were addressed to the speech of the Minister, while other 17 were of general nature.

The Minister's Hour – the Minister of Finance: the procedure lasted for 1 hour and 47 minutes,¹⁰³ while the speech lasted for 28 minutes, and the rest of time was dedicated to the questions and answers. The report was in line with the issues under the Program. 10 MPs took the questions. The Minority have not asked questions. The sitting was attended

⁹⁷ Minister's Hour, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/568635297016558/>, updated at: 29.02.2020.

⁹⁸ December 20, the Minister's Hour, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/478050296230440/>, updated at: 29.02.2020.

⁹⁹ It is vague in this case as well, which Government Program was guiding for the Minister. The above discussion is addressed to both programs.

¹⁰⁰ Government Program 2018-2020 Freedom, Rapid Development, Prosperity, p. 14; Government Program, 2019-2020, September 2019, p. 15, website of the Parliament of Georgia, available at: http://www.parliament.ge/ge/ajax/downloadFile/123190/07-2.388_, updated at: 13.03.20.

¹⁰¹ Should be noted that Roman Kakulia, an MP, presents recommendations on future reports in his speech. According to him, more attention should be paid to specific indicators that will allow the MPs to measure the progress in certain sphere and identify problematic fields. According to the MP the major challenges existing according to the certain directions should be outlined.

¹⁰² February 5, the Minister's Hour, the official Facebook page of the Parliament of Georgia, available at: https://www.facebook.com/watch/live/?v=511802949522088&ref=watch_permalink, <https://www.facebook.com/parliamentgeo/videos/1135924770091407>, updated at: 27.08.20.

¹⁰³ February 20, the Minister's Hour, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/607321149851191>, updated at: 27.08.20.

by part of independent MPs from the Minority. 2 questions were of general nature and 8 – concerned the Minister’s speech.

The Minister’s Hour – the Minister of Regional Development and Infrastructure: the procedure lasted for 2 hours and 58 minutes,¹⁰⁴ out of which the Minister’s speech lasted for 26 minutes and concerned the Government Program and the rest of the time was dedicated to the questions and answers. 28 MPs took floor, out of which 8 questions were not related to the speech and 20 questions were around the report. 24 MPs were from the Majority and 4 were independent MPs. The sitting was not attended by the factions National Movement and European Georgia.

The Minister’s Hour – the Minister of Defense: the discussion took 3 hours and 46 minutes,¹⁰⁵ while the speech took 40 minutes (which was largely in line with the Program) and the rest was dedicated to the questions and answers. The Minister also discussed the involvement of the defense forces in combating the Corona virus. Members of the Majority as well as the Minority took floor afterwards. Furthermore, the sitting was not attended by the members of the factions National Movement and European Georgia. In total 31 MPs asked questions, out of which 4 were from the Opposition and 27 – from the Majority. 18 questions were related to the Minister’s speech and 13 were focused on other issues.

Based on the discussed Minister’s Hour procedures, it can be said that the content of the Government Program does not affect the speeches of the Ministers and MPs. Although the majority of the rapporteurs and the authors of questions address the issues under it, mostly it is random thematic coincidence rather than implementation oversight.

Therefore, it is difficult to identify well-established, structured and coherent approaches, which represent the basis for the speeches of relevant minister and for the activities of MPs. The reports mostly cover specific and general issues under the Program, however not thoroughly. The members of the Government often cover the issues not related to the Program. On the contrary, the questions of MPs are mostly on issues interesting for them or in general (especially when it comes to opposition). Latterly, both the ministers as well as the MPs do not follow the certain provisions of the Program, rather express their opinions in relation to the political agenda.

As already noted, based on discussed Minister’s Hours, MPs rarely focus on the Program, which is caused by the fact that on the one hand it is of a general nature and on the other hand, there is no format which can be used to discuss the actual political issues. General and abstract discussions are comfortable for the members of the Cabinet, and their speeches are mostly like that. However, the opposition expresses less interest in such topics and ask the questions in accordance to their own interest, to focus on actual current issues.

The abovementioned examples clearly show that Minister’s Hours discussions are rarely about implementation of relevant directions of the Government Program. There is no effective parliamentary oversight of this institution. However, the gaps can be filled in with the Question Time procedure, the mechanism which ensures responses from relevant officials on actual questions of the MPs.

¹⁰⁴ March 6, Minister’s Hour, the official Facebook page of the Parliament of Georgia, available at: https://www.facebook.com/watch/live/?v=338630243742090&ref=watch_permalink, updated at: 31.08.20.

¹⁰⁵ June 12, Minister’s Hour, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/210693318970694/videos/3309371175741091/> and <https://www.facebook.com/parliamentgeo/videos/184463726294385>, updated at: 01.09.20.

The Minister's Hour can be a subject to criticism in other ways as well, as the proposed approach makes it pointless to have it held. E.g. the procedure is to be held in two weeks after declaring the vote of confidence; the Minister's Hours may also be held two weeks prior to the report of the Prime Minister.¹⁰⁶ It is unreasonable for the legislative organ to demand the report from 2 weeks appointed Minister, and two weeks after held a hearing of the Prime Minister on the same issue.¹⁰⁷ As already noted above, such cases have already been observed, e.g. on fall session of 2019, when the newly appointed ministers had to present the reports on the document (the Program of the previous Cabinet) which was already ineffective. In none of the countries with semi-presidential, premier-presidential sub-type and parliamentary systems which were studied due to impracticality of the mechanism, were observed to exist regular procedure similar to Georgia – the Minister's Hour. Only exception is Latvia, where the annual report is presented by the Minister of the Foreign Affairs.¹⁰⁸ Considering all the above-mentioned, **it is essential to abolish the existing procedure of the Minister's Hour and to establish the procedure for the Ministers to present with reports before relevant committees together with the Prime Minister, the week before Prime Minister presents his/her report to the plenary sitting.**¹⁰⁹

2.4. Summoning accountable persons to the plenary sitting

An official accountable to the Parliament shall, upon request, submit a report of activities performed and provide answers to questions raised.¹¹⁰

Committee or faction is authorized to initiate the issue.¹¹¹ The decision shall be made by the majority of attendees but no less than 1/3 of full composition of the Parliament.¹¹² The Rules of Procedure provides for the detailed procedures for taking floor and for discussion,¹¹³ which also covers political debates.¹¹⁴ During the reporting period the Parliament have not used the mentioned mechanism of the oversight.¹¹⁵

¹⁰⁶ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 53.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid. P. 52.

¹⁰⁹ Ibid. P. 30.

¹¹⁰ Constitution of Georgia, art. 44, cl. 6.

¹¹¹ Rules of Procedure of the Parliament of Georgia, art. 152, cl. 1.

¹¹² Ibid.

¹¹³ Ibid, art. 152, cl. 3, 4 and 5.

¹¹⁴ Ibid, art. 152, cl. 5.

¹¹⁵ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

3. QUESTION TIME

The question time is one of the most common tools of the parliamentary oversight.¹¹⁶ “Question time serves essentially two purposes. One purpose is oversight. Forcing leaders to answer questions allows ordinary MPs and the public-at-large to examine (and eventually pass judgment on) government policies. The second purpose is political. Parliamentary questions offer a forum to both governing and opposition parties to engage in partisan debate, often for the benefit of an interested public.”¹¹⁷

The Question Time is a regular part of the Parliament agenda, which shall be dedicated to the questions towards the Government, and relevant responses. In accordance to the procedure, the questions shall be in written form, however, certain officials are requested to respond orally.¹¹⁸ The Question Time allows both parliament and the public to obtain timely information can test the government’s capacity to address issues of national interest.¹¹⁹ „Members of the opposition focus primarily on issues on which they disagree with the government and believe they can score political points. To this end, they will often ask follow- up, or “supplementary,” questions in order to further highlight policy differences between the parties. For its part, members of the ruling party will ask questions that highlight government successes and cast opposition policies in a negative light.”¹²⁰

The above described tool promotes activation of political processes, as well as putting various actual topics on agenda, and delivering the interests of the public to wide political spectrum.¹²¹ Therefore, its work as of the oversight power goes beyond the purpose of simply obtaining information from the Cabinet members.¹²²

The existing edition of the Rules of Procedure does not provide for the Question Time or any other procedure similar to it.¹²³ The Minister’s Hour cannot be considered as such, as the purpose of the Question Time is to periodically raise actual issues and receive responses from relevant ministers (or the Prime Minister), while the Minister’s Hour is a tool for informing the legislative organ on steps taken towards the implementation of the Government Program.¹²⁴ The latter excludes the possibility of MPs to present additional issues.¹²⁵

In all studied countries the Question Time is an existing tool, which is held in semi-presidential, premier-presidential systems with the following frequency: “once in a week – Lithuania, Finland, Bulgaria; at every session i.e. four time per week – Slovakia; in Croatia the Parliament meets once per month and the agenda of each starts with “Morning Question Time”; in studied countries with parliamentary system the Question Time is conducted with the following frequency: once per week – Estonia, Hungary and Latvia; in Greece the “Cur-

¹¹⁶ Pelizzo R. and Stapenhurst R., Tools for Legislative Oversight: An Empirical Investigation, World Bank Policy Research Working Paper 3388, 2004, p. 4, available at: <https://tinyurl.com/y2r3yswb>, updated at: 01.09.2019.

¹¹⁷ NDI, Strengthening Legislative Capacity in Legislative-Executive Relations, Legislative Research Series, National Democratic Institute (NDI), NDI, Tbilisi, 2019, p. 63.

¹¹⁸ Wiberg M., Parliamentary Questioning: Control by Communication?, from the book Döring H. (Editor), Parliaments and Majority Rule in Western Europe, A publication of the Mannheim centre for European Social Research (MZES) at the University of Mannheim, p. 185, available at: <https://tinyurl.com/y2ogcds9>, updated at: 29.08.2019.

¹¹⁹ Yamamoto H., cited work, p. 49.

¹²⁰ NDI, cited work, p. 63.

¹²¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 64.

¹²² Ibid.

¹²³ Ibid, p. 70.

¹²⁴ Ibid.

¹²⁵ Ibid.

rent Questions” procedure same as Question Time is held on every Monday, Thursday and Friday.”¹²⁶ In the Chamber of Deputies of Italy the Question Time shall be conducted before each sitting, for which no less than 40 minutes are allocated;¹²⁷ As for Germany and Spain, the procedures define not the specific day for the Question Time, but the maximum number of hours. In particular, in Bundestag of Germany, no more than 3 hours shall be dedicated to the Question Time per each week of sittings,¹²⁸ in Spain there are two hours dedicated to the procedure,¹²⁹ (although, it is carried out on Wednesdays, as a rule).¹³⁰ In Germany there are two other similar mechanisms, which refer to the procedure of asking questions orally and receiving oral responses on them by the executive government. The first Wednesday is the day of Question Time, which shall be held after the weekly meeting of the government.¹³¹ This procedure lasts about half an hour.¹³² The second tool is so called Actual Time (hour). It is dedicated to debates on matters of topical interest, with the members speaking for no longer than 5 minutes.¹³³ The Question time is held in studied countries as follows: in 7 countries - for an hour per week, in one - three times per week, in one - four times per week and in one - twice per month. There is no specific day defined for the Government Hour in two countries. However, this vacuum is filled with practice in one case, and with the use of similar procedure in another.

Based on the common practice, asking question for an oral response during the Question Time procedure is the prerogative of the independent MP or in seldom cases – of faction (the group of MPs). This right can be exercised “even by one MP in the studied countries with semi-presidential, premier-presidential sub-type system republics - Bulgaria, Finland, Lithuania, Slovakia and Croatia.”¹³⁴ Out of parliamentary states only Latvian legislation¹³⁵ requires no less than 5 MPs to submit the request for oral question, while in case of Hungary,¹³⁶ Estonia,¹³⁷ Greece,¹³⁸ Germany,¹³⁹ Italy¹⁴⁰ and Spain¹⁴¹ – only one member is enough.

Before the Question Time is held, MPs shall send the addressees questions some time earlier. There are different approaches with this regard. In Lithuania, out of sub-presidential, premier-presidential sub-type countries, the questions are asked at the sitting.¹⁴² However,

¹²⁶ Ibid.

¹²⁷ Rules and procedures of Chamber of deputies of Italy, art. 130, cl. 1, webpage of Chamber of Deputies of Italy, available at: <https://tinyurl.com/y3qd572>, updated at: 15.09.20.

¹²⁸ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, Annex 4 Guidelines for Question Time and for written questions, I. Right to put questions, 1.

¹²⁹ Standing Orders of the Congress of Deputies of Spain, art. 191, webpage of the Congress of Spain, available at: <https://tinyurl.com/y5tvyujl>, updated at: 15.09.20.

¹³⁰ Constitutional and Parliamentary Information, Association of Secretaries General of Parliaments, p. 107, available at: <https://tinyurl.com/yym4r9jm>, updated at: 23.08.2019.

¹³¹ Instruments of scrutiny, webpage of Bundestag, available at: https://www.bundestag.de/en/parliament/function/scrutiny/instruments_scrutiny-245710, updated at: 23.08.2019.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 71.

¹³⁵ Rules of Procedure of the Saeima of Latvia, art. 119, cl. 1.

¹³⁶ The rules and Procedure of National Assembly of Hungary, art. 42, cl. 8.

¹³⁷ Riigikogu Rules of Procedure and Internal Rules Act, art. 144, Legislative Herald of Estonia, available at: <https://www.riigiteataja.ee/en/eli/518112014003/consolide>, updated at: 15.09.20.

¹³⁸ Standing Orders of the Parliament of Greece, art. 132, cl.2.

¹³⁹ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, art. 105.

¹⁴⁰ Rules and procedures of Chamber of deputies of Italy, art. 128.

¹⁴¹ Standing Orders of the Congress of Deputies of Spain, sec. 185.

¹⁴² Seimas of the Republic of Lithuania Statute, art. 208, cl. 2, official webpage of Seimas of Lithuania, available at: <https://tinyurl.com/y5d4vxjx>, updated at: 15.09.20.

if the question requires deep and thorough response, it must be submitted in writing.¹⁴³ In Finland, similar to Lithuania, the questions are asked at the sitting only.¹⁴⁴ In Bulgaria¹⁴⁵ and Slovakia¹⁴⁶ the addressees are sent the questions 48 hours prior to the sitting, while in Croatia¹⁴⁷ - 24 hour prior.

In Estonia, out of parliamentary system countries, the questions are sent before noon of the sitting day prior to Question Time day.¹⁴⁸ Hungary has different approaches and the questions are asked at the sitting.¹⁴⁹ In Latvia it is required to register the questions, however the Rules of Procedure does not define the terms.¹⁵⁰ In Greece the questions are sent 3 days before the sitting.¹⁵¹ In Italy it shall be added to the agenda in two weeks after submission of the question.¹⁵² In Germany the question shall be sent to the Chair on Friday until 10 AM before the session week and to Federal Government until 12 o'clock.¹⁵³ In Spain the question shall be submitted to the Bureau at the day defined by it, however, in any case it shall be no later than 1 week prior the sitting and no earlier than 48 hours.¹⁵⁴

Based on the studied practice, in three states the questions are asked at the sitting, in two states – 24 hours earlier, in other two states – 48 hours earlier, in one state 3 days earlier, in two states maximum one week earlier and one state does not define the terms.

The Question Time is the significant tool for the Parliament to conduct oversight activities more effectively and thoroughly. Considering this and the best practices, **it is necessary for the Rules of Procedure to establish the Question Time tool, which may be established as a stable, two-week institution (in every session week) and will provide individual MPs the possibility to receive the responses from the members of the Government on actual issues.**¹⁵⁵ The terms shall be defined for questions that can be 48 hours earlier before the Question Time. The Minister (including the Prime Minister) shall be obliged to present before the legislative body at the day specified by the Rules of Procedure and respond to all questions personally.¹⁵⁶

If the Question Hour is established, the risks of mixing up the minister's report and actual issues, and overloading the interpellation will be avoided; the MPs will be able to raise the issues interesting for them at the plenary sittings, etc.¹⁵⁷

¹⁴³ Ibid. art. 208, cl. 3.

¹⁴⁴ Parliament's Rules of Procedure of Finland, sec. 25, official webpage of the Parliament of Finland, available at: <https://tinyurl.com/y4lhtjrj>, updated at: 15.09.20.

¹⁴⁵ Rules of Organisation and Procedure of the National Assembly, art. 96, cl. 1, webpage of the National Council of Bulgaria available at: <https://www.parliament.bg/en/rulesoftheorganisations>, updated at: 15.09.20.

¹⁴⁶ Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, Section 131, par. 1, webpage of the National Council of Slovakia, available at: <https://tinyurl.com/yd74gh52>, updated at: 15.09.20.

¹⁴⁷ Standing Orders of the Croatian Parliament - June 2013 (Official Gazette „Narodne novine“ number 81/2013), art. 133, webpage of Sabor of Croatia, available at: <https://tinyurl.com/y6svyzb9>, updated at: 15.09.20.

¹⁴⁸ Riigikogu Rules of Procedure and Internal Rules Act, Par 144, sec. 1.

¹⁴⁹ Act XXXVI of 2012 on the National Assembly of Hungary, sec. 43, par. 1. Webpage of the Parliament of Hungary, available at: <https://tinyurl.com/ybhybc48>, updated at: 15.09.20.

¹⁵⁰ Rules of Procedure of the Saeima, art. 119, available at: <https://www.saeima.lv/en/legislative-process/rules-of-procedure>, updated at: 15.09.20.

¹⁵¹ Standing Orders of the Parliament of Greece, art. 130, sec. 2.

¹⁵² Rules and procedures of Chamber of deputies of Italy, rule 129, sec. 2.

¹⁵³ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, Annex 4 Guidelines for Question Time and for written questions, II, Tabling of Questions, 8.

¹⁵⁴ Standing Orders of the Congress of Deputies of Spain, sec.188, par. 1.

¹⁵⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 71.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

4. INTERPELLATION

Interpellation is the request of MP(s) or the Parliamentary group, whose addressee is the Government or its separate member.¹⁵⁸ As a rule, through the mentioned tool the MPs request explanations regarding significant issues, or policy directions, or regarding the steps taken within or outside the country by the representatives of the executive Government,¹⁵⁹ that eventually helps the parties to establish political agenda and to influence it.¹⁶⁰ Besides, “while questions tend to be a brief interaction intended to highlight differences between the government and the opposition, interpellations are designed to provoke comprehensive debate on an issue or a particular case of ministerial neglect.”¹⁶¹

Interpellation has following three objectives:

- To request from the Government information, justification or both concerning a problem general interest of substantial importance, which is not on the agenda of the House and thereby which one or more Members consider that the Parliament, the public, ought to be informed;¹⁶²
- To open a debate on this problem within the reasonable time under an established procedure, during which the author(s) of the interpellation, the Minister concerned, and possibly other members of the Assembly can put forward their point of view;¹⁶³
- To conclude interpellation without further action, leaving it as a purely informative exercise; or to call into question the responsibility of the Government (or the minister concerned) by tabling a motion on which the Assembly must take a decision, which then amounts to a motion of censure.¹⁶⁴ Such motions, without calling into question the Government’s responsibility can also express the positions of the assembly, as a whole, on any given subject.¹⁶⁵

4.1. Interpellation time

Interpellation is a procedure defined by the Constitution of Georgia¹⁶⁶ and the Rules of Procedure of the Parliament,¹⁶⁷ which can be submitted by no less than 7 MPs or faction;¹⁶⁸ question shall be in written form with specific content and shall address an issue under the addressee’s (which are the bodies accountable before the Parliament¹⁶⁹) authority.¹⁷⁰ Its essential part is the debates.¹⁷¹

Interpellation shall be held twice during each next session – March, May, September and

¹⁵⁸ Ibid, p. 72.

¹⁵⁹ Ibid.

¹⁶⁰ Green-Pedersen C., *The Changing Nature of West European Parliaments, From legislators to arenas of agenda setting*, p. 5, available at: <https://ecpr.eu/Filestore/PaperProposal/af2d9420-bc99-4894-ae34-bc7872cdb189.pdf>, updated at: 29.08.2019.

¹⁶¹ NDI, cited work, p. 64.

¹⁶² Wiberg M., cited work, p. 186.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Constitution of Georgia, art. 43.

¹⁶⁷ Rules of Procedure of the Parliament of Georgia, art. 149.

¹⁶⁸ Ibid, art. 149, cl. 1.

¹⁶⁹ Constitution of Georgia, art. 43.

¹⁷⁰ Rules of Procedure of the Parliament of Georgia, art. 149, cl. 2.

¹⁷¹ Ibid, art. 149, cl. 10.

November.¹⁷² However, this regulation does not comply with both the nature of this tool as well as the goal to exercise effective parliamentary oversight.

As of international practice: in semi-presidential, premier-presidential sub-type republics, “the following terms are defined for responding to interpellation: within 14-30 days: Bulgaria – 14 days,¹⁷³ Finland 15 days; Lithuania – deadline for submission of the response is maximum 2 weeks, after that debates shall be scheduled within 5 working days; Croatia – 15 days; Slovakia – 30 days for submission of the response. It is possible to provide oral response at the session during the time allotted for the interpellation. For urgent interpellation the term may be shortened to 15 days. The following terms are defined for interpellations in Parliamentary republics: within one-week timeframe – Greece, Latvia, Hungary. Estonia has established 20 days for the response.”¹⁷⁴ The discussions in the Deputies Chamber of Italy shall be held after two weeks from submission of the question.¹⁷⁵ Any MP may use the tool.¹⁷⁶ In addition there are urgent interpellations as well, which shall be discussed within one-week timeframe.¹⁷⁷ In this case the initiator of the issue may be the Chair of the parliamentary group (the parliamentary group, i.e. faction shall consist of no less than 20 MPs),¹⁷⁸ or no less than 30 MPs;¹⁷⁹ in Spain the interpellation shall be added to an agenda in 15 days after its promulgation;¹⁸⁰ in Germany, where major interpellation corresponds to the classical understanding of interpellation – the term is three weeks.¹⁸¹ The studied practice shows that interpellation is responded to within 1 week timeframe in three states, within 1 week to 15 days – in 5, and within 15 days to one month – in four.

The discussed procedure is necessary to be conducted at least once per month in Georgia, and the relevant subject shall present the question 10 days earlier. This will support the activation of the oversight procedure and give the legislative body more levers to create political agenda around issues of public importance.

4.2. Principle of proportional reduction of time

At the beginning, the Rules of Procedure of the Parliament contained unfair rule for time calculation per interpellation during interpellation procedure. According to the provision, considering the number of questions, the Rules of Procedure proportionally decreased the times considered for the speeches during the interpellation in such way that would make it possible to go through all procedures for all questions under relevant provisions.¹⁸² The principle for proportionate reduction of time had a negative effect. In total 9 interpellations were conducted in accordance to this procedure, and the practice revealed the flaws. In particular, reduction of time made it impossible to study all issues thoroughly and in depth,

¹⁷² Ibid. art. 149, cl. 5.

¹⁷³ Rules of Organisation and Procedure of the National Assembly, art. 99, cl. 1, webpage of the National Council of Bulgaria, available at: <https://www.parliament.bg/en/rulesoftheorganisations>, updated at: 18.09.20.

¹⁷⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 73.

¹⁷⁵ Rules and procedures of Chamber of deputies of Italy, art. 137, cl. 2.

¹⁷⁶ Policy setting, fact-finding and scrutiny, webpage of the Chamber of Deputies of Italy, available at: https://en.camera.it/4?scheda_informazioni=26, updated at: 10.09.2019.

¹⁷⁷ Rules and procedures of Chamber of deputies of Italy, art. 138-bis, cl. 2.

¹⁷⁸ Ibid, art. 14, cl. 1.

¹⁷⁹ Ibid.

¹⁸⁰ Standing Orders of the Congress of Deputies of Spain, art. 182, cl. 1.

¹⁸¹ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, art. 102.

¹⁸² Rules of Procedure of the Parliament of Georgia, art. 149, cl. 7.

while giving the Majority a possibility to summon the accountable officials themselves on the day of interpellation, artificially reducing the number of minutes considered for discussions and hence, made the interpellation meaningless.¹⁸³ The steps of conducted interpellation confirms that this provision had an essential impact on the nature of the tool and excluded substantial, thorough and substantive deliberative processes. The procedure barriers significantly hindered effective implementation of interpellation tool. The irregularity of the norm hindered the main purpose of the tool – to create the basis for political discussion and express joint opinion of the Parliament.

At spring session of 2020, the amendments were made to the Rules of Procedure, which covered the institute under discussion. The new edition revised as well the principle of proportional reduction of time during interpellation. In accordance with the new provision the time shall be proportionally reduced only if more than 2 questions are submitted.¹⁸⁴ Furthermore, it shall be calculated from total time of two interpellations.¹⁸⁵ This shall be considered as a positive novelty, based on which two thorough interpellations may be possible in future. Although, this new rule is not effective yet and shall be effective from the moment of the newly elected parliament of 2020 acquires full powers.¹⁸⁶ Notwithstanding the fact that the provision of the Rules of Procedure have improved significantly, the group of authors consider that in case of more than two interpellations **it is recommended to continue interpellation procedure at another sitting rather than reduce the time of speakers.**

Below is the analysis of existing practices under the old provision of the Rules of Procedure:

At spring session of 2019 two days were dedicated to the interpellation (March 22 and May 31, 2019). The procedure was held three times at March 22nd sitting: the Prime Minister was invited (based on request of National Movement)¹⁸⁷ and the Minister of Education, Science, Culture and Sports, to whom two separate questions were sent to (based on requests of the faction European Georgia-Regions and the faction European Georgia).¹⁸⁸ Accordingly 3 interpellations were held with two addressees. At May 31 sitting 4 interpellations were held: the Prime Minister (the members of the faction European Georgia have submitted two separate questions), the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia (by demand of Georgian Dream), and the Chair of the Central Election Commission (based on demand of the National Movement) were invited. Therefore, four separate interpellations (out of which two were held with the Prime Minister) were held with three addressees.¹⁸⁹

The implementation process has made already existing problems more obvious. During the first interpellation the MPs already expressed unsatisfaction with the provision of the Rules of Procedure, based on which the time allocated for speeches were reduced in proportion

¹⁸³ V. Menabde (Head of Research and Academic Editor) et al, cited work, p. 74.

¹⁸⁴ Rules of Procedure of the Parliament of Georgia, art. 149, cl. 7;

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ The Parliament heard the Prime Minister, Mamuka Bakhtadze within the interpellation format, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/y2talvnx>, updated at: 04.12.2019.

¹⁸⁸ Mikheil Batiashvili, the Minister of Education, Science, Culture and Sports answered the questions asked in accordance with the rule for interpellation, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/y6yjudhz>, updated at: 04.12.2019.

¹⁸⁹ Mamuka Bakhtadze, the Prime Minister of Georgia answered the questions asked in accordance with the rule for interpellation, webpage of the Parliament of Georgia, available at: <https://tinyurl.com/y2lz89jr>, updated at: 04.12.2019.

to the number of questions.¹⁹⁰ Part of the MPs indicated that the mentioned rule made the procedure meaningless.¹⁹¹ Independent MPs were protesting against reducing the time limit up to 2 minutes.¹⁹² The dissatisfaction implied that the lack of time allocated for the questions and debates would make it impossible to implement the mentioned tool thoroughly.

The focus was made on the abovementioned issue during the second interpellation of the Prime Minister.¹⁹³ According to MPs, the provision on proportionate reduction of time would allow the ruling party to manipulate with it and abuse it by summoning other officials for no reason.¹⁹⁴

On March 22, 2019 the Parliament heard the Prime Minister and the Minister of Education.¹⁹⁵ At this sitting the time allocated for the procedure under the Rules of Procedure have reduced three times. On May 31 the Parliament listened to the Prime Minister (two separate interpellations), the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, as well as the Chair of the Central Election Commission.¹⁹⁶ In total, 4 questions were sent to three addressees, causing reduction of time considered by the Rules of Procedure even more than in first case.¹⁹⁷ In total the time was reduced 4 times.

During fall session of 2019, the MPs have not sent questions for September month interpellation, therefore, interpellation procedure was not held. At November interpellation David Zalkaliani, the Minister of Foreign Affairs was summoned by the faction Alliance of Patriots and Social-Democrats. However, the initiator have repelled the initiative and therefore, the procedure have not been held.¹⁹⁸

At spring session of 2020, two interpellations were held in May with one addressee, while this opportunity was not used by the MPs in March. The faction National Movement, as well as the factions European Georgia – Movement of Georgia and European Georgia – Regions have summoned the Prime Minister for two separate issues on May 29.¹⁹⁹ In this case the time allocated for the interpellation was reduced twice.

The reviewed practice shows the need of the amendments to the Rules of Procedure, which should be positively evaluated again, however, should also be noted that this is not enough.

4.3. The compliance of interpellation topic and held debates

The purpose of interpellation tool is to summon the officials accountable before the Parliament who must respond to interpellations sent to them in prior. The accountable person

¹⁹⁰ Rules of Procedure of the Parliament of Georgia, Article 149, Cc. 7;

¹⁹¹ Interpellation – Mamuka Bakhtadze and Mikheil Batiashvili at the plenary sitting of the Parliament of Georgia the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/373570563491739/>, updated at: 04.12.2019.

¹⁹² Ibid.

¹⁹³ May 31, the plenary sitting, interpellation, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/863141704064965/>, updated at: 04.12.2019.

¹⁹⁴ Ibid.

¹⁹⁵ Interpellation – Mamuka Bakhtadze and Mikheil Batiashvili at the plenary sitting of the Parliament of Georgia, the official Facebook page of the Parliament of Georgia.

¹⁹⁶ Ibid.

¹⁹⁷ May 31, the plenary sitting, interpellation, the official Facebook page of the Parliament of Georgia.

¹⁹⁸ Letter of the Parliament of Georgia #1-25495/19 dated of December 17, 2019.

¹⁹⁹ Letter of the Parliament of Georgia, #1-9604/20, dated of July 28, 2020.

shall not avoid to respond the question. Interpellation allows the Parliament to receive the thorough information on certain topics. The response may become the subject of discussions.²⁰⁰ The response furthermore may initiate the motion of no confidence against the entire composition of the Government.

At a plenary sitting of March 22, 2019, where 125 MPs were registered, the content of the question towards the Prime Minister was the following: “what has caused the sharp increase in crime in the country?”²⁰¹ The speech of interpellant and the response of the addressee have not gone beyond the interpellation subject.²⁰² 11 MPs took the floor, out of which 2 were from the Majority and 9 – from the Minority. Out of total asked questions 10 were in relation to the interpellation topic and 1 was not.

At the sitting of May 31, 2019, 125 MPs have registered. At the first interpellation of the Prime Minister at that day, in 9 cases out of 19 the content of the speech was totally digressive from the question content, which was related to the pension reform, bank regulations, “Otkhozoria-Tatunashvili” list and issues related to the TBC Bank.²⁰³ However, the speeches of the MPs were focused on the reform of preschool education, situation with eco-migrants, David-Gareji, gambling regulations, Tchiatura situation etc.²⁰⁴ Out of 19 MPs 4 were from the Majority and 15 from the Minority.

One more interpellation of the Prime Minister was held the same day, therefore no registration was held. The interpellation question was regarding the labor remuneration system and practice on central and local levels, as well as in LEPLs and NNLEs.²⁰⁵ In total 12 MPs took the floor, out of which 4 were from the Majority and 8 from the Minority. In 4 cases out of 12 the MPs have not discussed the interpellation issue. They addressed the issues raised by them during the previous interpellation, in particular, gambling regulations, situation in Tchiatura and pension reform.²⁰⁶

Must be noted that on interpellation of May 31, one of the MPs expressed the opinion from the beginning that in given situation it is necessary to discuss actual topics of recent days (e.g. Pankisi situation, which was beyond subject matter of interpellation). This once again proves the credibility of the authors’ claim to entrench the possibility of frequent or urgent interpellations.

It should be highlighted from interpellations of other officials, that:

- During the interpellation of the Minister of Education, Science, Culture and Sports, the questions asked by all speakers, as well as opinions were around the interpellation topic and the research group have not identified irrelevant interventions.²⁰⁷ 8 MPs took floor at the first interpellation, out of which 2 were from the Majority and 6 – from the Minority. 7 MPs took floor at the second interpellation, out of which 4 were from the opposition and 3 – from the Majority;
- The opinions expressed by the MPs at the interpellation of the Minister of Internally

²⁰⁰ Constitution of Georgia, art. 43, cl. 2.

²⁰¹ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

²⁰² Interpellation – Mamuka Bakhtadze and Mikheil Batiashvili at the plenary sitting of the Parliament of Georgia - the official Facebook page of the Parliament of Georgia.

²⁰³ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

²⁰⁴ May 31, the plenary sitting, interpellation, the official Facebook page of the Parliament of Georgia.

²⁰⁵ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

²⁰⁶ May 31, the plenary sitting, interpellation, the official Facebook page of the Parliament of Georgia.

²⁰⁷ Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs were in line with the content of the question. 6 MPs took floor, out of which 4 were from the opposition and 2 from the Majority;²⁰⁸

- Based on the topic of interpellation of the Central Election Commission Chair (the question was addressed to the election environment and the violations observed during the election campaign).²⁰⁹ The response of the addressee was in line with the interpellation. 6 MPs took the floor, out of which 3 were from the Minority and 3 – the Majority. 5 questions out of 6 were addressed to interpellation issue and 1 was not. The speakers mostly made political evaluations of the elections held during the current and former governments.

On Interpellations held on May 29, 2020, 107 MPs have registered in total.²¹⁰ The interpellation sent by the faction National Movement was addressed to the poverty, including poverty among children and elderly; as well as – what was the impact of mistakes made by the Government during the state of emergency on the poverty and what are the plans for their elimination. The response of the Prime Minister was in line with the interpellation topic. 13 MPs took floor in total, out of which 2 were independent MPs and 11 were from the factions. 7 MPs out of 11 were from the opposition and 4 from the Majority. Out of total questions 8 were in line with the interpellation topic and 5 speeches were of general nature.

Second interpellation, which was held based on demand of European Georgia factions was related to reducing the taxes during economic crisis, pension fund, anti-crisis plan, reduction of bureaucratic costs and differentiated approach towards implementation of restrictions imposed during the state of emergency against different groups of people.²¹¹ The response of the Prime Minister was related to the interpellation topic. In total 11 MPs took the floor, out of which 6 were from the opposition factions and 5 from the Majority. 7 questions out of total asked were related to the interpellation topic and 4 - of general nature.

Based on the abovementioned examples it can be outlined that interpellation topic and the parliamentary discussions held on its basis often are not in line with each other. As the Rules of Procedure does not provide the MPs with sufficient and diverse leverages to discuss interesting and actual topics for them, they often seek to use the platform to discuss the current issues, rather than held the thorough discussion around the issue raised. Which obviously has negative impact on the quality of the parliamentary oversight of relevant interpellation topic. Overall, this circumstance highlights both the necessity of changes of normative acts, as well as the responsibility of the MPs to focus around the interpellation topic. **Therefore, for the future interpellations, it is important for the MPs to make efforts to ensure the coherence between the interpellation questions and parliamentary discussion.**

²⁰⁸ May 31, the plenary sitting, the official Facebook page of the Parliament of Georgia, available at: <https://www.facebook.com/parliamentgeo/videos/2186294434739446>, updated at: 15.09.20.

²⁰⁹ Ibid.

²¹⁰ Letter of the Parliament of Georgia #1-9604/20, dated of July 28, 2020.

²¹¹ Special edition of Moambe, the speech of the Prime Minister of Georgia, Youtube channel, available at: <https://www.youtube.com/watch?v=LrqHMOSpS60>, updated at: 26.08.20.

4.4. Raise several fundamentally different issues within the framework of one interpellation

As already noted above, in some cases several questions were raised at one interpellation. For instance, on May 31, the question sent by the interpellant to the Prime Minister (the first interpellation of this sitting) was related to the 4 fundamentally different issues (pension reform, bank regulations, “Otkhozoria-Tatunashvili list”, case of TBC Bank),²¹² that already indicates the impossibility of conducting content-oriented discussion.

Should be noted that joint submission of fundamentally different questions for interpellation purposes is unreasonable and makes it impossible to held content-oriented discussion. The legislative procedures shall not leave the gaps, which can create unlimited possibilities for defining topics within the question. Although in accordance with the Rules of Procedure “question shall be with specific content”,²¹³ several fundamentally different specific questions may be presented in the form of one question. Providing interpellation in such a form, eventually reduces the possibility of the effective oversight of the Parliament, the discussion fails to focus on thorough analysis around certain question. **Therefore, it is important for the Rules of Procedure, to exclude through the relevant changes the possibility of asking fundamentally different questions under one interpellation.**

4.5. Linking an interpellation to a no-confidence procedure

In accordance with the Rules of Procedure, the Parliament is authorized to adopt the resolution after completion of debates and final speech of the addressee.²¹⁴ In studied semi-presidential, premier-presidential sub-type republics, where this institution exists, “in Finland, Croatia, Lithuania and Slovakia there is direct indication to the possibility of initiation of procedure of no-confidence after the interpellation,”²¹⁵ while out of parliamentary countries similar approach is established in Latvia,²¹⁶ Italy,²¹⁷ Greece²¹⁸ and Spain.²¹⁹ No-confidence is the most radical end to interpellation. **Although the no-confidence is not ruled out by the existing edition of the Rules of Procedure, but in order to outline more clearly the possible relation between these two procedures, it would have been better to reflect it in the relevant article of the Rules of Procedure, which would give MPs the orientation to transfer the interpellation into no-confidence.**²²⁰

4.6. The issue of adopting resolution after completion of interpellation

The Parliament may adopt the resolution after completing the interpellation.²²¹ Should be noted that in this case the Parliament’s logic is clear and it implies immediate possibility of a collective expression of opinion after questions and debates, which should be voted for. The

²¹² Letter of the Parliament of Georgia #1-15068/19, dated of August 22, 2019.

²¹³ Rules of Procedure of the Parliament of Georgia, art. 149, cl. 2.

²¹⁴ Ibid, art. 149, cl. 11,

²¹⁵ V. Menabde (Head of Research and Academic Editor) et al, cited work, p. 74.

²¹⁶ The Rules and Procedure of Latvian Saeima, art. 130, cl. 1.

²¹⁷ Wiberg M., cited work, p. 188.

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ V. Menabde (Head of Research and Academic Editor) et al, cited work, p. 74.

²²¹ Rules of Procedure of the Parliament of Georgia, art. 149, cl. 11.

properness of this logic is confirmed with the special record of adoption of the resolution - if the legislator clarifies the issue, which does not need to be clarified (as the Parliament may adopt resolution at any time, on any issue) that means that the forms of practical realization shall be different from the general rule.

However, the Rules of Procedure can be interpreted differently and the discussion of the resolution initiated as a result of interpellation may be held through ordinary procedure, especially since there is a separate procedure established for adoption of the resolution (which does not imply the immediate voting of the issue).²²² Therefore, due to terminology homogeneity, the wrong practice, contradicting the legislation, may be established. **Therefore, it is recommended for the Parliament to indicate clearly that after the completion of the interpellation, the Parliament shall vote for its draft resolution.**

4.7. Promulgation of Interpellation

The Rules of Procedure of the Parliament does not envisage the obligation for promulgation of sent interpellations. Interpellation is one of the crucial tools for effective parliamentary oversight, which has the special political meaning. It is important for the MPs as well as the broad society have the prior access to the topic under discussion. **Therefore, it is necessary to have normative regulation, which would make mandatory the promulgation of interpellation on the webpage of the Parliament similar to questions of MPs.**

²²² Ibid. art. 130, cl. 1: "A draft decree is submitted to, and discussed by, the Parliament in accordance with the rules for submission of a draft law to the Parliament and its consideration in committees established by the Rules of Procedure".

5. QUESTIONS OF THE MEMBER OF THE PARLIAMENT

In many jurisdictions, Members of Parliament apply written questions rather than oral questions.²²³ “This tool is used to obtain information, as well as to prepare the ground for political debates and interpellations²²⁴ or to raise the issue of responsibility. Answering or not answering may reveal the shortcomings of the activities of a particular body or lay the groundwork for the invitation of the head of that body.”²²⁵

The question is the constitutional tool of parliamentary oversight.²²⁶ Both question and answer are in written form.²²⁷ The content of the question shall address an issue under the addressee’s competence,²²⁸ the subject of the instrument is each MP, the addressee may be the government (its member), as well as the government body and state institution of all levels of territorial units.²²⁹ Timely (term is 15 days²³⁰) and comprehensive answers are compulsory.²³¹ In case of delay, a respective note is made on the website.²³²

On the one hand “MPs use questions more actively than other tools, but this frequency decreases in cases of studied institutes.”²³³ 23 questions were asked to the Ministers of Internal Affairs (13 to Giorgi Gakharia, 10 to Vakhtang Gomelauri), 8 to the Ministers of Defense (4 to Levan Izoria, 4 to Irakli Gharibashvili); 15 to the Minister of Justice, 2 in total to the Head and the Acting Head of the State Security Service; 1 to the Head of the Special State Protection Service, none of the MPs addressed Intelligence Service and Operative Technical Agency.

An MP is entitled to withdraw a question at any time.²³⁴ No such case was observed during the reporting period.²³⁵

Information containing personal and commercial secrets is provided to the author of the question, however, it is not published on the website of the legislature (as provide in other cases).²³⁶ During the reporting period, 4 questions were recorded that were not answered due to the fact that they contained personal and commercial secrets.²³⁷ It is noteworthy that the Rules of Procedure of the Parliament provide for an exception to the general rule of publishing an answer to a question when it contains confidential information.²³⁸ However, even in this case, it is mandatory to provide an answer to the author of the question.²³⁹ Thus, the existing practice should be considered as a violation of the Rules of Procedure.

The legislation allows the addressee to prolong the term for the answer for 10 days with the

²²³ Martin S., Parliamentary Questions, August 2013, p. 7, available at: https://agora-parl.org/sites/default/files/parliamentary_questions.pdf, updated at: 4.11.2020.

²²⁴ Ibid.

²²⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 56.

²²⁶ The Constitution of Georgia, art. 43, cl. 1.

²²⁷ Rules of Procedure of the Parliament of Georgia, art. 148, cl. 2 and 4.

²²⁸ Ibid, art. 148, cl. 2.

²²⁹ The Constitution of Georgia, art. 43, cl. 1.

²³⁰ Ibid. see Rules of Procedure of the Parliament of Georgia, art. 148, cl. 4.

²³¹ The Constitution of Georgia, art. 43, cl. 1.

²³² Rules of Procedure of the Parliament of Georgia, art. 148, cl. 7.

²³³ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 58.

²³⁴ Rules of Procedure of the Parliament of Georgia, art. 148, cl. 6.

²³⁵ Letter of the Parliament of Georgia #1-3456/20 of March 11, 2020.

²³⁶ Rules of Procedure of the Parliament of Georgia, art. 148, cl. 7.

²³⁷ Letter of the Parliament of Georgia #1-3456/20 of March 11, 2020.

²³⁸ Rules of Procedure of the Parliament of Georgia, art. 158, cl. 7.

²³⁹ Ibid.

consent of the author of the question;²⁴⁰ no such case was observed during the reporting period.²⁴¹

According to the Rules of Procedure, the addressee should answer the question.²⁴² Despite this, in the example discussed in the Table 2, this is not generally the case – the signatories are the head of administration, deputy head of administration or head of a respective division.

It is necessary that the relevant persons consider the provisions of the Rules of Procedure and answer the questions of the MPs in a timely manner.

Sanctions are set for violating the procedure for answering a question.²⁴³ The Committee on Procedural Issues and Rules reviews each case of violation and submits to the Bureau for appropriate response.²⁴⁴ The Rules of Procedure provides two response measures:²⁴⁵ 1. Adopt a decree or resolution against an official to take appropriate response measures provided by the Constitution; 2. Address the head of a state authority with a motion on the liability of a subordinate official. It is noteworthy that the application of these mechanisms against the Minister is ruled out.²⁴⁶

“These forms of responsibility are extreme; they are used only in exceptional cases when the official’s failure to fulfill his/her obligations is associated with the payment of a significant political price. However, not answering the question in this case may not be the case at all, which means that the majority, in the presence of such a problem, does not want to use the procedures provided by the Constitution, and the opposition, in turn, is always reluctant to initiate processes in which failure is inevitable.”²⁴⁷ At the same time, it is the minority and the opposition parties at the legislature that ensure the success of various models of parliamentary oversight.²⁴⁸

According to the legislation of the studied countries, in case of non-answer to the written questions of the deputies, the question will be discussed orally. This can be done both during the Question Time and by including the question in the agenda of a respective committee or initiating a debate on it. In addition, the legislation of some countries stipulates the obligation of the addressee to submit to the explanations regarding the delay/non-issuance of the answer to the question to the legislature. In particular the following tools are applied in the republics of semi-presidential, premier-presidential subtype: “In Croatia, if the written question is not answered within the term, at the end of the question hour [...] the Speaker of the Parliament informs the Members of Parliament that the Government or its members have not submitted the answer to the specific question within the timeframe and gives them 8 days again. In Lithuania registered questions are published on the official website of the Parliament. If the addressee fails to answer the question within the prescribed timeframe, he/she should submit an explanation and offer the author(s) of the question a new deadline. If the author of the question does not agree with this, a debate will be held on the issue, in which the addressee of the question also participates. In Bulgaria, the Prime Minister, his/her Deputy or a Minister who has not answered the question within the

²⁴⁰ Rules of Procedure of the Parliament of Georgia, art. 148, cl. 4.

²⁴¹ Information provided by the Parliament of Georgia on March 11, 2020 by e-mail.

²⁴² Rules of Procedure of the Parliament of Georgia, art. 148, cl. 4.

²⁴³ Rules of Procedure of the Parliament of Georgia, art. 226, cl. 2 “a”, “b”, cl. 5.

²⁴⁴ Ibid, art. 226, cl. 4.

²⁴⁵ Ibid, art. 226, cl. 5 “a”, “b”.

²⁴⁶ More on political liability of ministers see in subchapter 10.3.

²⁴⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 62.

²⁴⁸ Beetham D., *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice*, second edition, Inter-Parliamentary Union, Geneva 2006, p. 128, available at: <https://bit.ly/3f5UhV9>, updated at: 23.08.2019.

prescribed period shall be obliged to appear before the National Assembly in person within 10 days and explain the reasons for the breach of the obligation to answer.”²⁴⁹ In Greece, in case of delay or non-response, the question will be considered at Question Time,²⁵⁰ In Germany - the author can request to have it in the Question Time format.²⁵¹ The issue may be raised within 12 hours after the one-week deadline.²⁵² If the question has meanwhile been answered, the questioner may request explanation why the reply was delayed.²⁵³ In Italy, if the question is not answered, the President of the Chamber shall, at the request of the author, include the question in the agenda of the next meeting of the relevant committee.²⁵⁴ A 20-day term is also set in Spain.²⁵⁵ The term may be extended upon a reasoned request for additional 20 days.²⁵⁶ If the reply is not submitted, the question shall be entered in the agenda of the appropriate committee where it shall be treated as an oral question.²⁵⁷ The following trend emerged from the practice of the studied states. In 1 state the speaker informs the members of the parliament who have not submitted the answer to the question and gives additional time; In 2, the addressee of the question should explain why he/she has breached the obligation; In 2 the unanswered question is passed at the Question Time, in the remaining 2 the question is considered by the relevant committee.

Both current practice and international experience show that “making the unanswered questions public is an important but insufficient mechanism, it is necessary to diversify it”.²⁵⁸ The possibility of asking unanswered questions at the Question Time should be on the agenda.

²⁴⁹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 62-63.

²⁵⁰ Ibid.

²⁵¹ Rules of Procedure of the German Bundestag, Annex 4, IV-14, available at: <https://www.btg-bestellservice.de/pdf/80060000.pdf>, updated at: 10.12.2019.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid, art. 134, cl. 2.

²⁵⁵ Standing Orders of the Congress of Deputies of Spain, art. 190, cl. 1.

²⁵⁶ Ibid.

²⁵⁷ Ibid, art. 190 cl. 2.

²⁵⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 62.

6. COMMITTEE OVERSIGHT

The Parliament first uses committees to control the government, which are equipped with oversight mechanisms through which they study the activities of different agencies.

Committees in Georgia apply several tools: Information request,²⁵⁹ Study of the administrative body activities,²⁶⁰ Summoning officials,²⁶¹ Thematic rapporteur,²⁶² Working group²⁶³ and Thematic Scrutiny (The last two ad hoc mechanisms are discussed in detail in Chapter 8).²⁶⁴

6.1. Request of information from an accountable person

Parliament can request information through several mechanisms. The simplest subject endowed with this power is the MP.²⁶⁵ It can be used in various ways and for different purposes by the Committee,²⁶⁶ Temporary commission,²⁶⁷ Temporary investigative commission,²⁶⁸ Thematic Scrutiny group.²⁶⁹ Equipping all the above-mentioned parliamentary formations with such powers is based on a simple legal logic: “Go from small to big”. If the “small” (Member of Parliament) has a specific authority, then the “big” (a group of members of parliament) composed of these authorized subjects should definitely have such power. Thus, a committee is entitled to request information from an accountable official.²⁷⁰

Out of the countries studied, the countries with semi-presidential, premier-presidential model - Lithuania,²⁷¹ Slovakia,²⁷² Bulgaria,²⁷³ Croatia²⁷⁴ and Finland²⁷⁵ have committees equipped with a similar function. The information received in Finland may be the subject of debate in the plenary session of the Parliament.²⁷⁶ Among the countries of the parliamentary system, this mechanism exists in Latvia²⁷⁷ and Estonia²⁷⁸. In Italy, the committee does this automatically at the request of a member of the faction.²⁷⁹ In Spain, committees request information through the Speaker of Parliament.²⁸⁰ In Germany and Hungary, committees do not have similar powers.

²⁵⁹ Rules of Procedure of the Parliament of Georgia, article 41.

²⁶⁰ Ibid, art. 37, cl. 3.

²⁶¹ Ibid, art. 40.

²⁶² Ibid, art. 45.

²⁶³ Ibid, art. 46.

²⁶⁴ Ibid, art. 155.

²⁶⁵ See details about this mechanism in chapter 5.

²⁶⁶ Rules of Procedure of the Parliament of Georgia, art. 41.

²⁶⁷ See details about this mechanism in subchapter 8.2.

²⁶⁸ See details about this mechanism in chapter 9.

²⁶⁹ See details about this mechanism in subchapter 8.1.

²⁷⁰ Rules of Procedure of the Parliament of Georgia, art. 41.

²⁷¹ Statute of Seimas of the Republic of Lithuania, art. 56, section 3.

²⁷² Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, sec. 128, subsection 2.

²⁷³ Legislative Actors' Resources Report Parliamentary Resources, Obtaining Documents, Summoning Ministers, Summoning Experts, Task Area Congruence, Audit Office, Ombuds Office, Sustainable Governance Indicators 2018, p. 30.

²⁷⁴ Ibid, p. 31.

²⁷⁵ The Constitution of Finland, art. 47, cl. 2.

²⁷⁶ Parliament's Rules of Procedure of Finland, sec. 30a.

²⁷⁷ Rules of Procedure of the Saeima, Article 172, sec. 1.

²⁷⁸ Riigikogu Rules of Procedure and Internal Rules Act, Cl. 22, Sec. 1, Subsection 1.

²⁷⁹ Rules of Procedure of the Chamber of Deputies of Italy, art. 143, sec. 1.

²⁸⁰ Standing Orders of the Congress of Deputies of Spain, sec. 44.

It should be noted that during the reporting period, 10 committees²⁸¹ exercised this right 79 times in total. Information was not requested by 5 committees. According to the existing rule, the deadline for submission of documents by the subject is determined by the committee.²⁸² The 5 committees used this opportunity only 8 times.²⁸³ They were observed in 4 cases.²⁸⁴ Out of the remaining 71 cases, 17 of them came within 1 week,²⁸⁵ 14 came from 1 to 2 weeks-time,²⁸⁶ and 27 – from 2 weeks to 1 month-time.²⁸⁷ Over 1 month time was needed for 7 answers to come in.²⁸⁸ Committee did not receive answer in 6 cases.²⁸⁹ As shown above, the committees do not focus on setting deadlines (the deadlines were set in 10.12% of cases only) which reduces addressee's accountability. **It is preferable that the Rules of Procedure determines a uniform deadline, and allows the committee to modify it if necessary.** As this competence is nurtured by the Member of Parliament's questioning authority, **it is recommended that identical procedures are applied directly to them (In case of a question, the term to answer is 15 days, which can be extended by 10 days with the consent of the author).**²⁹⁰

The practice of submitting answers orally should be discussed separately. 3 committees heard 8 responses orally from 7 accountable bodies,²⁹¹ although this oversight mechanism involves a written form of response.²⁹² The oral hearing is part of another institution of parliamentary oversight.²⁹³ Of course, it is possible to modify during the discussion process and hold an oral hearing instead of a written answer, but the committee should make a special decision upon it - to summon an official to the committee meeting. **Thus, the practice of oral hearing of to the requested written answer should be in accordance with the Rules of Procedure. If the committee wishes to summon an accountable person, it should apply the appropriate mechanism.**

The practice of the Finance and Budget Committee is noteworthy. The analysis of the documents on information request revealed that the Committee requested information from public institutions about their positions on various draft laws,²⁹⁴ although, the norm²⁹⁵ set by the committee as the basis for its own action does not allow it to do so.

The Committee on Regional Policy and Self-Government equates the activities set out in the Action Plan - "Listening to the Reports of Officials" with the procedure for requesting infor-

²⁸¹ See table #3. The information in the table is updated as of June 26, 2020.

²⁸² Rules of Procedure of the Parliament of Georgia, art. 41.

²⁸³ See table #3.

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ Ibid.

²⁸⁷ Ibid.

²⁸⁸ Ibid.

²⁸⁹ See table #3.

²⁹⁰ Rules of Procedure of the Parliament of Georgia, art. 148, cl. 4.

²⁹¹ See table #3. In one case, information provided by Parliament revealed that an agreement had been reached between the Diaspora and Caucasus Issues Committee and the Ministry of Justice to provide information to the Committee orally at a sitting. In doing so, both the Committee and the Ministry violated Article 41 of the Rules of Procedure. Information provided by the letter #1-17823/19 of the Parliament of Georgia dated October 8, 2019.

²⁹² Rules of Procedure of the Parliament of Georgia, art. 41.

²⁹³ Ibid, art. 40.

²⁹⁴ Information provided by the letter #1-9/20 of the Parliament of Georgia dated of January 16, 2020.

²⁹⁵ The Finance and Budget Committee relied on art. 107, cl. 1 of the Rules of Procedure of the Parliament of Georgia, according to which "No earlier than 3 days and no later than 3 weeks after the Bureau of the Parliament decides to commence consideration of a draft law, the Government of Georgia [...] present their comments regarding the draft law to a leading committee."

mation from the accountable person.²⁹⁶ At first glance, in terms of content, this is indeed information retrieval, however, these two institutions differ from each other both procedurally and by purpose.

In order to reduce the above-mentioned errors, **it is necessary for the committees to follow the procedures provided by the Rules of Procedure.**

In addition to the general procedure, there is a specific procedure which implies the obligation to provide the Legal Issues Committee and Defense and Security Committee with detailed information on non-secret state procurement to be carried out by the Ministry of Defense, the Ministry of Internal Affairs, the State Security Service, Intelligence Service and Operative Technical Agency (if the procurement budget exceeds a certain amount).²⁹⁷ During the reporting period, the Ministry of Defense submitted this data 4 times, the Ministry of Internal Affairs 11 times, and the State Security Service 1 time.²⁹⁸

Another obligation rests with the Prime Minister, the government, and other agencies with respect to the Committee on Defense and Security.²⁹⁹ They shall submit to the Committee the documents reflecting the policy, priorities and strategy in the field of defense and security of Georgia within 2 weeks after their adoption.³⁰⁰ The Ministry of Defense has submitted the Minister's Directives 2018, 2019 and 2020 three times, and the Government once - a threat assessment document.³⁰¹

6.2. Study of the activities of the administrative body

The Rules of Procedure provides the power of the Committee to study the activities of the administrative bodies, during which, if necessary, the committee requests the relevant materials and submit a conclusion to the Parliament.³⁰² The necessity of the existence of this norm is unclear, as other articles already provide for these mechanisms. For example, summoning an official to a committee meeting,³⁰³ request of information,³⁰⁴ as well as working group³⁰⁵ and Thematic Scrutiny group³⁰⁶ formats.

It should be noted that this form of control is not even used often and even when used it causes misunderstanding. This authority has been exercised by (1) the Committee on Sectoral Economy and Economic Policy and (2) the Committee on Environmental Protection and Natural Resources. The first one applied it 4 times (the relevant officials were summoned for

²⁹⁶ Letters #1-20623/19 of November 22, 2019 and #1-1815/20 of February 18, 2020 of the Parliament of Georgia.

²⁹⁷ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 6. This rule applies if: The estimated value of the goods or services exceeds GEL 2,000,000 and the estimated value of the construction work to be procured exceeds GEL 4,000,000.

²⁹⁸ Letter #2-3600/20 of the Parliament of Georgia dated of March 11, 2020.

²⁹⁹ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 9.

³⁰⁰ Ibid.

³⁰¹ Letter #1-8116/20 of the Parliament of Georgia dated of July 1, 2020.

³⁰² Rules of Procedure of the Parliament of Georgia, art. 37, cl. 3.

³⁰³ Ibid, art. 40.

³⁰⁴ Ibid, art. 41.

³⁰⁵ Ibid, art. 46.

³⁰⁶ Ibid, art. 155.

a hearing),³⁰⁷ the second one - once.³⁰⁸ **In order to meet the requirement of foreseeability of the norm and considering duplication of the authority, it is recommended to repeal cl. 3 of the Article 37 of the Rules of Procedure altogether.**

6.3. Summoning an official to a committee sitting

One of the most important mechanisms of committee control is the power to summon an official to a meeting. Compliance with these requirements is mandatory.³⁰⁹ It provides for sectoral debate. It can be used to investigate the actual activities of accountable persons, which could lead to scandals, legal proceedings or the issue of political responsibility.³¹⁰ The Committee shall make this decision at the request of (1) a majority of attendees or (2) a faction, if this faction has a member on the Committee.³¹¹

6.3.1. Summoning an official by a majority of the committee members

A person accountable to the Parliament can be summoned by a majority of attendees.³¹² During the reporting period, 4 committees invited 7 subjects 5 times.³¹³ Only 1 of them did not appear at the hearing.³¹⁴ This is the violation of the Constitution and the ground for impeachment. It's desirable that the parliament react to such instances.

The procedure is the following: The chair of the committee³¹⁵ shall send an invitation to the relevant person no later than one week before the discussion.³¹⁶ However, the Rules of Procedure do not specify by whose decision and when shall the issue be included in the agenda. **It is preferable for the Rules of Procedure directly determines that the hearing is to be held at the next sitting of the committee,³¹⁷ unless the committee indicates another date.**

If the committee wants to re-invite persons already summoned within two months, a (absolute) majority of the enlisted members is needed to make a decision.³¹⁸ The reservation

³⁰⁷ Letter #1-15068/19 of the Parliament of Georgia dated of August 22, 2019. In the **first** case, the committee heard a report by the Minister of Economy and Sustainable Development on the miners' strike in Chiatura, the construction of the Poti deep-water port, developments in the Pankisi Gorge and the agreement with Gazprom. The **second** case concerned the report of the director of the Pension Agency on the enforcement of the law on funded pensions. The **third** time, the Committee heard a report by the Deputy Minister of Environment and Agriculture on the production, import and sale of plastic, biodegradable and compostable bags at a joint meeting with the Committee on Environment and Natural Resources. The **fourth**, the committee discussed policy issues to improve the service of mining rescue structures at industrial facilities operating and under increased hazard.

³⁰⁸ Letter #1-1815/20 of the Parliament of Georgia dated of February 18, 2020. The Committee took note of the report of the Deputy Minister of Environment and Agriculture Khatia Tsilosani on the implementation of the National Action Plan for the Implementation of the Association Agreement Agenda between Georgia and the European Union for the first 6 months of 2019.

³⁰⁹ Demetrashvili, A. (Head of Authors Team and Editor-in-Chief) et al. Handbook on Constitutional Law, Tbilisi, 2005, p. 216.

³¹⁰ Sajó, A., Limiting Government - An Introduction to Constitutionalism, translated by M. Maisuradze, edited by T. Ninidze, Tbilisi, 2003, p. 115.

³¹¹ Rules of Procedure of the Parliament of Georgia, art. 40.

³¹² Ibid, art. 40, cl. 2.

³¹³ See table #4. The information in the table is updated as of June 26, 2020.

³¹⁴ Ibid.

³¹⁵ Rules of Procedure of the Parliament of Georgia, art. 40, cl. 4.

³¹⁶ Ibid.

³¹⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 80.

³¹⁸ Rules of Procedure of the Parliament of Georgia, art. 40, cl. 8.

applies to a summoned official both by a committee and a faction. The summoning of an official should be dictated by the importance of the issue and should not be constrained by his/her hearing at a committee sitting in the recent past. Thus, **lifting of the abovementioned restriction is necessary and each committee should be able to summon a person accountable to the sitting at any time by a majority of attendees.**

The mechanism of summoning to the committee sitting exists in semi-presidential, premier-presidential states – Finland,³¹⁹ Bulgaria,³²⁰ Lithuania,³²¹ Croatia³²² and Slovakia.³²³ In Bulgaria³²⁴ and Lithuania³²⁵, the decision is made by a majority of attendees at the meeting, while in Finland,³²⁶ Croatia³²⁷ and Slovakia³²⁸ - by an absolute majority.

Out of the parliamentary model states, this mechanism is found in Germany in a peculiar way. In particular, the Committee is authorized to invite a member of the Federal Government to its meeting, even if this person is to appear at a public sitting.³²⁹ The general rule of decision making is the majority of attendees.³³⁰ The rule is different in Italy too. Here a member of the Chamber of Deputies is entitled to request consideration of the question sent by him/her to the Minister at a sitting of the Committee.³³¹ The Congress of Deputies in Spain has the similar regulation. If the author of the question considers that he or she wishes to receive an answer orally, then the addressee of the question should appear before the relevant committee.³³² In addition, a member of the government will be summoned to the committee sitting by the Bureau and the Board of Spokesmen³³³ resolution.³³⁴ The latter decision is made on the basis of the principle of sound weight by a simple majority.³³⁵ The Bureau makes decisions by an absolute majority.³³⁶ In Latvia,³³⁷ Estonia³³⁸ and Hungary³³⁹ the

³¹⁹ SGI, Are parliamentary committees able to summon ministers for hearings? Sustainable Governance Indicator website, available at <https://tinyurl.com/y5kmr2l>, updated at 18.09.19.

³²⁰ Rules of Organization and Procedure of the National Assembly, art. 113, section 3.

³²¹ Statute of Seimas of the Republic of Lithuania, art. 56, section 2.

³²² SGI, cited source.

³²³ Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, sec. 53, subsection 2.

³²⁴ Rules of Organization and Procedure of the National Assembly, art. 33, section 4.

³²⁵ Statute of Seimas of the Republic of Lithuania, art. 55, sec. 1.

³²⁶ Letter from the Parliament of Finland of February 11, 2020 via e-mail.

³²⁷ Standing Orders of the Croatian Parliament, art. 44.

³²⁸ Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, sec. 52, subsection 2.

³²⁹ As a rule, the meetings of the Bundestag committee are closed. Therefore, the content of this norm implies the authority of the committee to summon an official to the meeting even if he/she has to appear at the public meeting of the committee in the near future. Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, Rule 69, section 1.

³³⁰ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, rule 48, sec. 2.

³³¹ Rules of Procedure of the Chamber of Deputies of Italy, rule 133, sec. 1.

³³² Standing Orders of the Congress of Deputies, art. 187.

³³³ The Board of Spokesmen is a union of spokesmen of the parliamentary factions chaired by the Speaker of Congress. The Government shall be notified of the meetings of the Board of Spokesmen and, if it so wishes, it may send its own representative to attend the meetings. Standing Orders of the Congress of Deputies, sec. 39.

³³⁴ Standing Orders of the Congress of Deputies of Spain, sec. 203, subsection 1.

³³⁵ The vote of each spokesmen (faction chair) has as much weight as the number of members united in its faction. Eventually, these numbers are summed up and decisions are made. Standing Orders of the Congress of Deputies of Spain, sec. 39, subsection 4. See more in the video created by the Spanish Congress of Deputies on this topic, available at: <https://www.youtube.com/watch?v=p7wT2YF08nc>, updated at: 13.11.19.

³³⁶ ¿Por qué es importante la Mesa del Congreso? Análisis. Decide la constitución de los grupos, la distribución de escaños y las comparecencias, La Razón website, available at: <https://tinyurl.com/yzkh2wg4>, updated at: 08.01.20.

³³⁷ Rules of Procedure of the Saeima, art. 175.

³³⁸ Riigikogu Rules of Procedure and Internal Rules Act, Cl. 38, sec. 2.

³³⁹ Letter from the Hungarian Parliament of October 3, 2019 via e-mail.

committee decision is made by the majority of the attendees. In Estonia a member of the government is summoned³⁴⁰ by the absolute majority,³⁴¹ in Greece – by the request of 2/5 of members of the committee.³⁴²

As it turned out, the studied states, with both semi-presidential and parliamentary models, do not set different quorums according to the intensity of the summons. According to the main trend, in 6 states majority of attendees, and in 4 cases an absolute majority is required to summon an official. In one case – 2/5 of members of the committee is required. In one case the Bureau and the Board of Spokesmen make the decision instead of the committee. 2 In 2 states summoning of an official is possible upon a question of an MP.

The approach to summon a Prime Minister, Prosecutor General and a Head of the State Security Service to the committee sitting is different in Georgia. The request of summoning requires the absolute majority.³⁴³ This differentiation reduces the effectiveness of parliamentary oversight and at the same time is not based on a clear argument.³⁴⁴ **A simple majority of the committee members should have the authority to summon these persons.**

6.3.2. Summoning an Official to a Committee Sitting by a Faction

A faction is authorized to summon an official accountable to the Parliament to the sitting of a committee. In this case, it is necessary for the faction to have a representative in the relevant committee.³⁴⁵ There is no similar mechanism in the states sampled for research purposes.

At the 2019 spring session, the factions used this prerogative 19 times on 6 committees.³⁴⁶ Only 6 out of summoned officials appeared.³⁴⁷ In 1 out of 6 cases, the sitting was disrupted because the deputies could not agree on the procedure for holding the sitting.³⁴⁸ This should not be considered a violation of the Rules of Procedure as the addressee was present,³⁴⁹ the sitting was not held for reasons independent of him/her.

The only case provided by this mechanism, when a person is not obliged to appear at a committee sitting, is to be summoned again within 2 months.³⁵⁰ This does not mean exemption from the obligation to re-attend for the next 2 months only in the committee sitting which he/she already attended, but this privilege applies to attending sittings of other committees as well. In 6 out of 13 cases of non-appearance of the addressees, the abovementioned fact was observed,³⁵¹ thus, they did not violate the Rules of Procedure while the remaining 7 cases are violations of the law.³⁵²

³⁴⁰ Riigikogu Rules of Procedure and Internal Rules Act, Cl. 22, sec. 1, subsection 2.

³⁴¹ Ibid. Cl. 38, sec. 1.

³⁴² SGI, cited source.

³⁴³ Rules of Procedure of the Parliament of Georgia, art. 40, cl. 3.

³⁴⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, 2019, p. 80.

³⁴⁵ Rules of Procedure of the Parliament of Georgia, art. 40, cl. 2

³⁴⁶ See table #5. Information updated as of June 26, 2020.

³⁴⁷ Ibid.

³⁴⁸ Sitting of the Committee on Sector Economy and Economic Policy, News, Website of the Parliament of Georgia, available at: <https://tinyurl.com/vzpl3gc>, updated at: 05.03.20.

³⁴⁹ Ibid.

³⁵⁰ Rules of Procedure of the Parliament of Georgia, art. 40, cl. 8

³⁵¹ See table #5.

³⁵² Ibid.

This opportunity was not used by the faction in 9 committees during the spring session.³⁵³

During the autumn session of 2019, the faction summoned an official only to the Committee on Healthcare and Social Issues.³⁵⁴ The addressee asked the committee to choose another date for the hearing,³⁵⁵ the committee voted and supported the issue.³⁵⁶ This should be considered as disregard for the Rules of Procedure. Change of date is possible only by agreement between the initiator of the summoning and the person summoned³⁵⁷ and not by the decision of the majority of the committee members. However, it is interesting that the Minister did not appear on the changed date³⁵⁸, thus not fulfilling the obligation again.

During the 2020 spring session, the faction again summoned the minister to the Healthcare and Social Issues Committee only.³⁵⁹ The hearing was not held due to the absence of the official. The Minister named the speech during the Minister's Hour at a plenary sitting as a reason for this.³⁶⁰ Obviously, this reason is not honorable. Therefore, in this case, the Minister violated the Rules of Procedure and the Constitution. The legislation clearly defines the reason why a relevant person is not obliged to appear before the committee. This is the above case when less than 2 months have passed since the application of this mechanism. Other times the person is obliged to go to the committee sitting when summoned. Constitutional bodies are obliged to align their own plans with the agenda of the legislature. The above facts are examples of violations of both the Rules of Procedure and the Constitution (9 cases in total). On this basis, it is possible to initiate an impeachment procedure against each of them.³⁶¹

It should be noted that unlike the committee, a member of the faction is not authorized to summon the Prime Minister, the Prosecutor General and the head of the State Security Service to the committee sitting. This shortcoming needs to be rectified and **a faction should be empowered to summon all accountable persons to the committee sitting, including**

³⁵³ These are: Agrarian Issues; Environment Protection and Natural Resources; Diaspora and Caucasus Issues; European integration, Defense and Security; Regional Policy and Self-Government; Procedural Issues and Rules; Sports and Youth Affairs Committees. Letter #1-20623/19 of the Parliament of Georgia dated of November 22, 2019. See also Foreign Affairs Committee. Letter #1-1815/20 of the Parliament of Georgia dated of February 18, 2020.

³⁵⁴ The faction "Independent Deputies" summoned the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs - Ekaterine Tikaradze to the Committee on Health Care and Social Issues. The Minister was summoned on the following issues: 1. Basis and results of the Resolution № 520 of the Government of Georgia dated of November 5, 2019; 2. Debt from the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia to the medical institutions involved in the universal health care program during 2019 and the plan for its repayment. As of February 11, 2020, no sitting has been held. Letter #1-1815/20 of the Parliament of Georgia dated of February 18, 2020.

³⁵⁵ Sitting of the Committee on Health Care and Social Issues, News, Committee on Health and Social Affairs, Website of the Parliament of Georgia, available at: <https://tinyurl.com/wjbmyst>, updated at: 26.02.20.

³⁵⁶ Ibid.

³⁵⁷ Rules of Procedure of the Parliament of Georgia, art. 40, cl.4

³⁵⁸ News, Committee on Health and Social Affairs, Website of the Parliament of Georgia, available at: <https://tinyurl.com/y87hovw6>, updated at: 22.04.20.

³⁵⁹ The faction "Independent Deputies" summoned the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs - Ekaterine Tikaradze to the Committee on Health Care and Social Issues. The Minister was summoned on the following issues: 1. Basis and results of the Resolution № 520 of the Government of Georgia dated of November 5, 2019; 2. Debt from the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia to the medical institutions involved in the universal health care program during 2019 and the plan for its repayment. As of February 11, 2020, no sitting has been held. Letter #1-1815/20 of the Parliament of Georgia dated of February 18, 2020.

³⁶⁰ Letter #1-9604/20 of the Parliament of Georgia dated of July 28, 2020.

³⁶¹ The Constitution of Georgia, art. 48, cl. 1.

6.4. Thematic Rapporteur of a Committee

The Thematic rapporteur is a member of the committee responsible for one of the working field of the committee. Out of semi-presidential states this institution exists only in Lithuania,³⁶³ and out of parliamentary states – in Estonia³⁶⁴.

6.4.1. Action Plan of the Committee

The committees, before the opening of the spring session, develop an annual action plan of the respective committee activities.³⁶⁵ This document shall include information regarding activities to be carried out and terms for fulfilling them.³⁶⁶ Besides a responsible member/members should be defined for these activities.³⁶⁷ These persons automatically represent Thematic rapporteurs.³⁶⁸

However, the Rules of Procedure do not provide for an unambiguous, clear picture of the Thematic rapporteur. According to one provision, the person is responsible for the activities envisaged in the action plan,³⁶⁹ according to a second provision – for the field/direction of the work.³⁷⁰ So two elements – activity and field – are linked to it. This ambiguity can be eliminated by a systematic definition,³⁷¹ according to which the rapporteur is responsible for the specific “field” of the action plan and all “issues” in this “field”.

In 2019, all 15 committees developed an action plan broken down into issues.³⁷² And committee members were appointed as Thematic rapporteurs on these issues, not fields. Therefore, they are chaotically scattered on different topics.

In 2020, 12 committees developed an action plan broken down into issues.³⁷³ In 3 cases, these documents are not published on the Parliament website, which is a violation of the Rules of Procedure. As in the previous year, in 2020 the Thematic rapporteurs are not speakers on specific fields, but on various issues included in it.

Implementation shows that the norm leads to ambiguity, which **needs to be addressed in the Rules of Procedure to clearly state that the Thematic rapporteur is responsible for a specific field and issues within that field.**

³⁶² Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 80.

³⁶³ In Lithuania, the committees work in accordance with the work plan. It must be consistent with a similar document of the Seimas. The work plan of the committee identifies the person responsible for the timely execution of the issues. Statute of Seimas of the Republic of Lithuania, art. 48, sec. 5.

³⁶⁴ The Committee prepares reports on matters within its jurisdiction and appoints a rapporteur from among its members to write the draft report. Riigikogu Rules of Procedure and Internal Rules Act, art. 23¹.

³⁶⁵ Rules of Procedure of the Parliament of Georgia, art. 43, cl. 1.

³⁶⁶ Ibid. cl. 3.

³⁶⁷ Ibid.

³⁶⁸ Ibid.

³⁶⁹ Ibid.

³⁷⁰ Ibid. art. 45, cl. 2, 6.

³⁷¹ The second sentence of art. 43, cl. 3 and art. 45, cl. 2, 6, of the Rules of Procedure of the Parliament of Georgia.

³⁷² See table #6.

³⁷³ See table #7.

6.4.2. Structure of an Action Plan

The Rules of Procedure does not specify directly the structure of an action plan. However, it stipulates that it should contain a specific “activity”³⁷⁴ as well as a “field/direction”.³⁷⁵ It turns out that the plan has two structural units - “field”/“direction” and a specific “activity”.

The plans studied do not adhere to this structure and choose different paths.³⁷⁶ From the documents created in 2019, 7 plans consist of 4 structural units: topic, strategic goal, task and issue;³⁷⁷ 5 – of 3: strategic goal, task and issue;³⁷⁸ 3 (formally complies with the requirements of the Rules of Procedure) – of 2: topic and issue.³⁷⁹ However, plans in the latter case are also problematic, as committee members are appointed as speakers on issues rather than topics.

It is important that the last structural unit - the “issue” - is defined in different terms in different action plans. The word “Event” is used in 4 cases,³⁸⁰ “Issue”³⁸¹ and “Activity”³⁸² – in 2 and 2, “Action” – in 4,³⁸³ “Work”,³⁸⁴ “Activity/Event”³⁸⁵ and “Event/Action”³⁸⁶ in one.

The 2020 action plans largely replicate the 2019 trends. From the structural unit: goal, task, issue;³⁸⁷ 3 consists of 2 units: goal, activity;³⁸⁸ 1 plan consists of only 1 structural unit.³⁸⁹ Action plans still use different terms for the last structural unit. The word “Issue” is used in 5 cases,³⁹⁰ “Event”³⁹¹ and “Action”³⁹² in 3, “Activity” in 1.³⁹³ These inconsistencies make it difficult to compare these documents with each other and to perceive them in a common context. Therefore, **it is necessary for the action plans of the committees to have an identical structure. It should consist of a specific topic and the activities included in it.**

³⁷⁴ Rules of Procedure of the Parliament of Georgia, art. 43, cl. 3.

³⁷⁵ Ibid, art. 45, cl. 3.

³⁷⁶ E.g. Compare Action Plan of the Committees on Diaspora and Caucasus Issues, Regional Policy and Self-Government, Procedural Issues and Rules, and Health Care and Social Issues.

³⁷⁷ Action plans with such a structure are of: Agrarian Issues; Human Rights Protection and Civil Integration; Education, Science and Culture; Environment Protection and Natural Resources; Defense and Security; Legal Issues and Health Care and Social Issues committees.

³⁷⁸ Action plans with such a structure are of: Sector Economy and Economic Policy, European Integration, Foreign Affairs, Budget and Finance and Sport and Youth Issues committees.

³⁷⁹ Action plans with such a structure are of: Diaspora and Caucasus Issues, Regional Policy and Self-Government, Procedural Issues and Rules committees.

³⁸⁰ This term is used by Human Rights Protection and Civil Integration; Education, Science and Culture; Environment Protection and Natural Resources and Regional Policy and Self-Government committees.

³⁸¹ This term is used by Sector Economy and Economic Policy and Diaspora and Caucasus Issues committees.

³⁸² This term is used by European Integration and Legal Issues committee.

³⁸³ This term is used by Defense and Security; Foreign Affairs; Sport and Youth Issues committees and Health Care and Social Issues committees.

³⁸⁴ This term is used by Procedural Issues and Rules committee.

³⁸⁵ This term is used by Agrarian Issues committee.

³⁸⁶ This term is used by Budget and Finance committee.

³⁸⁷ Such structural units are at Agrarian Issues; Human Rights Protection and Civil Integration; Education, Science and Culture; Environment Protection and Natural Resources; European Integration; Defense and Security; Foreign Affairs and Sport and Youth Issues committees.

³⁸⁸ Such structural units are at Legal Issues, Regional Policy and Self-Government and Procedural Issues and Rules committees.

³⁸⁹ Such structural units are in the action plan of the Budget and Finance committee.

³⁹⁰ This term is used by Agrarian Issues; Education, Science and Culture; Environment Protection and Natural Resources; Procedural Issues and Rules and Budget and Finance committees.

³⁹¹ This term is used by Human Rights Protection and Civil Integration; European Integration and Regional Policy and Self-Government committees.

³⁹² These are Defense and Security; Foreign Affairs and Sport and Youth Issues committees.

³⁹³ This term is used by Legal Issues committee.

6.4.3. Appointment of a Thematic Rapporteur

The Committee Chair will appoint a Deputy as a Thematic rapporteur by his/her own initiative.³⁹⁴ If none of the committee members expresses the will to be the Thematic rapporteur for the working field, the Committee Chair nominates the Thematic rapporteur by his/her own decision³⁹⁵

In 2019, all committees appointed Thematic rapporteurs.³⁹⁶ 86 MPs in total. 13 out of them were initially in the opposition, and after leaving the majority their number increased to 26. On 1065 issues, committee chairs (15 in total) were appointed as speakers,³⁹⁷ and first deputy chairs on 247 issues (11 in total). This is a bad practice. The goal of this institute is to allocate the work among the MPs,³⁹⁸ so **the working fields should be equally distributed among the committee members.**

According to the Rules of Procedure, there should be one Thematic rapporteur for each working field from the Majority and, if desired, one from the opposition.³⁹⁹ However, in 2019 they were mostly members of the Majority.⁴⁰⁰ Representatives of the opposition were co-speakers only on 27 issues of 1303.⁴⁰¹ Opposition share increased to 223 by the end of 2019 after some MPs left the majority.⁴⁰²

In 2020, 11 committees appointed Thematic rapporteurs.⁴⁰³ One committee developed an action plan, but did not appoint a speaker on any of the issues.⁴⁰⁴ A total of 69 MPs were appointed for 931 issues.⁴⁰⁵ In 2020, 60 deputies from the majority and 9 deputies from the opposition were registered as Thematic rapporteurs.⁴⁰⁶ The chairs of the committee are speakers on 663 (10 in total) and their first deputies are speakers on 172 (8 in total) issues.⁴⁰⁷ Out of 931 issues, members of Majority are Thematic rapporteurs on 867 issues, and opposition members are speakers on 64 issues.⁴⁰⁸

The cases listed above are examples of bad practice. The goal of this mechanism is to allocate work among the MPs.⁴⁰⁹ So the workload should be equally distributed among all members of a committee and the opposition should engage in the work.

³⁹⁴ Rules of Procedure of the Parliament of Georgia, art. 45, cl. 3.

³⁹⁵ Ibid, art. 45, cl. 4.

³⁹⁶ See table #6.

³⁹⁷ Ibid.

³⁹⁸ Rules of Procedure of the Parliament of Georgia, art. 45, cl.1.

³⁹⁹ Ibid, art. 45, cl. 3.

⁴⁰⁰ See table #6.

⁴⁰¹ Ibid.

⁴⁰² Ibid.

⁴⁰³ See table #7.

⁴⁰⁴ Ibid.

⁴⁰⁵ Ibid.

⁴⁰⁶ Ibid.

⁴⁰⁷ Ibid.

⁴⁰⁸ Ibid.

⁴⁰⁹ Rules of Procedure of the Parliament of Georgia, art. 45, cl. 1.

6.4.4. Identity of a Thematic rapporteur

A member of the relevant committee is appointed as the Thematic rapporteur. **The action plan should accurately state the name and surname of an MP who is responsible for the specific working field.** However, in 7 cases in 2019, no specific person was identified and the corresponding column indicated “Committee member”; in 11 cases – “the Office employee”; in one case - parliamentary units such as “a delegation”, “a working group” and “the trust group”.

In 2 cases the MPs left the committee, however no change was made to the action plan and they still remain speakers.

In 2020, the shortcomings of 2019 were repeated again. Instead of specific individuals, in 6 cases a “committee member” was indicated, in 8 cases “the Office employee”, “a delegation” in 2, in one case “the Trust Group” and in one case “a friendship group”.⁴¹⁰ **Each of these practices violates the requirements of the Rules of Procedure.** In 2019 and 2020, 2-2 MPs left the committees, however no change was made to the action plan and they still remained speakers. **It is essential that changes in committee members be reflected in the action plan.**

6.4.5. Report of a Thematic Rapporteur

Thematic rapporteurs should report to the Committee on the work carried out on the corresponding working field.⁴¹¹ In 2019, in only 5⁴¹² out of 15 committees, a total of 7⁴¹³ speakers submitted reports on a total of 155 issues.⁴¹⁴ At the initiative of 2 out of 7⁴¹⁵, Thematic Scrutiny groups were set up in the relevant committees to work on the topic. Giving a feedback to a report of a speaker and using an appropriate parliamentary mechanism to study the problem in more depth is a good practice. **At the same time, it is recommended that speakers fulfill their obligations properly and submit the relevant reports to the committees.**

6.5. Mandate of the Committee on Defense and Security

6.5.1. Parliamentary oversight over defense field in Georgia

The Committee on Defense and Security has been set up to work on the defense and security sector.⁴¹⁶ The international practice researched shows that parliamentary oversight over security issues is mostly exercised by several committees.

⁴¹⁰ See table #7.

⁴¹¹ Rules of Procedure of the Parliament of Georgia, art. 45, cl. 6.

⁴¹² These are Human Rights Protection and Civil Integration; Sector Economy and Economic Policy; Defense and Security; Foreign Affairs and Budget and Finance committees. Letter #1-2397/20 of the Parliament of Georgia dated February 26, 2020.

⁴¹³ These MPs are Sopho Kiladze, Rati Ionatamishvili, Dimitri Tskitishvili, Nino Tsilosani, Simon Nozadze, and Nino Gogvadze. Letter #1-2397/20 of the Parliament of Georgia dated February 26, 2020.

⁴¹⁴ Letter #1-2397/20 of the Parliament of Georgia dated February 26, 2020.

⁴¹⁵ These MPs are Nino Tsilosani and Nino Gogvadze. Letter #1-2397/20 of the Parliament of Georgia dated February 26, 2020.

⁴¹⁶ Art. 2 of the Charter of the Defense and Security Committee of the Parliament, website of the Parliament of Georgia, available at: <https://tinyurl.com/uz5j78n>, updated at:09.01.20. See also Rules of Procedure of the Parliament of Georgia, Art. 159.

Out of the studied states with semi-presidential subtype only one committee oversees defense and security in Lithuania,⁴¹⁷ 2 in Bulgaria⁴¹⁸ and Croatia⁴¹⁹, 3 in Finland,⁴²⁰ 5 in Slovenia - 5 (out of which 2 are ordinary,⁴²¹ and 3 are special committees⁴²²). Out of parliamentary countries, 1 committee is set up for the defense and security oversight in Italy⁴²³ and Spain,⁴²⁴ 2 in Latvia,⁴²⁵ Estonia⁴²⁶ and Hungary,⁴²⁷ 3 in Greece⁴²⁸ and Germany.⁴²⁹

⁴¹⁷ Wills A., Vermeulen M., Parliamentary oversight of security and intelligence agencies in the European Union, European Parliament, Brussels, 2011, p. 94.

⁴¹⁸ 1. The Defense Committee, which oversees the Ministry of Defense, military intelligence, and the armed forces. 2. The Committee on Homeland Security and Public Order oversees the Ministry of the Interior, the police and the gendarmerie, border guards and non-military intelligence. Parliamentary Committees on Defence and Security, DCAF Backgrounder, Security Sector Governance and Reform, November, 2005, pp. 4, available at: <https://tinyurl.com/wyw6hyt>, updated at: 10.01.20.

⁴¹⁹ The Defense Committee oversees the Ministry of Defense, the Committee on Home Affairs and National Security - the Ministry of the Interior, the Security and Intelligence Services. The official website of the Croatian Sabor, available at: <https://tinyurl.com/yxvtgvch>, <https://tinyurl.com/yydb2whs>, every link updated at: 10.01.20.

⁴²⁰ A defense committee is set up in Eduskunta, Finland to oversee conscription, defense forces, and peacekeeping operations that do not belong to the Foreign Affairs Committee. Second, the Administration Committee, among other things, exercises control over the emergency aid and rescue structures, as well as the border police. Third is the Intelligence Control Committee. Its function is to control both civilian and military intelligence. The website of Eduskunta of Finland, available at: <https://tinyurl.com/y5w2apka>, <https://tinyurl.com/y44zcsqc> and <https://tinyurl.com/y6jdsjor>, updated at: 10.01.20.

⁴²¹ 1. The Defense and Security Committee oversees the defense sector, as well as its finances. 2. Committee for the Control of Decisions on National Security Issues, the status of which was defined by Constitutional Act N254/2006. The committee is equipped with a quasi-judicial function and handles disputes over national security issues. Its status, powers and procedure of activity are defined by the named constitutional law. Committee on Defense and Security, website of the Slovak Parliament, available at: <https://tinyurl.com/u6l9mdh>, updated at: 10.01.20. Committee for the Control of Decisions on National Security Issues, website of the Slovak Parliament, available at: <https://tinyurl.com/tu56fyo>, updated at: 10.01.20.

⁴²² One of the three special committees is the National Security Oversight Committee, which oversees the national security services. The second special committee oversees the Slovak Civil Intelligence Service and the third the Military Intelligence Service. Special Committees, website of the Slovak Parliament, available at: <https://tinyurl.com/vfweb43>, <https://tinyurl.com/wvqdva> and <https://tinyurl.com/txrmcn>, updated at: 10.01.20.

⁴²³ In Italy, the controlling body is the Parliamentary Committee on Security of the Republic (COPASIR). The function of this committee is to exercise control over the foreign and domestic security services as well as the intelligence service. Wills A., Vermeulen M., cited work, pp. 242-243.

⁴²⁴ In Spain, a Secret Funds Committee has been set up with parliamentary oversight of the Central Intelligence Agency (though not the police and guardia civil). Ley 11/2002, de 6 de mayo, reguladora del Centro Nacional de Inteligencia, Art. 11, Legislative Herald of Spain, available at (only in Spanish): <https://www.boe.es/buscar/act.php?id=BOE-A-2002-8628>, updated at: 23.08.2019. See also Wills A., Vermeulen M., cited work, p. 271.

⁴²⁵ In Latvia, there are (1) Committees on Defense, Home Affairs and Prevention of Corruption, and (2) National Security Committees. The website of Seimas, Latvia, available at: <https://tinyurl.com/txujee4>, updated at: 10.01.20.

⁴²⁶ In Estonia defense sector is overseen by the Standing Defense Committee, there is also a special, security monitoring committee set up by Riigikogu. Committee on Defense, website of the Parliament of Estonia, available at: <https://tinyurl.com/sxh22k9>, Special Committee on Surveillance Control by Security Authorities, website of the Parliament of Estonia, available at: <https://tinyurl.com/szmp4d8>, links updated at: 10.01.20.

⁴²⁷ There are (1) Committees on Defense and Law Enforcement and (2) National Security in Hungary. List of Committees, website of the Hungarian National Assembly, available at: <https://tinyurl.com/s7tsuaz>, updated at: 10.01.20.

⁴²⁸ 1. Committee on National Defense and Foreign Affairs, overseen by the Ministries of Defense and Foreign Affairs. 2. The Committee on Administration, Public Order and Justice, which, among other functions, exercises control over the Ministries of Interior and Justice. 3. Arms Programs and Contracts Committee, which monitors arms expenditures, programs, and contracts. Website of the Parliament of Greece, available at: <https://tinyurl.com/r9wywwe>, <https://tinyurl.com/rjuw47n> and <https://tinyurl.com/rj5avnv>, updated at: 10.01.20.

⁴²⁹ The German Bundestag has (1) Defense and (2) Home Affairs Committees; The first controls the Ministry of Defense and the Armed Forces, while the second controls the domestic security institutions. (3) The parliamentary oversight panel oversees the intelligence services. Parliamentary Committees on Defence and Security, DCAF Backgrounder, Security Sector Governance and Reform, November, 2005, p. 4.

Analysis of international practice shows that in the majority of the cases (6 out of 12) 2 committees are defined for parliamentary oversight in this area (in 1 state 3 special committees are added to the standing committees), only in 3 states it is divided by 3. In 3 states, 1 committee is responsible.

According to the main trend the oversight of the defense and the police forces are separated according to the areas of control. In Georgia, all components of the security sector are controlled by the Defense and Security Committee and its Trust Group.⁴³⁰ The latter can neither find support in international practice nor work effectively given the local context. The point is that the Trust Group is not a thematically narrow unit of committee control, the analogues of which are found in large numbers throughout the EU and are considered to be effective oversight mechanisms for specific institutions in the field of security.⁴³¹ It in fact duplicates the Committee's jurisdiction by extending its authority to access to confidential information.

It is recommended to set up two committees in the Parliament (with full access to classified information), one of which will control only the defense field, while the function of the other committee will be the control of other bodies. The Trust Group should be abolished.

⁴³⁰ Rules of Procedure of the Parliament of Georgia, art. 156.

⁴³¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 80.

7. A TRUST GROUP

Parliamentary oversight involves monitoring and supervision of the state and public institutions not only in terms of legislation but also in terms of policy implementation.⁴³² A representative body needs access to confidential information for effective use of these functions. This is especially important when it comes to the defense and security sectors,⁴³³ since (1) the separation of powers requires the legislature to have full information about the ongoing processes in the executive branch; (2) the civil oversight of these institutions is extremely limited;⁴³⁴ (3) they have access to a wide range of data, which poses risks from a human rights perspective;⁴³⁵ and (4) There is a temptation for political forces and above all for the majority to use these services as a tool for pursuing their own interests.⁴³⁶ Trust Group is a mechanism of a legislature for the security and defense sector oversight.⁴³⁷

7.1. Rule of composition

The Group was composed of five members, Chair of the Defense and Security Committee, one member of the Majority, one majoritarian MP, two – MPs not affiliated with the Majority.⁴³⁸

It should be noted that a new staffing rule will be enacted as soon as the powers of the Tenth Convocation Parliament are notified. It still is composed of five members: one is the Chair of the Defense and Security Committee, two from the Majority, and two from the opposition.⁴³⁹ Factions nominate group membership candidates to Parliament.⁴⁴⁰ When nominating more than two candidates by opposition factions, member of the two factions with more MPs will be nominated for the plenary session.⁴⁴¹ In case of an equal number of members – a member of the faction whose party received more votes in the elections.⁴⁴²

According to the new edition, the authority of the group member is terminated in case the nominating faction nominates its replacement and the Parliament recognizes this fact.⁴⁴³

7.2. Trust Group Summoning and Quorum

Complete staffing of the group is needed for it to work. Therefore, its activities were negatively affected by the current events in the Parliament and caused “delays in functioning”.⁴⁴⁴

⁴³² Yamamoto H., cited work, p. 9; cited in OSCE, Opinion on the Draft Law on Parliamentary Oversight in Bosnia and Herzegovina, GEN-BiH/302/2017, Warsaw, 29 March 2017, p. 5, para. 13.

⁴³³ OSCE, cited conclusion, p. 15, para. 38.

⁴³⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, pp. 87-88.

⁴³⁵ Ibid. p. 88.

⁴³⁶ Ibid.

⁴³⁷ Rules of Procedure of the Parliament of Georgia, art. 157, cl. 1

⁴³⁸ Ibid, art. 157, cl. 2.

⁴³⁹ Rules of Procedure of the Parliament of Georgia, On Amendment to the Rules of Procedure of the Parliament of Georgia, N6700-მზ, Legislative Herald of Georgia (<https://matsne.gov.ge/ka>), 07.07.20, art. 1. cl. 52 “a” Legislative Herald of Georgia, available at: <https://matsne.gov.ge/ka/document/view/4907021?publication=0>, updated at: 16.09.20.

⁴⁴⁰ Ibid, art. 157, cl. 3.

⁴⁴¹ Ibid.

⁴⁴² Ibid, art. 157, cl. 3.

⁴⁴³ Ibid, art. 157, cl. 8.

⁴⁴⁴ Letter #1-17823/19 of the Parliament of Georgia dated of October 8, 2019.

One of the members, Eka Beselia, who was a member of the ruling team with a quota, left the majority on February 25, 2019; at the same time, on March 11, 2019, the minority disbanded, and, consequently, one member from the quota – Irakli Abesadze was excluded from the mechanism. Relevant entities failed to fill the vacancies, due to which, from February to September 2019, this institution have not functioned. It resumed operations on September 26, 2019.⁴⁴⁵

It is necessary to determine the period during which the parliamentary entities should fully fill their quota in case of removal of a member from the mechanism, otherwise the mechanism should resume its work with the existing composition.

The sitting is summoned as necessary and led by the chair of the Group.⁴⁴⁶ However, **it would be better to define the frequency of the meeting in the Rules of Procedure**, since, under the current regulations, if the Chair does not convene a sitting, the meeting may not take place for an unreasonably long time.⁴⁴⁷ The group held three sittings where it summoned officials from the defense and security sectors.⁴⁴⁸ No Trust Group sittings were held at the 2020 Spring Session.⁴⁴⁹ **It is important for the group to be more attentive to its function and to carry out the responsibilities imposed on it by the Rules of Procedure.**

Summoning of the sitting may be suggested by any member, but it needs to be supported by the Majority,⁴⁵⁰ which hinders the opposition from using this institution for oversight purposes. It should be noted that this authority was not exercised by any of the members during the reporting period.⁴⁵¹ **Group members should be more active and contribute to the better functioning of the mechanism. Transferring this function to the Chair only reduces the effectiveness of the mechanism and puts it on the agenda of the Majority.**

According to the practice of other countries, “from countries of the semi-presidential, premier-president subtype every member in Slovakia can request a meeting. In Finland, there are two committees responsible for overseeing the defense and security sector, and in addition to regular sittings, the committee may meet at the request of the Chair or at least 1/3 of the members. The same rule is established by the Rules of Procedure of the National Assembly of Bulgaria, Seimas of Lithuania and the Croatian Sabor. From parliamentary countries, in Estonia special committees meet routinely like standing committees. Like Finland, Bulgaria, Lithuania and Croatia, the chair of any committee summons an extraordinary sitting on his/her own initiative or at the request of 1/3 of the committee members. In Hungary, this possibility is held by 1/5 of the members of committees (including committees responsible for the defense and security sector). Unlike the above-mentioned countries, in Latvia and Greece only the chairs of the relevant committees have the authority to summon meetings”.⁴⁵² Parliamentary Oversight Panel in Germany (Kontrollgremiumgesetz/PKGrG) meets at least once

⁴⁴⁵ Ibid. See also the website of the Parliament of Georgia, the Trust Group of the Parliament developed an action plan, September 26, 2019, available at: <https://bit.ly/2SnjGA5>, updated on: 12.04.2020.

⁴⁴⁶ Rules of Procedure of the Parliament of Georgia, art. 158 cl. 2.

⁴⁴⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 93.

⁴⁴⁸ Letter #2-3600/20 of the Parliament of Georgia dated of March 11, 2020.

⁴⁴⁹ Letter #1-9605/20 of the Parliament of Georgia dated of July 17, 2020. See also the website of the Trust Group. As of August 31, 2020, the Trust Group has not held any meetings. Trust Group, website of the Parliament of Georgia, available at: <https://tinyurl.com/y6nsu9mz>, updated at: 19.09.20.

⁴⁵⁰ Rules of Procedure of the Parliament of Georgia, art. 158, cl. 2.

⁴⁵¹ Letter #2-7178/20 of the Parliament of Georgia dated of July 2, 2020.

⁴⁵² Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 93.

every three months and summons at the request of any member of the Panel.⁴⁵³ In Spain, a special committee is set up each time to review classified information.⁴⁵⁴ The procedure for convening its meetings is not specified.⁴⁵⁵ Parliamentary Oversight Committee on State Security in Italy (COPASIR) is summoned by the Chair of the Committee, who also determines the date of the sitting and the agenda.⁴⁵⁶ Practice shows that each member of the committee can convene a meeting in 2, the chair in 8, 1/3 of the committee members in 5, and 1/5 of the members in 1 case. The opportunity for the opposition to summon sittings will help to intensify the group's activities in Georgia as well. Thus, **it is better that a single member raising an issue is sufficient for the sitting summoning.**⁴⁵⁷

7.3. Mandate

The general mandate of the Group is to supervise the secret activities and special programs of the bodies operating in the defense and security sector,⁴⁵⁸ and to make relevant recommendations.⁴⁵⁹ The Group is obliged to appeal to the investigative body in the event of the observance of signs composing a crime while exercising its power.⁴⁶⁰ At the same time, any issue to be considered by the Parliament, which deals with this institution, needs its conclusion.⁴⁶¹ One such document was developed during the reporting period.⁴⁶²

It should be noted that during the reporting period, the Group did not exercise its authority to make recommendations,⁴⁶³ nor did it need to appeal to investigative bodies.⁴⁶⁴

7.3.1. Authority to request information

The group has the authority to request any data from the relevant agencies,⁴⁶⁵ This does not apply to information relating to covert forms and methods (including normative acts)⁴⁶⁶ and Operative Technical Agency (in these cases, access to both future and current and completed information is limited).⁴⁶⁷ The same rule applies to current cases and activities, where the relevant authority may refuse to disclose information if it considers that it poses a threat to national/public security and the protection of state interests.⁴⁶⁸ In this case, it is obliged

⁴⁵³ Control Panel Act of 29 July 2009 (Federal Law Gazette I p. 2346), last amended by Article 13 of the Law of 5 January 2017 (BGBl. I p. 17) art. 3, available at: <http://www.gesetze-im-internet.de/pkgrg/BJNR234610009.html>, updated on: 23.08.2019.

⁴⁵⁴ Resolución de la Presidencia del Congreso de los Diputados, de 11 de mayo de 2004, sobre secretos oficiales, tercero, website of the Spanish Congress of Deputies, available at: <https://tinyurl.com/y4fwkulm>, updated at: 03.09.20.

⁴⁵⁵ Ibid.

⁴⁵⁶ Wills A. and Vermeulen M., Parliamentary oversight of security and intelligence agencies in the European Union, European Parliament, Brussels, 2011, p. 248.

⁴⁵⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 93.

⁴⁵⁸ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 1

⁴⁵⁹ Ibid, art. 159, cl. 15.

⁴⁶⁰ Ibid, art. 159, cl. 13.

⁴⁶¹ Ibid, art. 159, cl. 16.

⁴⁶² Letter #2-3600/20 of the Parliament of Georgia dated of March 11, 2020.

⁴⁶³ Letter #2-1311/20 of the Parliament of Georgia dated of January 28, 2020.

⁴⁶⁴ Ibid.

⁴⁶⁵ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 2.

⁴⁶⁶ Ibid, art. 159, cl. 3.

⁴⁶⁷ Ibid, art. 159, cl. 2.

⁴⁶⁸ Ibid, art. 159, cl. 3.

to submit a written justification for the refusal.⁴⁶⁹

“Relevant, narrowly mandated specialized committees in research countries typically allow access to information on at least one type of operation. In particular, out of the states of the semi-presidential, premier-presidential subtype the relevant specialized committees in Bulgaria and Croatia have unrestricted access to any kind of information; Lithuanian National Security Committee fails to oversee future operations, however, has limited access to ongoing and completed operations. In Finland, access to all three types of operations is partially restricted; out of the parliamentary republics, the one in Greece is similar to Finland, and the one in Latvia is similar to Bulgaria and Croatia; in Estonia, the relevant specialized committee has unlimited control over future and completed operations, and limited control over current operations; In Hungary, the National Security Committee is banned from accessing future and current operations, however, its rights to access information related to completed operations are unrestricted. The only country where the relevant specialized committee is not allowed by law to access any type of operation is Slovakia.”⁴⁷⁰ In Germany, the relevant committee has access to information on all three types of operations, albeit in a limited way,⁴⁷¹ In Italy - only to completed operations.⁴⁷² The Spanish law does not explicitly define this issue.⁴⁷³ Practice shows that relevant entities have unrestricted access to any type of information in 2 states, restricted access to any kind of information in 3, to future operations - in 1, to future and completed - in 1, to completed only – in 2, and in 1 country it does not have access to any type of information at all. The legislation of one state leaves this issue open.

In Georgia, access to Operative Technical Agency information in reality is completely restricted. Partial exceptions are completed cases.⁴⁷⁴ It is clear that the legislator is trying to distance this agency from the mechanisms of parliamentary oversight as much as possible.⁴⁷⁵ The existing legal framework puts this body under special protection from oversight, which is contrary to the principles of open parliamentary and civil accountability necessary for a democratic state, and is not based on any solid arguments and necessary preconditions. **It is recommended to apply all the obligations that exist to other institutions.**

7.3.2. Authority to Summon to a Sitting

Group members may summon accountable persons to attend the sitting by majority of votes.⁴⁷⁶ During the reporting period, the Trust Group exercised this authority 3 times.⁴⁷⁷

7.3.3. Annual reports on secret activity and special programs

Entities of the defense and security sector are required to submit an annual report to the Group no later than April 15, which will provide information on implemented secret ac-

⁴⁶⁹ Ibid, art. 159, cl. 4.

⁴⁷⁰ Menabde V. (Head of Research and Academic Editor) et al, cited work, pp. 90-91.

⁴⁷¹ Wills A. and Vermeulen M., cited work, p. 127.

⁴⁷² Ibid.

⁴⁷³ Resolución de la Presidencia del Congreso de los Diputados, de 11 de mayo de 2004, sobre secretos oficiales.

⁴⁷⁴ For other exceptions, see subchapter: 7.3.3.

⁴⁷⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 94.

⁴⁷⁶ Rules of Procedure of the Parliament of Georgia, article 159, cl. 10.

⁴⁷⁷ Letter #2-3600/20 dated of March 11, 2020 of the Parliament of Georgia.

tivities and special programs.⁴⁷⁸ The special regulation applies to the Operative Technical Agency, which presents only a statistical and generalized report of the activities performed, and not information about the programs.⁴⁷⁹ All institutions have fulfilled this obligation.⁴⁸⁰

7.3.4. Provision of Information on Classified Procurement

Relevant authorities provide the Group with detailed information on classified state procurement to be implemented, if the estimated value of goods or services exceeds 2 million GEL, and for construction work if the estimated value exceeds 4 million GEL.⁴⁸¹ The Ministry of Defense presented this data 12 times, the Ministry of Internal Affairs and Special State Protection Service once.⁴⁸²

These institutions provide the Group with information on implemented and ongoing classified state procurement at least once a year.⁴⁸³ All institutions have fulfilled this obligation during the reporting period.⁴⁸⁴

7.3.5. Classified Normative Acts Containing the Main Tasks of the Agency

The Prime Minister of Georgia, the Government, and relevant authorities are obliged to submit to the Group the classified normative act containing the structure of the unit and main goals of its structural subunits within two weeks of inclusion in the classified part of the State Registry of Normative Legal Acts of Georgia (except for cases envisaged by the legislation of Georgia).⁴⁸⁵ State Security Service 5 times, and the Ministry of Defense once had to fulfill this obligation during the reporting period.⁴⁸⁶

7.4. Monitoring Visit

Group members are authorized to visit the relevant institutions for monitoring purposes, however, the latter shall be notified in advance.⁴⁸⁷ Such regulation makes this control mechanism ineffective, because unexpected visit is a necessary component for the effectiveness of the inspection. Thus, **it is important for the group to be able to make the visit without notifying the agency.**⁴⁸⁸ "Legislative record or established custom of similar powers from the studied jurisdictions is recorded in 3 semi-presidential, premier-presidential and 2 parliamentary subtype countries. The special laws of Slovakia and Croatia make it permissible to visit the security services at any time without prior notice. A similar approach is taken in Lithuania, with the reservation that the deputies should be accompanied by representatives of the relevant bodies during the visit. In Estonia, there is a different rule - this issue is not regulated at the legislative level, however, the members of the relevant committee, accord-

⁴⁷⁸ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 9.

⁴⁷⁹ Ibid.

⁴⁸⁰ Letters #2-3600/20 of March 11, 2020 and #1-9605/20 of July 17, 2020 of the Parliament of Georgia.

⁴⁸¹ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 5.

⁴⁸² Letter #2-3600/20 of the Parliament of Georgia dated of March 11, 2020.

⁴⁸³ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 5.

⁴⁸⁴ Letters #2-3600/20 of March 11, 2020 and #1-9605/20 of July 17, 2020 of the Parliament of Georgia.

⁴⁸⁵ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 7.

⁴⁸⁶ Letter #2-3600/20 of the Parliament of Georgia dated of March 11, 2020.

⁴⁸⁷ Rules of Procedure of the Parliament of Georgia, art. 159, cl. 11.

⁴⁸⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 91.

ing to established custom, enjoy the right to visit the security services on a prior notice”.⁴⁸⁹ In Italy, the Parliamentary Committee on Security of the Republic (COPASIR) has unrestricted access to the facilities and buildings of the relevant authorities, however, prior notification of the visit to the Prime Minister is required.⁴⁹⁰ The latter can refuse access when it interferes with ongoing operations.⁴⁹¹ The respective bodies in Spain⁴⁹² and Germany⁴⁹³ do not have such authority at all.

The Group did not make any monitoring visits during the reporting period.⁴⁹⁴ In order to exercise effective parliamentary control, **it is recommended that members of the Trust Group exercise that power.**

7.5. Authority to issue a reasoned instruction

The Group is empowered to raise the issue of removing the classified status of information if it considers that the law is being violated by the executive.⁴⁹⁵ This record of the existing edition is vague and, therefore, **it is necessary to establish it in a new form.** In particular, reference should be made only to the unlawful or unjustified secrecy of information. Violation of the law by an authorized person is not relevant for the purposes of this record. This power was not exercised by the Trust Group.

7.6. Access to classified information and the need for a Trust Group

There are two approaches on access to classified information. “According to one approach, all MPs have access to it. The issue is thus settled from the semi-presidential, premier-presidential subtype countries in Bulgaria, Lithuania, Slovakia, and Croatia, and from the parliamentary countries - in Estonia and, under certain conditions, in Greece as well”.⁴⁹⁶ There is a similar regulation in Germany.⁴⁹⁷ “According to the second, more cautious approach, members of the relevant committee have access to classified information. This model exists in Finland (from the first group of countries), Hungary and Latvia (from the second group of countries)”⁴⁹⁸ as well as in Spain⁴⁹⁹ and Italy.⁵⁰⁰

As it turned out the practice on this issue is divided. **In the case of Georgia, introduction of any approach (granting access to classified information to all MPs, or at least to members of relevant committees) will significantly improve parliamentary oversight over the defense and security sector. In this situation the need for a Trust Group will disappear and it should be abolished.**

⁴⁸⁹ Ibid. pp. 91-92.

⁴⁹⁰ Parlamento Italiano, Comitato parlamentare per la sicurezza della Repubblica, available at: http://www.parlamento.it/571?shadow_organo=406516, updated on: 12.04.2020.

⁴⁹¹ Wills A. and Vermeulen M., cited work, p. 248.

⁴⁹² Resolución de la Presidencia del Congreso de los Diputados, de 11 de mayo de 2004, sobre secretos oficiales.

⁴⁹³ Wills A. and Vermeulen M., cited work, pp. 218-227.

⁴⁹⁴ Letters #2-3600/20 dated of March 11, 2020 and #2-1310/20 dated of January 28, 2020 of the Parliament of Georgia; Letter #1-9605/20 of the Parliament of Georgia dated of July 17, 2020.

⁴⁹⁵ Trust Group addresses the Prime Minister of Georgia to change the status of the information classified. Rules of Procedure of the Parliament of Georgia, art. 159, cl. 14

⁴⁹⁶ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 97.

⁴⁹⁷ Wills A., Vermeulen M., cited work, p. 119.

⁴⁹⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 97.

⁴⁹⁹ Depending on the type of classified information, it may be accessible to committees of inquiry, chairpersons of specific committees, the Speaker of Parliament, or political party leaders. See Wills A., Vermeulen M., cited work, p. 119.

⁵⁰⁰ Ibid.

8. AD HOC MECHANISM OF PARLIAMENTARY OVERSIGHT

Ad Hoc mechanisms are often used to carry out the oversight function in the Parliament. Its purpose is to study a separate issue and it terminates the authority upon completion of the activity.⁵⁰¹ Such a formation is called a temporary “committee” in some countries and a “commission” in others.⁵⁰² It is an effective way to answer questions in the society about current issues.

It is possible to create a temporary mechanism in Georgian Parliament both at the committee and session levels. In the first case, it is the “Working Group” and the “Thematic Scrutiny” of the Committee, and in case of session - it is a “Temporary Commission”. They have a similar function. The purpose of both is to study a specific issue and draw a conclusion.

8.1. Thematic Scrutiny Group

8.1.1. The Purpose of the Group

After the reform, the Rules of Procedure have established a completely new, Thematic Scrutiny institute among the oversight mechanisms. It is established by the decision of the committee or the permanent council.⁵⁰³ It is authorized to request from the administrative body all the necessary information and explanations for processing the issue,⁵⁰⁴ to examine the information provided by stakeholders.⁵⁰⁵

None of the countries with parliamentary system has the identical mechanism and from the countries of the semi-presidential, premier-presidential subtype, this mechanism is found only in Bulgaria⁵⁰⁶ Lithuania⁵⁰⁷ and Slovakia.⁵⁰⁸ The concept is not familiar for the Parliament of Finland.⁵⁰⁹ Exceptions are two – the Committee for the Future and the Audit Committees, which are mainly oriented on research. Here, formal or informal groups on various issues can be formed from committee members.⁵¹⁰

In Croatia, the Committee is authorized to set up a sub-committee and a Chair is authorized to create a special working group for decision-making.⁵¹¹

⁵⁰¹ Committees in Legislatures, A Division of Labor, Legislative Research Series Paper #2, National Democratic Institute for International Affairs, p. 5, NDI website, available at: https://www.ndi.org/sites/default/files/030_ww_committees.pdf, updated at: 23.10.19.

⁵⁰² Matcharadze, Z., Dissertation on obtaining the academic degree of Doctor of Law on the topic: Parliamentary Control Over Government Activities in a Bicameral Parliament (In connection with the Georgian perspective), TSU, 2018, p. 158.

⁵⁰³ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 1.

⁵⁰⁴ Ibid, art. 155, cl. 6.

⁵⁰⁵ Ibid.

⁵⁰⁶ Rules of Organization and Procedure of the National Assembly of Bulgaria, art. 114, sec. 1 and art. 115.

⁵⁰⁷ Statute of Seimas of the Republic of Lithuania, art. 49, sec. 1, subsection 5.

⁵⁰⁸ Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, Section 61.

⁵⁰⁹ Letter from the Parliament of Finland of October 2, 2019, via e-mail.

⁵¹⁰ Ibid.

⁵¹¹ Standing Orders of the Croatian Parliament, art. 53.

8.1.2. Creation of a Group

In Georgia, the committee decides to form a group by an absolute majority,⁵¹² the same rule works in Slovakia.⁵¹³ In Bulgaria⁵¹⁴ Lithuania⁵¹⁵ and Croatia⁵¹⁶ a decision on setting up a group is made by majority of attendees. It seems that the number of votes required to form a group in Georgia is higher compared to other countries. At the same time, it should be noted that another ad hoc group, a temporary commission, is formed by a majority of those present in Parliament. Therefore, **it is recommended that a Thematic Scrutiny group is established by a simple majority.**

This mechanism was easily implemented within the Parliament. After the adoption of the new Rules of Procedure, 7 groups were formed at the spring session of 2019, at the initiative both of the Committee (by the decision of the Bureau, 2 groups out of 5 merged and the number has become 4),⁵¹⁷ as well as the Permanent Parliamentary Council (3 groups). At the fall session of 2019, 3 groups created by the committees were added (1 of them merged),⁵¹⁸ and at the 2020 spring session, 5 groups were added.⁵¹⁹ In majority of the cases, groups were set up by the committees⁵²⁰ or councils⁵²¹ with the full support of members.⁵²²

The issue of Thematic Scrutiny and the composition of the group is submitted to the Bureau. However, if it turns out that different committees are interested in the same issue, by the decision of the Bureau, they can unite.⁵²³ For example, the groups set up by the Committees on Defense and Security and Foreign Affairs were merged during the spring session,⁵²⁴ and the groups set up by the Committee on Sector Economy and Economic Policy and European Integration were merged during the fall session.⁵²⁵

The group selects the Chief Rapporteur.⁵²⁶ Initially all of them were members of the Majority,⁵²⁷ however, by the end of the scrutiny 2 of them joined the opposition, although they had not been changed.⁵²⁸

⁵¹² Rules of Procedure of the Parliament of Georgia, art. 155, cl. 2.

⁵¹³ Act of the National Council of the Slovak Republic No. 350/1996 on Rules of Procedure, sec. 52, subsection 2.

⁵¹⁴ Rules of Organization and Procedure of the National Assembly of Bulgaria, art. 33, sec. 4.

⁵¹⁵ Statute of Seimas of the Republic of Lithuania, art. 53, sec. 4.

⁵¹⁶ Standing Orders of the Croatian Parliament, art. 50.

⁵¹⁷ See table #8. The information is updated as of August 31, 2020.

⁵¹⁸ Ibid.

⁵¹⁹ Ibid.

⁵²⁰ Ibid.

⁵²¹ Ibid.

⁵²² Ibid.

⁵²³ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 4.

⁵²⁴ The Foreign Affairs Committee set up a group on 15 February 2019 to study the challenges of disinformation and propaganda. On April 23 of the same year, the Defense and Security Committee set up a group on disinformation and propaganda. Since these groups were formed on essentially the same issue, the Bureau of the Parliament decided to merge the two groups. Decision N271/24 of June 17, 2019 of the Bureau of the Parliament of Georgia, website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/224361?>, updated at: 05.09.19.

⁵²⁵ See table #8.

⁵²⁶ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 1.

⁵²⁷ See table #8.

⁵²⁸ Ibid.

8.1.3. Staffing of the group

The Rules of Procedure do not directly indicate the representation of the group members. Nevertheless, opposition is represented in all of the groups created at the 2019 spring session.⁵²⁹ However, this does not reflect the proportion of political forces in the Parliament. This principle is violated everywhere, sometimes in favor of the opposition,⁵³⁰ sometimes to the detriment,⁵³¹ in some cases its representation is minimal.⁵³² In the groups set up during the fall session of 2019, the opposition is represented only in one,⁵³³ and in the groups created in the spring session of 2020 - in 2.⁵³⁴ As mentioned, the recruitment logic is not directly defined. However, given that **parliamentary mechanisms are generally based on the principle of proportional representation of factions, it is recommended that the same principle be applied here.**

Changes in factions and committees/councils should automatically be reflected on the composition of the group. During the reporting period, such a change should have happened 8 times for 10 groups.⁵³⁵ However, the changes failed to reflect on the composition of the group. **The legislature should pay attention to this issue and the MP should be replaced after leaving the standing council, committee or faction, the composition of the Thematic Scrutiny Group should be modified in case of any increase or decrease of the faction, which affects the pre-established quotas.**

8.1.4. Number of Group Members

Groups differ substantially from each other in terms of the number of members. Seven of them have 4-5 members, four of them - 6-9, three have 10-11, and one has 15.⁵³⁶ Determining the number of members is the competence of the committee/council itself. In all individual cases, this issue should be resolved in the light of the circumstances of the case. On the other hand, it should not be equal to the number of members of the committee/council. The Thematic Scrutiny should be conducted by a small, flexible group, which will then submit its findings to the appropriate authority. The existing practice eliminates the difference between the mechanisms provided by the Rules of Procedure. If the majority of the members of the committee are willing to be involved in the study of the issue, they should use the format of the committee discussion. In such case, there is no need to create a separate unit. **It is recommended to set up a small Thematic Scrutiny group with the number of members not exceeding 1/3 of its creating body.**

8.1.5. Membership of the group

The committee or council forms the group under the umbrella of its own jurisdiction. Which means that the group operates within the authority of the relevant committee or council. Considering the mentioned, it should include only members of the creator entity. Existing

⁵²⁹ Ibid.

⁵³⁰ Ibid.

⁵³¹ Ibid.

⁵³² Ibid.

⁵³³ Ibid.

⁵³⁴ Ibid.

⁵³⁵ Ibid.

⁵³⁶ Ibid.

practice differs from this approach. This principle was violated 17 times in 15 groups.⁵³⁷ Of course, there may be cases where the issue is of interest to more than one committee, in which case the rules provide for the possibility of association. For example, the Bureau merged groups set up in the Foreign Affairs and Defense and Security Committees. Here, however, some members of the merged group were not included in the above-mentioned committees.⁵³⁸ In the second group united by the Bureau, the members represented the relevant committees at the time of its creation, but then 3 of them left the respective committee.⁵³⁹ The Rules of Procedure should clearly define **the issue of membership of the Thematic Scrutiny group and only a member of the relevant committee/council should be considered as such.**

8.1.6. Term of the Group Authority

The terms of authority of the group for the reporting period were defined as follows: the group had to prepare a report within 2 months of the start of the inquiry, which was to be submitted to the Bureau (if the group consists of members of different committees⁵⁴⁰) or the committee,⁵⁴¹ which could be prolonged by no more than 1 month.⁵⁴² The Rules of Procedure define the general rule for calculating the terms, according to which the terms defined in the “days” in the Rules of Procedure are implying “working days”.⁵⁴³ As for the terms defined in the Rules of Procedure as “months” - it is calculated as a calendar.

Experience shows that groups are not able to meet the deadlines set by the Rules of Procedure.⁵⁴⁴ None of the 15 groups were able to submit a report in 2 months and only two were able to complete the work using an additional one month.⁵⁴⁵ 7 did it overdue.⁵⁴⁶ A total of 9 conclusions were drafted, although only 8 were submitted to the relevant subjects.⁵⁴⁷ At this point, 6 groups continue to work.⁵⁴⁸

7 out of 15 groups extended their term for 1 month themselves.⁵⁴⁹ 3 of them extended their terms themselves and informed the Bureau about this decision.⁵⁵⁰ The law does not grant them such authority. In 2 cases the group applied to the Bureau with this request.⁵⁵¹ This is a good practice and should be introduced. **It is recommended that the term of the Thematic Scrutiny Group be extended, if necessary, by its founding body, upon the request of the group itself.**

⁵³⁷ Ibid.

⁵³⁸ Ibid.

⁵³⁹ Ibid.

⁵⁴⁰ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 8.

⁵⁴¹ Ibid.

⁵⁴² Ibid.

⁵⁴³ Ibid, art. 4, cl. 2.

⁵⁴⁴ See table #9. The information is updated as of August 31, 2020.

⁵⁴⁵ The Thematic Scrutiny Group on the Participation of Women in State Economic Programs presented its report on June 11, 2019. Conclusion of the Thematic Scrutiny Group on Women’s Participation in State Economic Programs, website of the Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/223862?>, updated at: 30.09.19.

⁵⁴⁶ See table #9.

⁵⁴⁷ Ibid.

⁵⁴⁸ Ibid.

⁵⁴⁹ Ibid.

⁵⁵⁰ Ibid.

⁵⁵¹ Ibid.

At the 2020 Spring Session, an amendment to the Rules of Procedure extended the term of the Thematic Scrutiny Group authority.⁵⁵² After that the basic term is 3 months, which can be extended up to a maximum of 3 times per month if necessary. This news may give more space to the groups, but it is natural that different volumes of work need to be done to study different issues, for some - the time currently provided by the Rules of Procedure is enough, for others it is not. **It would be reasonable for the committee/council to set the term in each individual case, when creating a Thematic Scrutiny Group, and for the Rules of Procedure to leave the topic open.**

8.1.7. Results of Exceeding the Authority Term

The Rules of Procedure does not stipulate the legal consequences for the group for violating the set deadline. As a result, despite the passage of time, the activities of the groups may continue indefinitely. **If the Thematic Scrutiny Group violates the deadline set for it, it is better for it to automatically terminate the authority.**

8.1.8. Commitment of the Group on Publicity

A group is obliged to publish information on the website of the Parliament no later than 5 days after the commencement of the inquiry.⁵⁵³ This requirement was met in all fifteen cases.⁵⁵⁴

This information shall include a title of the issue and a short description, information on the MP(s) engaged in the process, rules and terms for submission of opinions and evidence by interested persons.⁵⁵⁵ Here, too, the groups strictly complied with the requirements of the regulations.⁵⁵⁶

Besides the group should develop an inquiry plan and a schedule.⁵⁵⁷ Only 10 out of 15 thematic groups fulfilled this requirement during the reporting period.⁵⁵⁸ In other cases, only technical conditions are posted on the website, which cannot replace the action plan. This document does not meet the requirements set by the Rules of Procedure.⁵⁵⁹

It is noteworthy that at the 2019 spring session, the Foreign Affairs and Defense and Security Committees merged the groups, which were set up separately, although further work continued according to the act prepared by group set up by the Foreign Affairs Committee.⁵⁶⁰ Even though, after the creation of the new unit, it was mandatory to prepare a new plan

⁵⁵² Rules of Procedure of the Parliament of Georgia, On Amendment to the Rules of Procedure of the Parliament of Georgia, N6700-მზ, Legislative Herald of Georgia (<https://matsne.gov.ge/ka>), 07.07.20, art. 1, cl. 51, Legislative Herald of Georgia, available at: <https://matsne.gov.ge/ka/document/view/4907021?publication=0>, updated at: 16.09.20.

⁵⁵³ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 5.

⁵⁵⁴ See table #10. The information is updated as of August 31, 2020.

⁵⁵⁵ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 5.

⁵⁵⁶ See table #10.

⁵⁵⁷ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 6.

⁵⁵⁸ See table #10.

⁵⁵⁹ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 6.

⁵⁶⁰ Only the old action plan on the Parliament website. Action Plan of the Thematic Scrutiny Group on Disinformation and Propaganda, website of the Parliament of Georgia, available at: <https://tinyurl.com/y6yd34tt>, updated at: 02.11.19.

and a schedule, it could have been a document of one of the predecessor groups, although it formally needed re-approval.

The group should post the documents developed during the inquiry on the Parliament website.⁵⁶¹ This requirement was met by 15 of them.⁵⁶² 2 groups have not adopted the documents yet. **Despite the existing positive statistics, it is better if the cases of non-compliance with the obligation to publish information are completely eliminated.**

The group is obliged to hold a hearing, the information on which should be published 1 week before the hearing.⁵⁶³ This deadline was observed by the subjects in 10 cases.⁵⁶⁴ 2 out of remaining 3 posted information in violation of terms,⁵⁶⁵ and 1 informed media representatives in advance.⁵⁶⁶ The Rules of Procedure does not recognize the latter possibility at all. In 2 cases the issue was not heard. In total, 15 groups held 29 hearings. Information about these meetings was written only in the action plan of 5 groups.⁵⁶⁷ **Thematic Scrutiny Groups should fulfill the obligation imposed by the Rules of Procedure, publish information about the hearing in a timely manner, while not modifying it with other types of activities.**

8.1.9. Group conclusion

The group shall submit its report to the Committee or Bureau.⁵⁶⁸ Subsequently, the Bureau is authorized (and not obliged) to include it in the agenda of the plenary session or the conclusion will be considered by the relevant committee.⁵⁶⁹ In order to exclude procedural manipulations by the majority-controlled bureau, **it is recommended that it be obliged to include the conclusion of the Thematic Scrutiny group in the agenda of the plenary session each time.**

Only 9 out of 15 groups completed the task. One of them was able to finalize the work using an extra month.⁵⁷⁰ 8 groups submitted their findings in violation of the deadline.⁵⁷¹ The documents are published on the Parliament website.⁵⁷² The reports of 3 groups out of 9 were submitted to the committee, and 6 were submitted to the Bureau to be submitted to the plenary session.⁵⁷³

The groups set up in the parliamentary councils submitted their conclusions to the Bureau. Documents prepared by the groups “On Women’s Participation in State Economic Programs” and “On Access to Vocational Education for Women in Economic Development” groups from

⁵⁶¹ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 6.

⁵⁶² See table #10.

⁵⁶³ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 7.

⁵⁶⁴ See table #10.

⁵⁶⁵ Ibid.

⁵⁶⁶ Ibid.

⁵⁶⁷ Ibid.

⁵⁶⁸ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 8. The group shall submit to the Bureau only if it is set up by the Standing Council of Parliament or if the group consists of members of various committees.

⁵⁶⁹ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 8.

⁵⁷⁰ The Thematic Scrutiny Group on the Participation of Women in State Economic Programs presented its report on June 11, 2019. Conclusion of the Thematic Scrutiny Group on Women’s Participation in State Economic Programs, website of the Parliament of Georgia.

⁵⁷¹ See table #9.

⁵⁷² Ibid.

⁵⁷³ Ibid.

September 17-20, 2019 session week,⁵⁷⁴ and “On Civic Engagement Tools and Practices in State Agencies” from November 12-15, 2019⁵⁷⁵ session week are included in the agenda of the plenary sessions. The Parliament heard the reports with delay, at its 2020 February 4th and 19th sittings, respectively.⁵⁷⁶ **It is recommended that the Parliament consider the final documents prepared by the Thematic Scrutiny groups in a timely manner.**

In 2 cases the conclusion of the Thematic Scrutiny group was submitted to the Bureau,⁵⁷⁷ while according to the Rules of Procedure, the conclusion was to be discussed and recommendations were to be made by the relevant committee, as these groups were set up by the committees. The Bureau, in one case,⁵⁷⁸ included the conclusion on the agenda⁵⁷⁹ of the plenary sessions on February 4-7, 2020, and the plenary heard it during the session the same week.⁵⁸⁰ In the second case,⁵⁸¹ the Bureau included the conclusion in the agenda⁵⁸² of the plenary sessions of 14-17 July 2020, which was heard by the Parliament on the same week, 17 July.⁵⁸³ In 1 additional case, the Committee took note of the conclusion of the Thematic Scrutiny Group and informed the Bureau.⁵⁸⁴ The Rules of Procedure does not provide for such a procedure either. In all three cases, **it is necessary for the committee to review the document and issue relevant recommendations if any.**

One group suspended the publication of the report for some time until the necessary recommendations and opinions were submitted by international experts.⁵⁸⁵ However, after the group received the necessary materials, it completed the work on the conclusion.⁵⁸⁶ Despite the development of the final document, it has not been submitted to the committee yet. COVID 19 pandemic was indicated as a cause of the delay.⁵⁸⁷ **It is recommended that the**

⁵⁷⁴ The agenda of the plenary sittings of September 17-20, 2019 of the Parliament of Georgia dated of the ninth convocation, website of the Parliament of Georgia, available at: <https://tinyurl.com/ujy6cse>, updated on: 24.12.19.

⁵⁷⁵ The agenda of the plenary sittings of November 12-15, 2019 of the Parliament of Georgia dated of the ninth convocation, website of the Parliament of Georgia, available at: <https://tinyurl.com/vbghnpr>, updated at: 24.12.19.

⁵⁷⁶ The agenda of the plenary sittings of February 4-7, 2020 of the Parliament of Georgia dated of the ninth convocation, website of the Parliament of Georgia, available at: <https://tinyurl.com/u2ymeoh>, updated at: 22.04.20; The agenda of the plenary sittings of February 19-21, 2020 of the Parliament of Georgia dated of the ninth convocation, website of the Parliament of Georgia, available at: <https://tinyurl.com/y8bchgk9>, updated at: 22.04.20.

⁵⁷⁷ See table #9.

⁵⁷⁸ Thematic Scrutiny Group on Access to Health Services for Women with Disabilities, established within the Human Rights Protection and Civil Integration Committee.

⁵⁷⁹ Conclusion of the Thematic Scrutiny Group established within the Committee on Human Rights Protection and Civil Integration of the Parliament of Georgia “On Access to Health Services for Women with Disabilities” (N2-1671/20, 31.01.2020). The agenda of the plenary sittings of February 4-7, 2020 of the Parliament of Georgia dated of the ninth convocation, website of the Parliament of Georgia.

⁵⁸⁰ Conclusion of the Thematic Scrutiny Group established within the Committee on Human Rights Protection and Civil Integration of the Parliament of Georgia “On Access to Health Services for Women with Disabilities”, website of the Parliament of Georgia, available at: <https://info.parliament.ge/#law-drafting/19680>, updated at: 22.04.20.

⁵⁸¹ Thematic research group on the state of adequate housing in Georgia established within the Committee on Regional Policy and Self-Government.

⁵⁸² The agenda of the extraordinary session plenary sittings of July 14-17, 2020 of the Parliament of Georgia dated of the ninth convocation IX summoned on June 29, 2020, website of the Parliament of Georgia, available at: <https://tinyurl.com/yxh26qtx>, updated at: 19.08.20.

⁵⁸³ The agenda of the extraordinary session plenary sittings of July 17, 2020 of the Parliament of Georgia dated of the ninth convocation IX summoned on June 29, 2020, website of the Parliament of Georgia, available at: <https://tinyurl.com/y6rta9gf>, updated at: 19.08.20.

⁵⁸⁴ See table #9.

⁵⁸⁵ Ibid.

⁵⁸⁶ Information provided by the letter #1-6672/20 of the Parliament of Georgia dated of June 1, 2020.

⁵⁸⁷ Ibid.

thematic research team follow the Rules of Procedure and approve the conclusion within the set timeframe. If the Thematic Scrutiny Group wanted to reflect on the recommendation of any international organization, they should have contacted it in advance and ensured that the relevant recommendations were received in a timely manner.

The conclusion of one group⁵⁸⁸ was to be considered by the Bureau as this group was set up as a result of merging of two groups by the Bureau. However, it did not happen, and it was submitted to the committee.⁵⁸⁹ **It is important that Thematic Scrutiny Groups provide the findings to the relevant subjects.** The conclusions of the two Thematic Scrutiny groups⁵⁹⁰ were submitted to the relevant committees as they were set up by these committees. **This is an example of a good practice.**

8.1.10. Development and submission of recommendations

After submitting the developed conclusion to the committee or putting it on the agenda of the plenary session, the committee or the Parliament will develop recommendations,⁵⁹¹ assignments, which will be sent to the relevant administrative body and be published on the website of the Parliament.⁵⁹² As mentioned, the conclusion of 9 groups are already prepared. Some of them were presented and discussed by the committee on the one hand and the plenary session on the other. However, this discussion did not lead to the development of recommendations on their part. **For the Thematic Scrutiny Group, as a parliamentary oversight mechanism, to function effectively, it is necessary for the legislature to respond appropriately to the shortcomings identified by it. In this case, these are the recommendations, without which the Thematic Scrutiny would be like an academic activity, which does not serve the purposes of parliamentary oversight.**

8.2. Temporary Commission⁵⁹³

One of the forms of parliamentary oversight is the “temporary commission”. There is a threat of associating it with a “temporary investigative commission”. The main difference between these two mechanisms is that the latter is equipped with a number of levers to study the criminal case and the response of the relevant authorities to it. The first is motivated to address a specific political issue.⁵⁹⁴

A temporary commission related to the issues of restoration of territorial integrity and de-occupation is also formed within the Parliament.⁵⁹⁵

⁵⁸⁸ Thematic Scrutiny Group on the Challenges of Disinformation and Propaganda.

⁵⁸⁹ News, Foreign Affairs Committee sitting, website of the Parliament of Georgia, available at: <https://tinyurl.com/vlu3xnz>, updated at: 01.04.20.

⁵⁹⁰ Thematic Scrutiny groups “On the Efficiency of Management of State-Owned Enterprises” and “Environmental Assessment in Georgia”.

⁵⁹¹ Rules of Procedure of the Parliament of Georgia, art. 155, cl. 8.

⁵⁹² Ibid.

⁵⁹³ The criticism and recommendations expressed by the temporary investigative commission are being extended to the temporary commission.

⁵⁹⁴ Rules of Procedure of the Parliament of Georgia, art. 72, cl. 1.

⁵⁹⁵ Ibid.

8.2.1. Initiators of forming a commission

The issue of creating a temporary commission can be raised by the Chair (Speaker) of the Parliament, a committee, a faction, or at least one-fifth of the enlisted MPs.⁵⁹⁶

From the studied semi-presidential governance models, a temporary committee is set up in Bulgaria to study individual issues.⁵⁹⁷ The chairman of the National Assembly or 1/5 of the members has the right to initiate its creation.⁵⁹⁸ In Lithuania, the Seimas is authorized to set up a temporary control commission to monitor the Seimas' decisions, gather information and analyze the problem.⁵⁹⁹ The initiators are the Seimas Bureau, the Committee, the Faction and 1/4 of the Parliament members.⁶⁰⁰ In Finland, one MP⁶⁰¹ and a Speaker⁶⁰² has the right to initiate the creation of a temporary committee. There is no similar mechanism in Croatia and Slovakia.

From the states with parliamentary models, in Latvia the parliament is authorized to set up an ad hoc committee to study a particular issue.⁶⁰³ 10 MPs⁶⁰⁴ have the right to initiate the issue, which is 1/10 of the total number. In Spain, a temporary commission is set up on a specific issue at the request of a Bureau, 2 factions or 1/5 of the members of the Chamber.⁶⁰⁵ There is a similar mechanism to the temporary commission in Germany in the form of a study commission, which is created at the request of 1/4 of the members in the Bundestag.⁶⁰⁶ In Estonia, too, there is a study committee to analyze some important issues.⁶⁰⁷ The initiators of its formation may be a Member of Parliament, a faction, a committee and the government.⁶⁰⁸ In Greece, the parliament is authorized to form a committee at the request of the government, the speaker or the chairs of the factions.⁶⁰⁹ A similar mechanism is not found in Italy and Hungary.

In 3 of the studied states, the Chairperson of the Parliament has the right to initiate a temporary commission, in 4 - a faction, in 2 - 1/5 of the deputies, in 2 - 1/4, in 1 - 1/10. In 2 countries a bureau, and in 2 - 2 committees, the government and 1 MP are authorized to request its creation. The rule established in Georgia corresponds to the main tendencies of the studied international practice.

8.2.2. Number of votes necessary to form a temporary commission

Following the initiation, it is necessary for the plenary session to decide on the establishment of temporary commission. This requires majority of attendees, however it should be

⁵⁹⁶ Rules of Procedure of the Parliament of Georgia, art. 73, cl. 1.

⁵⁹⁷ Rules of Organization and Procedure of the National Assembly of Bulgaria, art. 37, sec. 1.

⁵⁹⁸ Ibid, art. 37, sec. 2.

⁵⁹⁹ Seimas of the Republic of Lithuania Statute, art. 72, sec. 1.

⁶⁰⁰ Ibid, art. 73, sec. 1.

⁶⁰¹ Parliament's Rules of Procedure of Finland, sec. 21.

⁶⁰² Ibid, sec. 6, subsection 13.

⁶⁰³ Rules of Procedure of the Saeima of Latvia, art. 150.

⁶⁰⁴ Letter from the Latvian Seimas #511.13/1-1-13/20.

⁶⁰⁵ Standing Orders of the Congress of Deputies of Spain, Section 53.

⁶⁰⁶ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, Rule 56, section 1.

⁶⁰⁷ Riigikogu Rules of Procedure and Internal Rules Act, cl. 17, cl. 21, sec. 1.

⁶⁰⁸ Ibid, cl. 90, sec. 1.

⁶⁰⁹ Standing Ordes of Parliament of Greece, art. 44, sec. 1.

at least 1/4 of enlisted members.⁶¹⁰

From the studied semi-presidential states, the decision to set up a temporary committee in Bulgaria is made by the National Assembly⁶¹¹ by an absolute majority.⁶¹² In Lithuania⁶¹³ and Finland⁶¹⁴ the decision is made by a simple majority. In Latvia,⁶¹⁵ Germany,⁶¹⁶ Estonia⁶¹⁷ and Greece,⁶¹⁸ which have parliamentary governments, the support of a simple majority is required. In Spain, a temporary commission is set up by the Bureau after consultation⁶¹⁹ with the Board of Spokesmen,⁶²⁰ which makes a decision by a majority of its enlisted members.⁶²¹ The formation of a temporary commission in 1 of the surveyed states requires the support of an absolute majority, and in 6 states - a simple majority. In 1 state the decision is made by the Bureau. Thus, the Georgian approach is in line with the practice of the studied states.

8.2.3. Proportion of members when forming a temporary commission

According to the Constitution the parliamentary factions should be represented in a temporary commission by at least one member. The representation of opposition factions in temporary commissions should not be less than half of the total number of commission members.⁶²² It is noteworthy that the record of the Constitution refers to the temporary commission in general and not to the temporary investigative commission in particular. Therefore, any type of temporary commission should be staffed in this way. However, the Rules of Procedure only provide for a temporary investigative commission,⁶²³ and the norms on the staffing of the temporary investigative commission do not apply to the temporary commission.⁶²⁴ Although the rules do not specify the proportion of members in the formation of the mechanism, it is possible to directly apply the rule established by the Constitution. However, **it is recommended that this issue be regulated directly by the Rules of Procedure.**

8.2.4. Term of an Authority of Temporary Commission

A temporary commission can be set up for a period of 3 months and the term can be extended for one month, but the total term shall not exceed 6 months.⁶²⁵ Its formation is impermissible 6 months before the expiration of the term of the office of the Parliament.⁶²⁶

⁶¹⁰ Rules of Procedure of the Parliament of Georgia, art. 73, cl. 2.

⁶¹¹ Rules of Organization and Procedure of the National Assembly of Bulgaria, art. 37, sec. 2.

⁶¹² Ibid, art. 86, sec. 4.

⁶¹³ Seimas of the Republic of Lithuania Statute, art. 113, sec. 1.

⁶¹⁴ Stages in the Legislative Process, website of the Parliament of Finland, available at: <https://tinyurl.com/yad7ts9x>, updated at: 25.10.2019.

⁶¹⁵ Letter # 511.13/1-1-13/20 of the Seimas of Latvia.

⁶¹⁶ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, rule 48, sec. 2.

⁶¹⁷ Riigikogu Rules of Procedure and Internal Rules Act, cl. 78.

⁶¹⁸ Standing Ordes of Parliament of Greece, art. 24, sec. 2.

⁶¹⁹ Standing Orders of the Congress of Deputies of Spain, sec. 53.

⁶²⁰ The Board of Spokesmen is a union of parliamentary factions chaired by the Speaker of Congress. Standing Orders of the Congress of Deputies, sec. 39.

⁶²¹ ¿Por qué es importante la Mesa del Congreso? Análisis. Decide la constitución de los grupos, la distribución de escaños y las comparecencias.

⁶²² The Constitution of Georgia, art. 42, cl. 2.

⁶²³ Rules of Procedure of the Parliament of Georgia, art. 62, cl. 3.

⁶²⁴ Ibid, art. 72, cl. 3.

⁶²⁵ Ibid, art. 66, cl. 1.

⁶²⁶ Ibid. art. 74, cl. 1.

Such an approach is blanket and does not take into account the complexity of the issue, which also affects its processing time.

From the studied states with semi-presidential governance models the powers of the temporary committee in Bulgaria⁶²⁷ and Lithuania⁶²⁸ shall be determined at the time of its establishment. In Lithuania, if the term is not set at the time of creation, the Seimas will abolish the temporary commission after performing its duties.⁶²⁹ In Finland⁶³⁰ and Spain⁶³¹ the term of office of a temporary committee shall expire upon the completion of its assignment. From the parliamentary models in Germany,⁶³² Latvia,⁶³³ Estonia⁶³⁴ and Greece⁶³⁵, the term of authority of the temporary committee is determined at the time of its creation.⁶³⁶

As international practice shows, there are two approaches to defining the term of authority of a temporary commission. According to the first approach, the authority of the temporary commission is determined during the creation, and according to the second one, it is tied to the performance of the task assigned to it. Nowhere does the Rules of Procedure provide for blanket deadlines. **It is better that the term of the temporary commission and the possibility of its extension be determined by the Parliament in each specific case.**

8.2.5. Powers of a Temporary Commission

According to the Rules of Procedure, the temporary commission enjoys all the powers of the temporary investigative commission, but with some reservations.⁶³⁷ In particular, it cannot invite law enforcement officers to perform a specific task,⁶³⁸ it cannot call persons for explanations;⁶³⁹ it cannot address the Parliament with a request to collect signatures of MPs to raise the issue of impeachment.⁶⁴⁰

In addition, the temporary commission is endowed with powers that are inconsistent with its status. In particular, the temporary commission is authorized to apply to the Prosecutor General to review the criminal case and make copies of materials.⁶⁴¹ Since a temporary commission is not set up to investigate a specific crime, it does not need this authority. **Accordingly, it should be abolished.**

⁶²⁷ Rules of Organization and Procedure of the National Assembly of Bulgaria, art. 37, sec. 3.

⁶²⁸ Seimas of the Republic of Lithuania Statute, art. 71, sec. 3.

⁶²⁹ Ibid, art. 71, sec. 2.

⁶³⁰ Parliament's Rules of Procedure of Finland, sec. 7.

⁶³¹ Standing Orders of the Congress of Deputies of Spain, sec. 51.

⁶³² Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, rule 56, sec. 1.

⁶³³ Saeimas speciālās komisijas. Kā tās darbojas, available at: <https://tinyurl.com/vtv46z7>, updated at: 14.03.20.

⁶³⁴ Riigikogu Rules of Procedure and Internal Rules Act, Paragraphs 20 and 21.

⁶³⁵ Standing Orders of Parliament of Greece, art. 44, sec. 6.

⁶³⁶ Act XXXVI of 2012 on the National Assembly of Hungary, sec. 23, subsection 1.

⁶³⁷ Rules of Procedure of the Parliament of Georgia, art. 72, cl. 3.

⁶³⁸ Ibid. Also art. 67, cl. 3.

⁶³⁹ Ibid. Also art. 67, cl. 7-10.

⁶⁴⁰ Ibid. Also art. 67, cl. 11.

⁶⁴¹ Compare Rules of Procedure of the Parliament of Georgia, art. 72, cl. 3 and art. 67, cl. 5.

8.3. Working group

8.3.1. Creation of a Working Group

A committee is authorized to create a working group to facilitate committee activities for the preliminary preparation of legislative issues and other ongoing issues.⁶⁴² The decision shall be taken, as a general rule, by a majority of attendees, but not less than half of the votes⁶⁴³ required for the opening⁶⁴⁴ of the sitting.

This institute is so called “Joint Commission”. It is staffed by MPs as well as invited specialists. Its main purpose is to examine the issue under consideration from both a political and expert perspective. Here, decisions shall be made jointly by the invited persons and members of Parliament on the basis of consensus-based deliberation and substantive discussion.⁶⁴⁵

A total of 12 working groups were set up in 6 committees during the reporting period.⁶⁴⁶

A working group is formed by a committee.⁶⁴⁷ An appropriate decision is needed for this, however, in 3 cases the act was not issued at all,⁶⁴⁸ in 9 cases, the decision was made by the committee.⁶⁴⁹ These last 9 cases comply with the requirements of the Rules of Procedure.

Working groups should be set up by the decision of the committees.

8.3.2. Composition of a Working Group

According to the Rules of Procedure, a working group is established to examine the compliance of the candidates for the Supreme Court Judiciary nominated for election to the Parliament with the requirements of the legislation.⁶⁵⁰ At the fall session, the Committee on Legal Issues set up 2 such working groups.⁶⁵¹ The Coalition for an Independent and Transparent

⁶⁴² Rules of Procedure of the Parliament of Georgia, art. 46.

⁶⁴³ Rules of Procedure of the Parliament of Georgia, art. 34, cl. 10

⁶⁴⁴ The opening of the committee sitting requires the presence of the majority of the enlisted members of the committee. Rules of Procedure of the Parliament of Georgia, art. 34, cl. 3.

⁶⁴⁵ Evaluation of the composition of the working group by the Legal Committee, Coalition for an Independent and Transparent Judiciary, available at: <https://tinyurl.com/yxoam37j>, updated at: 18.09.19.

⁶⁴⁶ See table #10.

⁶⁴⁷ Rules of Procedure of the Parliament of Georgia, art. 46.

⁶⁴⁸ No separate act was issued for the working groups set up in the Committee on Human Rights and Civil Integration. Letters #1-22143/19 dated of December 10, 2019 and #1-1815/20 dated of February 18, 2020 of the Parliament of Georgia. Also, no separate act was issued regarding the working group set up in the Regional Policy and Self-Government Committee. Letter #1-1815/20 dated of February 18, 2020 of the Parliament of Georgia. Also, the committee did not make a written decision on the working group on “Stroke and modern methods of its treatment” set up in the Committee on Health Care and Social Issues. Letter #1-6672/20 of the Parliament of Georgia dated of June 1, 2020.

⁶⁴⁹ These working groups are the working groups set up in the Committee on Legal Issues to “determine the compliance of a candidate for a judge with the requirements of the Constitution of Georgia and other law.” Letter #1-3157/20 dated of the Parliament of Georgia dated of March 9, 2020. Also, by the decision of the Budget and Finance Committee, a permanent auditing group “Review of Accounts of the State Audit Office” was established. Budget and Finance Committee sitting, News, website of the Parliament of Georgia, available at: <https://tinyurl.com/rh9pwfy>, updated at: 10.03.20; Sport and Youth Issues Committee established working group on State Youth Policy Monitoring and Development. Sport and Youth Issues Committee sitting, News, website of the Parliament of Georgia, available at: <https://tinyurl.com/yb8sw6rg>, updated at: 15.05.20; Working group on “the Needs Assessment of the Introduction of Sanitary-Hygienic Regulatory Norms” established in the Committee on Health Care and Social Issues. Letter #1-22143/19 dated of the Parliament of Georgia dated of December 10, 2019.

⁶⁵⁰ Rules of Procedure of the Parliament of Georgia, art. 205, cl. 2.

⁶⁵¹ The Committee on Legal Issues set up a working group to facilitate the compliance of the candidates for judges of

Judiciary has criticized the group's mandate. In their view, the establishment of a working group for technical purposes only, in particular the formal evaluation of the documents of candidates for appointment as judges, does not comply with the requirements of the Rules of Procedure.⁶⁵² The statement said: "The work of the group includes both political and expert efforts. This precludes the technical function of this institute. The goals set by the committee for the working group could be easily achieved by the internal staff of the Parliament."⁶⁵³ **Composition of a Working Group**

According to the regulations, "The working group of the committee may include members of parliament and specialists in the relevant field."⁶⁵⁴ This record can be interpreted in such a way that the working group is fully staffed by specialists in the field and committee members are not included in it at all, or vice versa, which contradicts the idea of a joint commission. Besides, if the working group is composed only of the MPs, then it is no different from the Thematic Scrutiny, and if composed of the experts only, then - from the consultative council with the committees.⁶⁵⁵ During the reporting period the composition of the working groups was the following: 1 group was staffed by MPs only; 1 - by MPs and experts; 2 - with MPs, experts and representatives of the state institutions; 1 - with MPs, representatives of state institutions and Office of the Parliament; 2- with MPs and representatives of state institutions; 1 - with representatives of state institutions, experts and members of the Office of the Parliament; 3 - with MPs, representatives of state institutions, experts and members of the Office of the Parliament; 1 - with experts only.⁶⁵⁶ **In joint commissions, it is essential that some members be MPs and some be independent experts. This must be determined by the Rules of Procedure.**

Representatives of the executive power are represented in 6 groups.⁶⁵⁷ Only of these 6 is staffed with experts of the field and representatives of the executive branch.⁶⁵⁸ **According to the Rules of Procedure, members of the executive power should not be in the working group and this practice should not be trampled on.**

Members of the 3 groups include, among others, the employees of the Office of the Parliament.⁶⁵⁹ Apparently, they were appointed with the quota of "experts in the field", but this is an incorrect implementation of the Rules of Procedure, because it considers an independent specialist, and the employee of the Office cannot be considered as such. Thus, **it is recommended that a member of the committee office not be present in the working group.**

Out of 10 working groups set up during the reporting period, only 3 include representatives

the Supreme Court of Georgia nominated for election to the Parliament with the requirements of the Georgian legislation. website of the Parliament of Georgia, available at: <https://tinyurl.com/y28azzp4>, updated at: 18.09.2019.

⁶⁵² Evaluation of the composition of the working group by the Legal Committee, Coalition for an Independent and Transparent Judiciary.

⁶⁵³ Ibid.

⁶⁵⁴ Rules of Procedure of the Parliament of Georgia, art. 46.

⁶⁵⁵ The Committee is authorized to establish a Scientific Consultative Council to provide consultation on issues related to the working field for the term of authority of the Parliament. It is composed of competent consultants in the relevant fields. Rules of Procedure of the Parliament of Georgia, art. 47, cl. 1.

⁶⁵⁶ See table #11.

⁶⁵⁷ Ibid.

⁶⁵⁸ Ibid.

⁶⁵⁹ Employees of the Office of the Parliament are represented in State Youth Policy Monitoring and Development Working Group, Working Group on the Needs Assessment of the Introduction of Sanitary-Hygienic Regulatory Norms, and Working group on issues of Stroke and Modern Methods of its Treatment in different numbers. Letter #1-17823/19 of the Parliament of Georgia dated of October 8, 2019. For more information see also table #11.

of the opposition.⁶⁶⁰ **It is recommended that the opposition be represented in the working group on a mandatory basis. The number of members shall be determined by the Committee. Half should be staffed with experts in the field, and half should be filled on the principle of proportional representation of factions. Besides, only those factions should have members in the working group whose representatives are in the relevant committee.**

The composition of 1 working group is rotational and the number of members is not strictly defined.⁶⁶¹ This is a bad practice. The composition of the working group should be solid so that its members can take responsibility for the relevant work and its results before the committee. **It is recommended that the Rules of Procedure clearly set out the obligation for the committee to firmly define the composition of the working group.**

8.3.3. Term of Authority of a working group

The term of office of a working group is not defined by the Rules of Procedure. In 10 out of 12 cases, the term of authority of the working group is not defined.⁶⁶² Out of the remaining 2 groups, 1 is created for the term of the Parliament of the 9th convocation, and the other for 10 days.⁶⁶³

It is recommended that the committee sets a term when forming a working group, considering the complexity of the task assigned. The relevant record should be added to the Rules of Procedure.

8.4. Temporary Investigative Commission

Although the mechanisms provided for legal proceedings are often used in the parliamentary investigation process, it ultimately encourages more political oversight.⁶⁶⁴ In this regard, the oversight of the legislature is also a means of addressing issues that are of wide interest to voters.⁶⁶⁵ The conclusion of the temporary investigative commission is primarily intended for the representative body to impose legal or political responsibility on the person concerned. Such an investigation is one of the most effective mechanisms available to Parliament to control government policies and activities.⁶⁶⁶

The peculiarity of the continental model of parliamentary investigation is the ad hoc committees.⁶⁶⁷ They end their authority as soon as the mission is completed. Georgia belongs to the continental model. The possibility of establishing such a commission is provided for

⁶⁶⁰ See table #11.

⁶⁶¹ Ibid.

⁶⁶² Ibid.

⁶⁶³ Rules of Procedure of the Parliament of Georgia, art. 165, cl. 6.

⁶⁶⁴ Parliament's Investigative Powers. Committees of Inquiries and Special Committees, Briefing, February 2015, European Parliament, p. 2, available at: <https://bit.ly/35v9TgJ>, updated at: 22.08.2019.

⁶⁶⁵ Ibid.

⁶⁶⁶ Bates J., Pelizzo R., Opinion on the Draft Law on Parliamentary Oversight in Bosnia and Herzegovina, OSCE, GEN-BiH/302/2017, Warsaw, 29 March, 2017, pp. 15 and 38, available at: <https://www.osce.org/odihr/313031?download=true>, updated at: 22.08.2019.

⁶⁶⁷ Ibid, pp. 16, 41. In some countries, however, the matter may be referred to a standing committee. Examples are Germany, Estonia and Latvia. See Ibid. footnote 27. In addition, there are exceptions (France and Italy) where, in parallel with the establishment of an ad hoc committee with investigative functions, there is also the institute of committee inquiry.

in the legislation of the semi-presidential, premier-presidential subtype countries studied - Bulgaria,⁶⁶⁸ Croatia,⁶⁶⁹ Lithuania⁶⁷⁰ and Finland,⁶⁷¹ Slovakia is an exception.⁶⁷² From parliamentary republics, they are provided for by the legislation of all seven countries – Greece,⁶⁷³ Latvia,⁶⁷⁴ Estonia,⁶⁷⁵ Hungary,⁶⁷⁶ Germany,⁶⁷⁷ Italy,⁶⁷⁸ and Spain.⁶⁷⁹

In Georgia, this tool is created only to study a specific issue and is abolished as soon as this task is completed.⁶⁸⁰ It is accountable to the Parliament,⁶⁸¹ elaborates its own charter to be approved by the Bureau.⁶⁸²

8.4.1. Grounds and procedure of creation of a commission

The Rules of Procedure provides for several grounds for the creation of the commission, in particular, information: (1) on illegal actions of state bodies or public officials, or corruption offences, which threaten the security, sovereignty, territorial integrity, and political, economic or other interests of Georgia;⁶⁸³ (2) on the misappropriation of state and local self-governing entities' budget.⁶⁸⁴ **Such a detailed description is not necessary, it is enough to write in the Rules of Procedure that a commission is set up to investigate an illegal act of a state body or an official.**

The creation of the commission requires the support of 50 MPs (even if the other parliamentarians do not agree).⁶⁸⁵ Thus, this institution is a minority mechanism, which is in line with the opinion of the Venice Commission.⁶⁸⁶ However, international practice shows that the quorum for the creation of a commission is high in Georgia. "From countries with a semi-presidential, premier-presidential model,⁶⁸⁷ in Bulgaria, an ad hoc committee of investigation is set up at the request of at least 1/5 of the members of parliament (48 deputies), in Lithuania - 1/4 (36 deputies), and in Croatia by a majority (minimum 76 deputies). As for the countries with parliamentary governance, - in Greece, an investigative committee is set up in case it is proposed by 1/5 (60 deputies) of the full composition of the parliament, in Hungary - 1/5 (40 deputies), in Latvia - 1/3 (34 deputies). In Estonia, even one MP is sufficient to

⁶⁶⁸ Constitution of Bulgaria, art. 79 (3).

⁶⁶⁹ Constitution of Croatia, art. 92.

⁶⁷⁰ Statute of the Seimas of the Republic of Lithuania, art. 73, available at: <https://bit.ly/2YmTXvs>, updated at: 12.04.2020.

⁶⁷¹ Constitution of Finland, art. 35, cl. 1.

⁶⁷² Lehmann W., Parliamentary committees of inquiry in national systems: a comparative survey of EU Member States, 2010, p. 15, available at: <https://bit.ly/2Yn43MG>, updated at: 12.04.2020.

⁶⁷³ Constitution of Greece, art. 68.

⁶⁷⁴ Constitution of Latvia, art. 26.

⁶⁷⁵ Riigikogu Rules of Procedure and Internal Rules Act, art. 20.

⁶⁷⁶ Constitution of Hungary, art. 21, cl. 2.

⁶⁷⁷ Basic Law for the Federal Republic of Germany, art. 44.

⁶⁷⁸ Constitution of the Italian Republic, art. 82.

⁶⁷⁹ Constitution of Spain, art. 76.

⁶⁸⁰ Rules of Procedure of the Parliament of Georgia, art. 61, cl. 3.

⁶⁸¹ Ibid, art. 61, cl. 4.

⁶⁸² Ibid, art. 61, cl. 5.

⁶⁸³ Ibid, art. 61, cl. 2 "a".

⁶⁸⁴ Ibid, art. 61, cl. 2 "b".

⁶⁸⁵ The Constitution of Georgia, art. 42, cl. 2

⁶⁸⁶ Nussberger A., Özbudun E., Sejersted F., Report on the Role of the Opposition in a Democratic Parliament, European Commission for Democracy Through Law, CDL-AD(2010)025, Venice, 15-16 October, 2010, p. 25, available at: <https://bit.ly/2KQ4MOI>, updated at: 23.08.2019.

⁶⁸⁷ The practice of forming a committee of inquiry is not recognized by the legislatures of Finland and Slovakia.

initiate a draft resolution on this issue, which requires the support of the Riigikogu majority (51 MPs).⁶⁸⁸ In Germany, creation of a commission requires support of 1/4 of the members of the Bundestag,⁶⁸⁹ in Spain - the request of any two political parties, or 1/5 of the members of parliament,⁶⁹⁰ and the creation of a commission in Italy needs the support of 1/2 of both chambers.⁶⁹¹ Thus, in order to create a commission in the countries listed the above, 50% or the majority of deputies are needed in only 2 countries, and 1/3 is enough in 1; 1/4 – in 2, and 1/5 - in 4 countries. **In the case of Georgia, it is better to reduce the number of MPs needed to create an investigative commission to 1/5.**⁶⁹²

During the reporting period, a request was made to establish a commission on a total of 6 issues. Only one of them voted and failed, voting was not held on 5 of them.⁶⁹³

8.4.2. Setting of Quotas and Approval of Composition

According to the Constitution, a faction should have at least one member in the commission.⁶⁹⁴ The share of the opposition in its composition should not be less than half of the total number.⁶⁹⁵ It is implied that only factions have the right to join this mechanism.

On contrary to this, the Rules of Procedure also consider MPs who are not united in any of the factions as subjects of commission membership.⁶⁹⁶ “This allows the ruling team to have one or more “independent MPs” in the legislature under its influence, who will enter the commission with a quota of opposition, but will actually support the positions of the ruling team. Thus, **as provided by the Constitution, the right to nominate members of the temporary investigative commission should be granted only to factions.**”⁶⁹⁷

After the initiation of the creation of the commission, the issue of its final formation is voted on.⁶⁹⁸ The draft resolution adopted shall indicate the basis for the formation, the range of the issues to be studied, and the term of authority of the commission.⁶⁹⁹ Within three days from the adoption of the resolution, the quotas of representation of political entities are determined by the Committee on Procedural Issues and Rules and approved by the Bureau.⁷⁰⁰ The prompt formation of the commission increases its efficiency. **Therefore, in order to simplify the procedure, it would be better if the quota of the Investigative Committee (in case the opposition and the majority are represented in the Commission by 50% -50%) are determined at the stage of formation of the parliamentary committees.**⁷⁰¹

The next step after setting quotas is the appointment of its own members by parliamentary

⁶⁸⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 104.

⁶⁸⁹ Basic Law of the Federal Republic of Germany, art. 44, cl. 1.

⁶⁹⁰ Standing Orders of the Congress of Deputies of Spain, art. 52, cl. 1. The Government and the Bureau of Congress may also request the establishment of a committee of inquiry.

⁶⁹¹ Rules of Procedure of the Chamber of Deputies, 18 February 1971, as last amended on 27 July 1999, art. 46, sec. 1., available at: <https://tinyurl.com/y3qod572>, updated at: 25.08.20.

⁶⁹² Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 104.

⁶⁹³ For detailed information see table #12.

⁶⁹⁴ The Constitution of Georgia, art. 42, cl. 2

⁶⁹⁵ Ibid.

⁶⁹⁶ Rules of Procedure of the Parliament of Georgia, art. 62, cl. 3.

⁶⁹⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 105.

⁶⁹⁸ Rules of Procedure of the Parliament of Georgia, art. 61, cl. 1.

⁶⁹⁹ Ibid, cl. 1.

⁷⁰⁰ Ibid, cl. 2.

⁷⁰¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 105.

entities,⁷⁰² upon which the Bureau takes a note.⁷⁰³ **It is better for the Parliament of Georgia if the composition of the commission (in case the opposition and the majority are represented in the commission by 50% -50%) is voted by the Parliament together with the support of the resolution on the creation of the commission.**

8.4.3. Term of Authority

A commission is created for a term of 3 months.⁷⁰⁴ The term may be extended,⁷⁰⁵ however the total term shall not exceed 6 months.⁷⁰⁶ Besides, if less than 3 months remain before the parliamentary elections, the establishment of a commission is not allowed.⁷⁰⁷ 3 months prior election its authority is terminated.⁷⁰⁸

According to the common approach, the duration of the functioning of the investigative committee is not determined by the Rules of Procedure in advance and is determined by the legislature in each individual case.⁷⁰⁹

“In countries with a semi-presidential, premier-presidential model: in Bulgaria and Lithuania, for example, the term of authority is determined not by regulations but by the legislature itself. In Croatia, the term of an investigative commission should not be less than two months and more than 6 months. From the countries with parliamentary rule, the Rules of Procedure of the Greek Parliament does not specify the deadline for the submission of the final report by an investigative committee, and it is determined by the legislature itself on the basis of a resolution adopted during the creation of a commission. The Rules of Procedure of the Estonian Riigikogu and the Hungarian National Assembly have an identical approach. The term of authority of an investigative body established in the Latvian Seimas shall be determined by a proposal for the establishment of a committee. If the latter does not set a specific term of authority, it is considered that the committee is established for a period of 3 months, which can be extended by the decision of the Seimas.”⁷¹⁰ In Spain, a commission is set up to carry out a certain task and its authority is terminated after its completion.⁷¹¹ In the case of the Italian Chamber of Deputies and the German Bundestag, the term of authority of a temporary commission is not specified. The studied practice shows that in 5 states the term of authority of the temporary investigative commission is determined by the parliament itself during its establishment, and in 1 it is defined by the initiator. In one state it is created for a period of 2 to 6 months and for the duration of the assignment in another state. 2 states do not regulate the issue of term. Thus, in the countries under consideration, according to the general approach, the Rules of Procedure does not specify the duration of the authority of an investigative commission. Instead, the period of operation is defined on a case-by-case basis, or depending on the task at hand. GYLA agrees with this approach and believes that **the term of the commission should be based on the given need and should not be as strict as it is today.**⁷¹²

⁷⁰² Rules of Procedure of the Parliament of Georgia, art. 61, cl. 4

⁷⁰³ Ibid, cl. 5.

⁷⁰⁴ Ibid, art. 66, cl. 1.

⁷⁰⁵ Ibid, cl. 2.

⁷⁰⁶ Ibid, cl. 1.

⁷⁰⁷ Ibid, cl. 3.

⁷⁰⁸ Rules of Procedure of the Parliament of Georgia, art. 66, cl. 3.

⁷⁰⁹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 106.

⁷¹⁰ Ibid.

⁷¹¹ Standing Orders of the Congress of Deputies of Spain, sec. 51.

⁷¹² Ibid.

8.4.4. Quorum for Summoning a Witness and Requesting Information

The commission makes a decision by a majority of the enlisted members.⁷¹³ The ratio of the ruling team to the opposition is usually 50/50 in this mechanism.⁷¹⁴ This allows the ruling power to paralyze the work of the commission.⁷¹⁵ It can block any initiative to request documents and interrogate witnesses.⁷¹⁶ Thus, the opposition, on the one hand, is given the authority to set up a commission, although, on the other hand, the majority remains the levers of non-conduct of this authority.⁷¹⁷ Thus, **it is important that the decision-making authority is given to the number of members of the commission that are needed to create it, and the majority should only be necessary at the time of making the final decision.**⁷¹⁸

8.4.5. Failure to Fulfill the Commission's Task

Without proper sanctions for failing to comply with the commission's mandate, the effectiveness of this tool is significantly reduced. According to the legislation of Georgia, non-compliance with the demand of the Commission is an administrative offense and is punishable by a fine of 50 times minimum wage.⁷¹⁹ In addition, criminal liability is provided for non-fulfillment of the task,⁷²⁰ giving false explanations,⁷²¹ and disclosing the data of the commission without respective permission⁷²². Besides, the disposition of the relevant norms of the Code of Administrative Offenses and the Criminal Code for non-fulfillment of the task is identical, which makes it impossible to distinguish when to apply administrative sanction or impose a criminal liability.

"From the semi-presidential, premier-presidential governance model countries studied, in Croatia, if the request of the investigative commission for information or testimony is not fulfilled, the person will be fined in the amount of 6,700-135,100 EUR or can be imprisoned for 6 months to 5 years. Under Lithuanian law, the commission can obtain the necessary materials using police force. It can assign law enforcement officers to request the necessary documents. However, in this case the police do not have access to criminal, civil and administrative law cases, as well as information related to intelligence activities. Bulgarian law does not provide for the use of coercive mechanisms to comply with a request by an investigative commission. From the parliamentary systems, the weak mechanism is offered by the Rules of Procedure of Hungary and Estonia. In Hungary, if the relevant person or body does not comply with the requirements of the investigative committee, the chairperson of the plenary session shall make that fact public. In Estonia, the responsibility for non-compliance with the request before the investigative committee is limited to fines, which are regulated by the law on administrative offenses. In Latvia, the investigative committee, in case of non-compliance with the request, is equipped with a mechanism to entrust the

⁷¹³ Rules of Procedure of the Parliament of Georgia, art. 68, cl. 2

⁷¹⁴ Ibid, art. 61, cl. 3

⁷¹⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 107.

⁷¹⁶ Ibid.

⁷¹⁷ Ibid.

⁷¹⁸ Ibid.

⁷¹⁹ Code of Administrative Offenses of Georgia, art. 173³. According to the decree of the President of Georgia, the minimum wage is 40 GEL, - See Decree #351 of the President of Georgia dated of June 4, 1999 "On the amount of the Minimum Wage", art. 1.

⁷²⁰ Criminal Code of Georgia, art. 349.

⁷²¹ Ibid, art. 350.

⁷²² Ibid, art. 351.

execution of the request to the police. In Greece, the summoning of a witness required for the activities of an investigative commission falls within the competence of the prosecutor's office".⁷²³ According to the Spanish Constitution, failure to appear before the commission is punishable.⁷²⁴ In this case, the article of disobedience to the Criminal Code applies.⁷²⁵ If a public officer is summoned before the commission, absenteeism is additionally punished by suspension from public employment and office for a term of six months to two years.⁷²⁶ Refusal to testify in Germany without a legal reason is punishable by an administrative fine of up to 10,000 EUR.⁷²⁷ Besides, at the request of one-fourth of the members of the commission, a federal court judge may sentence a person to imprisonment for a term not exceeding 6 months.⁷²⁸ This term may not exceed the term of authority of the commission.⁷²⁹ Thus, the approaches of the countries studied are not identical. Non-compliance with the commission's request in 2 states provides for criminal liability on the one hand and administrative liability on the other. However, it is noteworthy that both forms of responsibility do not exist anywhere at the same time. Enforcement of the commission request by the police force is used in 3 states. In one state a violation is declared only in Parliament. 1 state does not recognize the mechanisms of coercion at all.

It should be noted that imposing two different types of sanctions for the same action is not an acceptable practice. On the one hand, it is acceptable to criminalize the false explanations and disclosing the commission data without respective permission, which, in turn, is aimed to enhance the effective functioning of this mechanism. However, since the Criminal and Administrative Offenses Codes contain norms with identical disposition for non-compliance with the commission's request, it is impossible to differ them from each other. Thus, **it is necessary to repeal either of these two norms in order to provide for liability for non-fulfillment of the request, either under the Code of Administrative Offenses, or under the Criminal Code.**

⁷²³ Menabde V. (Head of Research and Academic Editor) et al, cited work, pp. 109-110.

⁷²⁴ Constitution of Spain, art. 76, cl. 2.

⁷²⁵ Criminal Code of Spain, art. 502 (1).

⁷²⁶ Ibid.

⁷²⁷ Act regulating the law governing Committees of Inquiry of the German Bundestag (Committees of Inquiry Act – Untersuchungsausschussgesetz), art. 27, cl. 1.

⁷²⁸ Ibid, art. 27, cl. 2.

⁷²⁹ Ibid.

9. MINISTRIES OF INTERNAL AFFAIRS, JUSTICE AND DEFENSE

9.1. Renewal of Government

According to the Constitution, the legislature declares confidence in the full composition of the Cabinet, but is not involved in the process of further government renewal.⁷³⁰ There is no obligation to re-declare confidence in the individual minister or the entire cabinet in the event of a renewal of the government.

The degree of involvement of the legislature in the renewal of government is usually a reflection of the process of staffing the government itself. In particular, who is trusted by parliament - the composition of the government collectively, or the Prime Minister individually - determines whether the appointment of new ministers requires the consent of the legislature.⁷³¹ Usually, the constitutional-legal logic is as follows: If the whole cabinet gets the confidence, then the involvement of the parliament is necessary even during the change of its composition. And if the legislature declared confidence in the head of government only, then it is implied that the appointment of each new member of the cabinet has also given him/her the exclusivity component.⁷³²

Most of the studied states follow this logic. From the countries of semi-presidential, premier-presidential subtype - In Bulgaria, Croatia, Lithuania and Slovakia, the cabinet takes full confidence, but it is renewed in various ways.⁷³³ In particular, the approval of the legislature is necessary for government changes in Bulgaria and Croatia.⁷³⁴ In Lithuania, the cabinet needs re-confidence if more than half of its original composition is changed (Prior to that, ministers are formally appointed and dismissed by the President on the basis of a proposal from the Prime Minister).⁷³⁵ According to the Slovak Constitution, ministers are appointed and dismissed by the head of state on the recommendation of the Prime Minister (In this case, too, the role is formal).⁷³⁶ As for Finland, the legislature here declares confidence directly to the Prime Minister, while ministers are formally appointed and dismissed by the country's first person on the recommendation of the head of the cabinet.⁷³⁷

From parliamentary countries, confidence is declared to the Prime Minister individually in Estonia and Hungary.⁷³⁸ After that, the parliament is not involved in the process of appointing and dismissing ministers.⁷³⁹ The similar regulation is established by the constitutions of Spain⁷⁴⁰ and Germany.⁷⁴¹ In Italy the whole government receives the confidence.⁷⁴² Any change of minister is followed by a re-declaration of confidence in the Cabinet.⁷⁴³ In Latvia, the legislature (Seimas) forms a unified government, the dismissal of ministers is the prerogative of the head of the cabinet.⁷⁴⁴ The new minister, however, must enjoy the confidence

⁷³⁰ The Constitution of Georgia, art. 56, cl. 2 and art. 55, cl. 4.

⁷³¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 121.

⁷³² Ibid.

⁷³³ Ibid.

⁷³⁴ Ibid.

⁷³⁵ Ibid.

⁷³⁶ Ibid.

⁷³⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 121

⁷³⁸ Ibid. p. 122.

⁷³⁹ Ibid.

⁷⁴⁰ The Constitution of Spain, art. 99, cl. 1 and art. 100.

⁷⁴¹ Basic Law for the Federal Republic of Germany, art. 63 and 64.

⁷⁴² The Constitution of Italy, art. 94.

⁷⁴³ Bulmer E., cited work, p. 8.

⁷⁴⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 122.

of the legislature.⁷⁴⁵ The approach similar to Georgian is in place in Greece, where the entire Cabinet gains confidence, and Parliament is not involved in the process of further changes.⁷⁴⁶

As the practice discussed above proves, the procedures for declaring and renewing primary confidence in the Cabinet are interrelated (In 4 countries, the parliament declares confidence in the government and any renewal also requires its approval, while in 5 countries the Prime Minister receives confidence, which is free during the staffing and renewal of the cabinet). The only exceptions are Slovakia, Greece and partly Lithuania. If in the beginning, during the staffing of the Cabinet, the support of the legislative is needed by a cabinet as a whole and all ministers. After violation of the integrity, after changing members of the cabinet, the need of renewed confidence is logical. Thus, it is essential that **each change in the Cabinet enjoys the confidence of Parliament.**⁷⁴⁷

9.2. Political Liability of a Minister

The current edition of the Constitution does not provide for a mechanism of individual responsibility of a Cabinet member. It is a declaration of no confidence in a particular minister, after which the person concerned must resign.⁷⁴⁸ This is different from the political position of the legislature, which has a recommendatory content.⁷⁴⁹

This mechanism is well established in most of the study countries – from semi-presidential model countries it is not observed only in Bulgaria,⁷⁵⁰ from presidential model countries – in Hungary,⁷⁵¹ Spain, Germany and Italy. In other countries, from the first group of countries, “In Croatia, a vote of no confidence in a member of the government by the parliament obliges the prime minister to nominate a new ministerial candidate to gain the confidence of the parliament. In Slovakia, Lithuania and Finland, too, a vote of no confidence in a minister is a precondition for his/her imminent dismissal. Of the parliamentary countries, the decision of the Parliament of Estonia to declare a vote of no confidence in a particular minister will inevitably lead to his/her dismissal. The same rules are in Greece and Latvia.”⁷⁵²

As mentioned, the Constitution of Georgia does not equip the legislature with this leverage, which significantly weakens its oversight capabilities. Obviously, the deputies in the majority, if they wish, can dismiss the entire cabinet, but such a situation allows the Prime Minister to hide behind the institutional guarantee of the unity of the government and to place the political burden on the legislators on the possible fluctuations caused by the attempt to replace the core of the executive branch. It is therefore desirable **to amend the text of the Constitution and allow Parliament to impose individual political responsibility on the Minister,**⁷⁵³ which will not allow the disobedient Prime Minister to put on the negative consequences of the crisis to the people’s representatives.

However, before amending the text of the Constitution, the norm established by the Rules of Procedure, which restricts the Parliament from expressing its political position on the

⁷⁴⁵ Ibid.

⁷⁴⁶ Ibid.

⁷⁴⁷ Ibid.

⁷⁴⁸ Ibid. p. 127.

⁷⁴⁹ Ibid.

⁷⁵⁰ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 127.

⁷⁵¹ Ibid.

⁷⁵² Ibid. p. 128.

⁷⁵³ Ibid.

appointment of a separate Minister, must be repealed.⁷⁵⁴ In particular, the Parliament may adopt a resolution or a motion or address a head of a state authority to impose liability on a person subordinate to him/her,⁷⁵⁵ in case the official: a) Does not attend the discussion of an issue despite receiving an invitation; b) Violates procedures set for answering a question put to him/her by an MP; c) Provides the Parliament with false or wrong information; d) Does not implement the Parliament's decrees and recommendations; e) Prevents an MP from carrying out his/her rights and duties as granted by this Rules of Procedure and other legislation of Georgia, bylaws and normative acts.⁷⁵⁶ The Rules of Procedure exclude a member of the government from the circle of recipients of responsibility.⁷⁵⁷ Consequently, the legislature not only does not have the leverage to hold a particular minister politically accountable, but cannot even call for a recommendation to the Prime Minister, which is a gross violation of parliamentary sovereignty.

In view of the above, it is necessary to change the norm of the Rules of Procedure, which excludes a member of the government from the circle of respondents of the response measures.⁷⁵⁸ This will allow the legislature to address the Prime Minister on a non-binding basis to raise an issue of responsibility of a separate minister.

9.3. Constructive Vote of No Confidence

51 members of the Parliament (over 1/3) have a right to propose a motion to hold a vote of no confidence⁷⁵⁹ and a maximum of 14 days is provided to complete the procedure (2 days for the appointment of a Prime Minister by the President and 2 days for appointment of Ministers by the latter are added to this timeframe)⁷⁶⁰. It is noteworthy that this procedure was never initiated in Georgia.

The number of the MPs needed to raise the motion of no confidence is significantly different from the case of Georgia. In particular, out of the states with a semi-presidential, premier-presidential subtypes, Constitutions of Croatia, Bulgaria, Slovakia and Rules of Procedure of Lithuania set out that an issue of no confidence shall be raised by 1/5 members. Finland's regulation is peculiar: any member has the right to bring a motion of no-confidence, although the constitution links this possibility to two cases - the interpellation (represented by at least twenty members, which is 1/10 of the total) and the ongoing debates on government reports. In this case, a member of parliament can propose a motion of no confidence. Out of parliamentary countries, the Hungarian and Estonian constitutions require 1/5 of the members for a motion of no confidence. According to the Greek Constitution this motion can be made by 1/6 of the members while the Rules of Procedure of the Parliament of Latvia provides for 1/10 of the MPs (the committees are entitled too).⁷⁶¹ 1/10 of the MPs is determined by the constitutions of Italy⁷⁶² and Spain⁷⁶³ as well. As for Germany, 1/4 of the mem-

⁷⁵⁴ Ibid.

⁷⁵⁵ Rules of Procedure of the Parliament of Georgia, art. 226, cl. 5.

⁷⁵⁶ Ibid, art. 226, cl. 2.

⁷⁵⁷ Ibid.

⁷⁵⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 129.

⁷⁵⁹ The Constitution of Georgia, art. 57, cl. 2.

⁷⁶⁰ Ibid, art. 57, cl. 3.

⁷⁶¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 130.

⁷⁶² The Constitution of Italy, art. 94.

⁷⁶³ The Constitution of Spain, art. 113, cl. 2.

bers of the Bundestag or a fraction is required here⁷⁶⁴. According to the studied practice, in order to initiate the procedure of the motion of no-confidence 1/5 of MPs are required in 6 states, 1/10 of MPs in 3 states, 1/6 in one of the states and 1/4 in another. In addition, the procedure of no confidence is linked with interpellation and government reports in one of the states. One state even allows a faction to raise the issue.

According to the Georgian model, if the issue fails after a motion of no confidence by the legislature, the same procedure shall not to be initiated by the same members of parliament for the next 6 months.⁷⁶⁵ This record allows MPs to initiate a maximum of two no-confidence motions during the year (also by a different group of MPs).

From the semi-presidential, premier-presidential subtype republics, a similar record is found in Bulgaria and Croatia. In the first case, the Constitution completely excludes the possibility of any group of MPs re-initiating a no-confidence motion within the next 6 months.⁷⁶⁶ In Croatia the regulation is identical to Georgian.⁷⁶⁷ There is no similar rule in Lithuania, Slovakia and Finland. Restrictions from parliamentary countries are provided for in the constitutions of Greece, Estonia and Spain. In particular, the Greek Constitution, like that of Bulgaria, generally excludes the possibility of initiating the same process within the next 6 months after a failed no-confidence motion.⁷⁶⁸ There are similar indications in Estonia and Spain, except that the first names the restriction period at 3 months⁷⁶⁹ and the second at the same session period.⁷⁷⁰ Similar restrictions are not found in the legislation of Hungary, Latvia, Germany and Italy. As the comparative analysis shows, a more common approach is one in which the legislature can at any time declare a vote of no confidence in the government or its individual members (This vision is followed by 7 countries), and 5 countries have some restrictions. The provision of the Constitution of Georgia unreasonably limits the possibility of parliamentary oversight.

For effective parliamentary oversight, it is vital that a no-confidence motion be conducted so that the legislature does not have a “fear” of using it. **It is desirable, on the one hand, to reduce the circle of initiators of the no-confidence procedure and set it at one-fifth of the members,**⁷⁷¹ **and, on the other hand, to abolish the restrictions on re-initiating the process.**

9.4. Legal Responsibility of the Ministers of Internal Affairs, Justice and Defense

The Constitution provides for the possibility of impeachment of a member of the Government. The procedure consists of both legal and political parts. In particular, no less than 1/3 of the members of Parliament have the authority to raise the issue, which will be submitted to the Constitutional Court for further conclusion.⁷⁷² The latter determines the extent to which a member of the government violates the Constitution or shows signs of a crime.⁷⁷³ No matter what the position of the Constitutional Court will be, the final word will be said by the legislature: It shall consider and vote on the impeachment within 2 weeks of the

⁷⁶⁴ Rules of Procedure of the German Bundestag and Rules of Procedure of the Mediation Committee, art. 97, cl. 1.

⁷⁶⁵ The Constitution of Georgia, art. 57, cl. 4.

⁷⁶⁶ The Constitution of Bulgaria, art. 89, cl. 3.

⁷⁶⁷ The Constitution of Croatia, art. 115, cl. 6.

⁷⁶⁸ The Constitution of Greece, art. 84, cl. 2.

⁷⁶⁹ The Constitution of Estonia, art. 97.

⁷⁷⁰ The Constitution of Spain, art. 113, cl. 4.

⁷⁷¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, pp. 131-132.

⁷⁷² The Constitution of Georgia, art. 48, cl. 1.

⁷⁷³ Ibid, art. 48, cl. 2.

submission of the conclusion.⁷⁷⁴ Successful completion of the impeachment of a member of a government requires the consent of a majority of the full membership of the deputies.⁷⁷⁵ Nevertheless, even if the opposition fails to complete the process initiated due to the resistance of the majority, the unconstitutional declaration of the actions of a member of the government by the Constitutional Court is already important material in its hands, for political pressure on the majority.

It is also important to clarify the extent to which a member of government violates the Constitution and/or commits an act with signs of a crime, to coincide with the period of his or her current tenure. The studied countries are not aware of the issue of impeachment of the government in the form provided for by the Constitution of Georgia. Here they mainly are talking about starting a criminal prosecution and consenting to it.

A record of direct prosecution of a member of the government directly from a semi-presidential, premier-presidential sub-type republics is recorded in the Finnish Constitution. In this case, the issue is related to the crimes allegedly committed during the tenure of the relevant position.⁷⁷⁶ An identical approach from parliamentary countries is found in the constitutions of Greece⁷⁷⁷ and Spain.⁷⁷⁸ Unlike them, the issue is not specified in the Estonian Constitution.⁷⁷⁹

No less interesting is the example of countries that make direct reservations about the procedure of impeachment of the President. In particular, the alleged violations in the semi-presidential, premier-presidential subtype republics of Croatia,⁷⁸⁰ Lithuania⁷⁸¹ and Bulgaria⁷⁸² should be related to the period of tenure. A similar rule applies to the following parliamentary countries - Greece,⁷⁸³ Hungary⁷⁸⁴ and Italy.⁷⁸⁵ This issue is not specified from semi-presidential countries in Slovakia (Where the term of office of the President may be terminated by a plebiscite, by an absolute majority of votes, preceded by a resolution adopted by Parliament by a three-fifths majority. Here, there is no indication of an alleged breach or its timing),⁷⁸⁶ and from the parliamentary countries - in Germany.⁷⁸⁷ It seems that the approach to this issue is heterogeneous. In 6 of the studied states, the impeachment procedure is related to the crime committed in the period of tenure, in 2 this issue is not regulated. However, it is clearly a more common and accepted practice to relate the action taken during the tenure of the relevant impeachment officer. This is likely to be aimed at creating more guarantees for political power. However, when the Supreme Law does not explicitly state its approach, like that of Georgia, mechanisms for relations between branches of government, political and legal leverage, and other determinants of constitutional order must be taken into account. In the case of Georgia, the decision of the Supreme Law is not clear, so it is difficult to take a clear position on this issue.

⁷⁷⁴ Ibid.

⁷⁷⁵ Ibid, art. 48, cl. 3.

⁷⁷⁶ The Constitution of Finland, art. 114.

⁷⁷⁷ The Constitution of Greece, art. 49, cl. 1 and art. 86, cl. 1.

⁷⁷⁸ The Constitution of Spain, art. 101, cl. 2.

⁷⁷⁹ The Constitution of Estonia, art. 101.

⁷⁸⁰ The Constitution of Croatia, art. 105.

⁷⁸¹ The Constitution of Lithuania, art. 74.

⁷⁸² The Constitution of Bulgaria, art. 103.

⁷⁸³ The Constitution of Greece, art. 49, cl. 2.

⁷⁸⁴ The Constitution of Hungary, art. 113, cl. 2.

⁷⁸⁵ The Constitution of Italy, art. 90.

⁷⁸⁶ The Constitution of Slovakia, art. 106.

⁷⁸⁷ The Basic Law of Germany, art. 61.

10. STATE SECURITY SERVICE

10.1. Appointment to the Position of the Head of the State Security Service

The term of authority of the head of the State Security Service is 6 years.⁷⁸⁸ The law determines only the age (minimum 35 years), citizenship (citizen of Georgia) and other criteria (legal capacity, knowledge of the state language) of the competence (higher education; at least 2 years of experience in law enforcement) of the head of the State Security Service.⁷⁸⁹ In addition, standards for restricting such activities as membership in a political party; Political activity; Paid activities (except pedagogical, scientific and creative activities); Holding a position in a private or public service are set.⁷⁹⁰ In addition, the same person cannot be elected twice in a row.⁷⁹¹

The Prime Minister selects and nominates a candidate to the Government, which should be done no earlier than 2 months and no later than 8 weeks before the expiration of the term of authority of the incumbent;⁷⁹² Therefore, in order to thoroughly review the candidates' data and to prevent the process from being expedited, it is necessary to start the selection earlier than the set deadline.⁷⁹³

The Government, within 1 week after the nomination by the Prime Minister, adopts an ordinance on his/her nomination to the Parliament.⁷⁹⁴ If the Cabinet does not support the candidate, its chairperson shall re-nominate the same or another person within 3 calendar days. The government is authorized to reject the offer both times.⁷⁹⁵ In this case, the Prime Minister is obliged to nominate a new candidate.⁷⁹⁶

According to the Rules of Procedure, the legislature elects the head of the State Security Service by a majority of the full membership.⁷⁹⁷ If not enough votes are collected the process will return to the government. The Prime Minister first submits the nomination of the same or another person to his/her colleagues for approval, and in case of approval by the Cabinet, the Parliament votes on the candidate.⁷⁹⁸ If the required number of votes is not obtained on the second attempt, then the head of the cabinet is obliged to elect another person and submit the nominee to the government for approval.⁷⁹⁹ Parliament will consider and hear the candidate at the plenary session.⁸⁰⁰

During the reporting period, the legislature appointed Grigol Liluashvili as the head of the State Security Service.⁸⁰¹ Voting took place without discussion.⁸⁰² It should be noted that the Rules of Procedure regarding the election of some officials indicate the possibility of voting

⁷⁸⁸ Law of Georgia on State Security Service, art. 7, cl. 11.

⁷⁸⁹ Ibid, art. 7 and 8.

⁷⁹⁰ Ibid.

⁷⁹¹ Ibid, art. 7, cl. 12.

⁷⁹² Ibid, art. 7, cl. 1.

⁷⁹³ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 158.

⁷⁹⁴ Law of Georgia on State Security Service, art. 7, cl. 2.

⁷⁹⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 158.

⁷⁹⁶ Law of Georgia on State Security Service, art 7, cl. 5.

⁷⁹⁷ Rules of Procedure of the Parliament of Georgia, art. 204, cl. 4 "b".

⁷⁹⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 159.

⁷⁹⁹ Ibid.

⁸⁰⁰ Rules of Procedure of the Parliament of Georgia, art. 205, cl. 5.

⁸⁰¹ Parliament approves Grigol Liluashvili as head of the State Security Service, Public Broadcaster, available at: <https://1tv.ge/news/parlamentma-sus-is-khelmdzghvanelad-grigol-liluashvili-daamtka/>, updated at: 02.12.2019.

⁸⁰² Ibid.

without consideration. Such an arrangement is established, for example, in the case of the election of members of the Prosecutorial Council.⁸⁰³ A similar record is not provided for the election of the head of the State Security Service. According to the general rule, the Parliament elects him/her according to the rules for a first hearing,⁸⁰⁴ which involves question-answer and discussion.

The relevant report prepared by the Committee on Defense and Security shows that the Committee recommended that the approval of the Head of the State Security Service be made without consideration at the plenary session.⁸⁰⁵ It is noteworthy that the legislature made two problematic decisions during the conduct of this process. First, the committee misinterpreted the Rules of Procedure. The latter clearly indicates that the candidate should be evaluated in the report and not whether the discussion should be preceded by a vote in the plenary session.⁸⁰⁶ Second, it is impossible to interpret these norms in such a way as to preclude the obligation to approve a candidate by the procedure established by the first hearing on the basis of the conclusion of the committee and the decision of the Bureau. Thus, approval of Grigol Liluashvili's candidacy without consideration (at the plenary session) should be considered a violation of the Rules of Procedure.

According to the procedure, the decision is made by an absolute majority in the legislature, and the candidacy is submitted by the leader of the ruling team, the Prime Minister within absolute discretion. This rule fails to ensure a politically neutral decision. It provides a good basis for the appointment of a person loyal to the majority, which in turn poses a threat of political confrontation between the security sector and the new ruling team, thus undermining the stability of the security sector.

The procedure for appointing the head of the State Security Service is established in the semi-presidential, premier-presidential sub-type republics in the following forms: The President of Bulgaria nominates the Chairman of the State Agency for National Security for a term of 5 years upon the nomination of the Council of Ministers,⁸⁰⁷ in Slovakia, the Director of the Service is appointed on the submission of the Government and on the basis of a decision of the legislature for a term of 7 years.⁸⁰⁸ In Croatia, the appointment and dismissal of the head of the Security and Intelligence Agency is made by a joint decision of the President and the Prime Minister.⁸⁰⁹ Prior to the appointment of the Head of the Agency, the relevant committee of the Croatian Parliament comments on the candidate.⁸¹⁰ The President-Parliament Mechanism is in Lithuania, where the Chairman of the State Department of Security is appointed and dismissed by the President of the country with the consent of the Seimas.⁸¹¹ In Finland, the Security Intelligence Service is one of the units of the Ministry of Internal Affairs, which means that the decision on the identity of its head is the responsibility of the Minister.⁸¹²

⁸⁰³ Rules of Procedure of the Parliament of Georgia, art. 207, cl. 10 "a".

⁸⁰⁴ Ibid, art. 205, cl. 5.

⁸⁰⁵ Letter #1-25495/19 of the Parliament of Georgia dated of December 17, 2019.

⁸⁰⁶ Rules of Procedure of the Parliament of Georgia, art. 205, cl. 4.

⁸⁰⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 126.

⁸⁰⁸ Ibid.

⁸⁰⁹ Security and Intelligence System act of the Republic of Croatia, art. 66, cl. 1.

⁸¹⁰ Ibid, art. 66, cl. 2

⁸¹¹ Republic of Lithuania Law Amending the Law on Intelligence art. 31.

⁸¹² SUPO is an expert in national security, Official website of the Security Intelligence Service of Finland, available at: <https://www.supo.fi/en>, updated on: 16.10.2018.

From the parliamentary countries,⁸¹³ mainly the bodies of the executive branch are involved in the appointment of the security service, however, there are cases where the legislature participates in the process. An example of this is Estonia. Here the head of the Security Service is appointed for a term of 5 years by the Government of the Republic, on the basis of a nomination by the relevant Minister.⁸¹⁴ It is important that before this procedure the Minister hears the opinion⁸¹⁵ of the Riigikogu Specialized Committee⁸¹⁶ on the candidate. As for the rest of the countries, in Hungary, the National Security Service is managed by the General Directors, who are appointed and dismissed by the Prime Minister on the proposal of the relevant Minister.⁸¹⁷ Legislation governing National Security Services does not specify the term of appointment of the Director General. In Italy the Internal Information and Security Agency (AISI) Head is appointed by the Prime Minister for a term of 4 years on the basis of prior consultation with the Inter-Ministerial Committee of the Republic.⁸¹⁸ The latter is an Advisory Board consisting of: the Prime Minister, his/her chosen person to delegate specific issues, the Ministers of Foreign Affairs, Interior, Defense, Justice, Finance and Economic Development.⁸¹⁹ The Latvian Security Police is a subdivision of the Ministry of Internal Affairs.⁸²⁰ In Spain, the head of the National Intelligence Center (which includes both domestic and foreign intelligence)⁸²¹ is appointed by the Minister of Defense on the basis of a royal decree.⁸²² Decrees are approved by a decision of the Council of Ministers,⁸²³ and they are ratified or annulled by Congress, by a simple majority.⁸²⁴ In Spain, the Intelligence Center is part of the Ministry of Defense, but as the law indicates, it exists as a separate legal entity.⁸²⁵ Since the Greek National Intelligence Service is part of the Ministry of Internal Affairs, the Director General of the Intelligence Service Office is appointed and dismissed by the head of this agency.⁸²⁶

Despite the different practices, it should be emphasized that in view of the threat of consolidation of power, in order to perfect the Georgian model, it is better for only the legislature to participate in the appointment of the head of the State Security Service and the quorum for the approval of the candidacy should be set at 3/5. In this way, the process will become consensus-oriented, which eliminates selection on the basis of political loyalty.

It should be noted that during the appointment of Grigol Liluashvili, the current head of the State Security Service (which was approved by the parliament on October 17, 2019),⁸²⁷ there

⁸¹³ In Greece and Spain, one internal agency is responsible for domestic security and foreign intelligence. To avoid duplication of information, these countries will be discussed in the intelligence section.

⁸¹⁴ Security Authority Act of Estonia, art. 15.

⁸¹⁵ Security Authority Act of Estonia, art. 15.

⁸¹⁶ This refers to a committee whose function is solely to oversee the security service.

⁸¹⁷ Act 125 of 1995 on the National Security Services of Hungary, art. 12, cl. 1.

⁸¹⁸ The Director of the AISI, official website of the Internal Intelligence and Security Agency, available at: <https://tinyurl.com/y3hht88m>, updated at: 24.08.2019.

⁸¹⁹ CISR, official website of the Internal Intelligence and Security Agency of Italy, available at: <https://tinyurl.com/y5fhaoxy>, updated on: 24.08.2019.

⁸²⁰ Law on the State Security Institutions of Latvia, sec. 15, cl. 1.

⁸²¹ How does the CNI work?, Official website of the National Intelligence Center, available at: <https://www.cni.es/en/howdoesthecniwork/>, updated at: 24.08.2019.

⁸²² Law 11/2002, 6 May, Regulating The National Intelligence Centre of Spain, art. 9, cl. 1.

⁸²³ The Constitution of Spain, art. 62, cl. F.

⁸²⁴ Standing Orders of the Congress of Deputies, art. 151, cl. 3.

⁸²⁵ Law 11/2002, 6 May, Regulating The National Intelligence Centre of Spain, art. 7.

⁸²⁶ Law on National Intelligence Service and other provisions of Greece, art. 9, cl. 2.

⁸²⁷ Parliament approves Grigol Liluashvili as head of the State Security Service, News Agency Interpressnews, available at: <https://tinyurl.com/yxvmbca>, updated at: 17.11.2019.

were questions about the qualification of “at least 2 years of experience working in a law enforcement agency.” His tenure as Deputy Head and First Deputy Head of the State Security Service was not two years (He was the Deputy Head of State Security Service in December 2017, and the First Deputy Head since January 2019).⁸²⁸ It needed to be clarified from past professional experience whether being in the Customs Department of the Ministry of Finance could be equated with “working in a law enforcement agency.” According to the biography of Grigol Liluashvili, he was “a representative of the Customs Department of the Ministry of Finance of Georgia in the World Customs Organization “RILO”, in the Supreme Council of Heads of Customs Services of the CIS countries (2003-2004).”⁸²⁹ The current legislation includes the Ministry of Finance in the list of law enforcement agencies,⁸³⁰ and calls the employee of the Investigation Service of the Ministry of Finance a representative of the law enforcement body.⁸³¹

According to the legislation in force in 2003-2004, the activity in the Customs Department of the Ministry of Finance meant the activity in the law enforcement body. In particular, the order of the Minister of Finance indicated that “The Customs Department of the Ministry of Finance of Georgia [...] is a customs body with law enforcement status, which is included in the system of the Ministry of Finance of Georgia as a sub-agency.”⁸³² Thus, Grigol Liluashvili met the qualification of 2 years of experience working in a law enforcement body.

10.2. Report of the Head of the State Security Service

The Head of the State Security Service or the Deputy is obliged to submit the previous year’s report to the Parliament by April 15 of each year.⁸³³ The Deputy Head may also submit a report.⁸³⁴ This procedure is important to determine and raise the issue of liability.⁸³⁵ The accountable person submits the report himself/herself and the legislature imposes liability on him/her in case of relevant circumstances. Thus, **it is necessary to change the legislation and eliminate the possibility of submitting a report by the Deputy Head of the State Security Service (In case of an honorary cause, postponing the submission of the report should be possible).**

The 2018 report of the State Security Service (submitted to the Parliament on March 27, 2019) (submitted by the Head of the State Security Service)⁸³⁶ includes information on the activities carried out by the Service to ensure state security and addresses important issues such as: occupied territories, counter-terrorism, counterintelligence, anti-corruption, chemical, biological, radiation and nuclear security, combating spread of weapons of mass destruction and materials, analytical activities, personal data protection, improving legal framework, access to public information, interagency cooperation, international cooperation and human, material-technical

⁸²⁸ Grigol Liluashvili appointed as the First Deputy Head of State Security Service, Public Broadcaster, available at: <https://1tv.ge/news/sus-is-ufrosis-pirvel-moadgiled-grigol-liluashvili-dainishna/>, updated at: 17.11.2019.

⁸²⁹ Grigol Liluashvili, official website of the Parliament of Georgia, available at: <http://www.parliament.ge/ge/mp/5689>, updated at: 26.01.2020.

⁸³⁰ Law of Georgia on International Law Enforcement Cooperation, art. 3, cl. “n”

⁸³¹ Law of Georgia on the State Inspector Service, art. 3, cl. “h”

⁸³² Order of the Minister of Finance of Georgia dated of August 29, 2002 N269 on the Approval of the Statute of the Customs Department of the Ministry of Finance of Georgia, art. 1, cl. 1.

⁸³³ Law of Georgia on State Security Service, art. 9, cl. 2; Rules of Procedure of the Parliament of Georgia, art. 171, cl. 1.

⁸³⁴ The Report of the State Security Service was Presented in the Parliament, website of the Parliament of Georgia, available at: <https://tinyurl.com/y27tufun>, updated at: 17.10.2018.

⁸³⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 162.

⁸³⁶ The Report of the Head of the State Security Service is being Presented in the Parliament, website of the Parliament of Georgia, available at: <https://tinyurl.com/y4jq8e7q>, updated at: 02.12.2019.

and financial resources.⁸³⁷ The Committee on Defense and Security did not make any remarks or recommendations, and the Parliament approved the submitted report by a resolution.⁸³⁸

The 2019 report of the State Security Service (submitted to the Parliament on April 14, 2020)⁸³⁹ (submitted by the Head of the State Security Service)⁸⁴⁰ includes information on the activities carried out by the Service to ensure state security and addresses important issues such as: occupied territories, counterintelligence, anti-corruption, counter-terrorism, court relations, personal data protection, improving legal framework, access to public information, interagency cooperation, international cooperation and human, material-technical and financial resources.⁸⁴¹ The report was heard by the Committees on Defense and Security, Legal Affairs and Human Rights and Civil Integration at a joint sitting.⁸⁴² Parliament has not passed a resolution on this issue.⁸⁴³

10.3. Political Responsibility of the Head of the State Security Service before the Parliament

After hearing the report, 1/3 of the deputies have the right to raise the issue of dismissal of the head of the State Security Service, “if during the hearing of the report it was necessary to make such a decision.”⁸⁴⁴ The decision is made by an absolute majority.⁸⁴⁵

The 6-year term of authority of the head of the State Security Service does not coincide with the term of office of the Parliament. The reason for such a decision should be his/her release from political influence, regardless of the election results, the person should remain in office. However, under the current model of liability, the head can be easily removed by the new ruling team, when reviewing the report, through initiating by 1/3 and an absolute majority.⁸⁴⁶

There is another mechanism. In particular, according to the Rules of Procedure, the adoption of an ordinance by the government to suspend the authority of the head of the State Security Service and submit a request to the Parliament to terminate his/her term. In this case, the Parliament, based on the conclusion of the Committee on Defense and Security, decides by an absolute majority to terminate the term of authority of the Head.⁸⁴⁷ Both of these models represent a quasi-distrust procedure and make the above 6-year term virtually meaningless.⁸⁴⁸ If a new political force wins the election, it is likely that it will be inclined to raise the issue of the responsibility of the head of the State Security Service.⁸⁴⁹ This opportunity seems even more “attractive” to the extent that it requires the consent of an absolute (and not qualified) majority.⁸⁵⁰

Comparative studies indicate that Georgia is on a different path. The President-Prime Minister/Government scheme operates in countries with a semi-presidential, premier-presidential sub-

⁸³⁷ Letter #1-15068/19 of the Parliament of Georgia dated of August 22, 2019.

⁸³⁸ Ibid.

⁸³⁹ Report of the State Security Service of Georgia, website of the Parliament of Georgia, available at: <http://www.parliament.ge/ge/ajax/downloadFile/136156/1-5776>, updated at: 17.09.20.

⁸⁴⁰ Parliamentary Committees Heard a Report on the Activities of the State Security Service in 2019 at a Joint Sitting. News, website of the Parliament of Georgia, available at: <https://tinyurl.com/y6sngxvrs>, updated at: 17.09.20.

⁸⁴¹ Report of the State Security Service of Georgia, website of the Parliament of Georgia.

⁸⁴² Parliamentary Committees Heard a Report on the Activities of the State Security Service in 2019 at a Joint Sitting. News, website of the Parliament of Georgia.

⁸⁴³ Report of the State Security Service of Georgia, website of the Parliament of Georgia.

⁸⁴⁴ Rules of Procedure of the Parliament of Georgia, art. 183, cl. 1.

⁸⁴⁵ Ibid.

⁸⁴⁶ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 162.

⁸⁴⁷ Rules of Procedure of the Parliament of Georgia, art. 183, cl. 2.

⁸⁴⁸ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 167.

⁸⁴⁹ Ibid.

⁸⁵⁰ Ibid.

type system countries⁸⁵¹. In particular, in Bulgaria⁸⁵² and Slovakia⁸⁵³ the power to remove the head of the security service is vested in the president on the recommendation of the government. Lithuanian and Croatian legislation provide for the involvement of the Parliament in the process of dismissal, but with important features. In particular, the head of the State Security Department in Lithuania is dismissed by the President, and this decision is confirmed by the Seimas;⁸⁵⁴ As for Croatia, here the President, the Prime Minister and the Parliament can initiate the procedure of dismissal of the Director of the Intelligence Agency.⁸⁵⁵ When the procedure is initiated by the President or the Prime Minister, the initiators may seek the opinion of Parliament before a final decision is taken.⁸⁵⁶ When the procedure is initiated by the Parliament, the President and the Prime Minister are obliged to dismiss the Director of the Security and Intelligence Agency.⁸⁵⁷ As mentioned, the Security Intelligence Service in Finland is one of the units of the Ministry of Internal Affairs and, therefore, dismissal is the competence of the head of this agency.⁸⁵⁸

In parliamentary countries⁸⁵⁹ various bodies of the executive branch are involved in the process of dismissal of the head of security service. In particular, the Director Generals of National Security Services in Hungary are dismissed by the Prime Minister on the proposal of the relevant Minister.⁸⁶⁰ The head of the Internal Information and Security Agency in Italy is dismissed by the Prime Minister on the basis of prior consultation with the Inter-Ministerial Committee.⁸⁶¹ The Latvian Security Police is a subdivision of the Ministry of Internal Affairs.⁸⁶² The Minister of Internal Affairs has the authority to dismiss the Director General of the National Intelligence Office in Greece;⁸⁶³ In Spain, this right is vested in the government as a collective body.⁸⁶⁴

In order to improve the model of dismissal of the State Security Service Head within the Georgian model and to eliminate the risks of political pressure and manipulation of mistrust towards him/her, it is necessary to dismiss him/her through the same consensus mechanism on the basis of which he/she will be appointed.⁸⁶⁵

⁸⁵¹ In Lithuania, Croatia and Finland, one internal agency is responsible for domestic security and foreign intelligence.

⁸⁵² The State Agency for National Security Act of Bulgaria, art. 8, cl. 6 (5).

⁸⁵³ The Act of the National Council of the Slovak Republic, art. 3, cl. 2.

⁸⁵⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work (first edition), p. 110.

⁸⁵⁵ Act on the Security Intelligence System of the Republic of Croatia, art. 66, cl.5.

⁸⁵⁶ Ibid.

⁸⁵⁷ Ibid.

⁸⁵⁸ SUPO is an expert in national security, Official website of the Security and Intelligence Service of Finland.

⁸⁵⁹ In Greece, one internal agency is responsible for internal security and foreign intelligence.

⁸⁶⁰ Act 125 of 1995 on the National Security Services of Hungary, art.12, cl.1.

⁸⁶¹ Law of 3 August 2007, n. 124 on the Information system for the security of the Republic and a new discipline of secrecy, art. 7, cl. 9.

⁸⁶² Law on the State Security Institutions of Latvia, sec. 15, cl. 1.

⁸⁶³ Law National Intelligence Service and other provisions of Greece, art. 9, cl. 2.

⁸⁶⁴ Law 11/2002, 6 May, Regulating The National Intelligence Centre of Spain, art. 9, cl. 1.

⁸⁶⁵ See recommendation on the procedure for appointing the head of the State Security Service.

11. INTELLIGENCE SERVICE

11.1. Appointment to the Position of the Head of the Intelligence Service

A Head of the Service manages the Intelligence Service.⁸⁶⁶ The decision on the appointment of the Head of the Service is in the hands of the Prime Minister, which reduces the opportunities for democratic accountability and governance.⁸⁶⁷

Hans Born and Ian Leigh note that it is desirable for the executive to take the initiative of nomination of a candidate while the Parliament shall have a “checking role”.⁸⁶⁸

The analysis of the experience of the countries⁸⁶⁹ shows a tendency that several institutions participate in the appointment process. This, in turn, is done to avoid the threat of political instrumentalization of the intelligence service.⁸⁷⁰ It is better for Georgia to share this approach. **In this process, priority should be given to defining the binding role of the Parliament. In particular, it would be appropriate for the head of the service to be appointed by the legislature on the basis of a consensus-based mechanism. This will increase opportunities for democratic governance and accountability.**

11.2. Accountability of the Intelligence Service

The Intelligence Service is independent in its activities and is accountable to the Prime Minister.⁸⁷¹ It is exercised by parliamentary oversight in accordance with the rules established by the Constitution and the Rules of Procedure.⁸⁷² In particular, the Intelligence Service is overseen by the Defense and Security Committee (other sectoral specialization committees) and the Trust Group.⁸⁷³ The Intelligence Service, like other agencies in the defense and security sectors, is required to submit a report to the Trust Group once a year on the previous year’s covert activities and special programs.⁸⁷⁴ However, it will not be presented at the plenary session of the Parliament, which gives this mechanism of accountability a secondary tinge.⁸⁷⁵

In the case of semi-presidential, premier-presidential subtype republics, in Bulgaria, the head of the State Security Agency is accountable to the President, the Chair of the National Assembly and the Prime Minister.⁸⁷⁶ The head of the agency will report to these individuals.⁸⁷⁷ In addition, it should be noted that the Agency submits an annual activity report to the Council of Ministers, which then has to be approved by the legislature.⁸⁷⁸ The Department of State Security of the Republic of Lithuania is accountable to the Seimas of the Republic and the President of the Republic.⁸⁷⁹ The head submits a report to the relevant

⁸⁶⁶ Law of Georgia on the Intelligence Service of Georgia, art. 9, cl. 1

⁸⁶⁷ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 139.

⁸⁶⁸ Ibid.

⁸⁶⁹ For an analysis of country practice on this issue, see 11.1. subchapter.

⁸⁷⁰ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 139.

⁸⁷¹ Law of Georgia on the Intelligence Service of Georgia, art. 6, cl. 1.

⁸⁷² Ibid, art. 27.

⁸⁷³ Rules of Procedure of the Parliament of Georgia, art. 156.

⁸⁷⁴ Ibid, art. 159, cl. 9.

⁸⁷⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 141.

⁸⁷⁶ The State Agency for National Security Act of Bulgaria, art. 131.

⁸⁷⁷ Ibid.

⁸⁷⁸ Ibid, art. 132, cl. 3.

⁸⁷⁹ Republic of Lithuania Law Amending the Law on Intelligence, art. 8, cl. 1 (1).

committee annually.⁸⁸⁰ In Croatia the Security and Intelligence Agency (SOA) is accountable to the President, the President (Chair) of Parliament, the Government, and the National Security Council (UVNS).⁸⁸¹ The Agency shall submit an annual report, including to the Chair of the Parliament and the Chairpersons of the relevant Committees on National Security.⁸⁸² “The Head of the Slovak Intelligence Service reports to the National Council of the Slovak Republic at least once a year; The Finnish intelligence service is an integral part of the Ministry of the Interior and is accountable to the Minister of the Interior. The Minister of Internal Affairs submits an annual report on the information obtained as a result of intelligence and the methods of obtaining it to the Parliamentary Ombudsman.”⁸⁸³

The following circumstances are noteworthy in parliamentary countries: “A National Intelligence Coordination Council is set up in Greece to run this agency, this council includes the Minister of Internal Affairs, the Minister of Economy and Finance, the Minister of Foreign Affairs, the Minister of National Defense, and others. The Council is chaired by the Minister of Internal Affairs. The intelligence body is accountable to this board; In Hungary, security and intelligence agencies report to the government at least once a year; In Latvia, the Prime Minister submits a report on national security to the Seimas; In Estonia, the head of the security/intelligence service is accountable to the relevant minister. At a later stage, the Minister and the Prime Minister will submit a report every 6 months to the Riigikogu Security Sector Oversight Committee. The committee, in turn, submits a report to Riigikogu once a year.”⁸⁸⁴ In Spain, parliamentary oversight of the National Intelligence Center is exercised by a special parliamentary committee (commission) consisting of the Speaker of the Congress and the chair of all political groups (factions).⁸⁸⁵ The government is required to submit annual reports to the Commission on the activities of the National Intelligence Center.⁸⁸⁶ The director of the National Intelligence Center is also obliged to submit an annual report to the commission.⁸⁸⁷ In Italy, the External Information and Security Service, as well as other agencies in the security sector, is overseen by the Parliamentary Committee on Security of the Republic (Comitato Parlamentare per la Sicurezza della Repubblica – COPASIR).⁸⁸⁸ It consists of 5-5 members of the lower and upper chambers. The Committee hears regular reports from both the Prime Minister and the Head of the Intelligence Service.⁸⁸⁹

According to the examples of the countries discussed, the forms of accountability are distinctly different in each state and there are no absolutely identical procedures. However, two main approaches can be distinguished: The first is when the head of the intelligence service presents a report to the relevant person/body of the executive body, and the second is when the report is

⁸⁸⁰ Ibid, art. 21, cl. 4.

⁸⁸¹ Security and Intelligence System act of the Republic of Croatia, art. 55, cl. 1.

⁸⁸² Ibid, art. 55, cl. 2.

⁸⁸³ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 141.

⁸⁸⁴ Ibid.

⁸⁸⁵ Aidan Wills and Mathias Vermeulen, Parliamentary oversight of security and intelligence agencies in the European Union, European Parliament, Brussels, 2011, p. 299.

⁸⁸⁶ Ibid.

⁸⁸⁷ Ibid.

⁸⁸⁸ Ducci S., Italian Intelligence Services and Accountability, p. 2, available at: <http://www.rieas.gr/images/italyintel.pdf>, updated at: 23.09.2019.

⁸⁸⁹ Ibid.

submitted to the relevant committee of the legislature (there are also examples of combining these two approaches). Defining forms of accountability directly to the legislature is a more accepted practice and should be considered much more democratic. **It is true that the Intelligence Service in Georgia will report to the Trust Group, but this format is not enough for proper oversight. It is necessary to determine the format of the report at least at the level of the relevant committee, and in the best case, the plenary session (non-classified part).**

11.3. Responsibility of the Head of the Intelligence Service

Under the current legal framework, like the appointment of the head of the Intelligence Service, the issue of his/her dismissal is entrusted exclusively to the Prime Minister.⁸⁹⁰ Consequently, there are similar risks in this case.⁸⁹¹ It is advisable that the decision-making is not in the hands of only one institution, and the work of the service is conducted not by political preferences, but by professional characteristics.⁸⁹²

Examples of international experience are not in line with Georgian practice. Examples of President-Government/Prime Minister Scheme from semi-presidential, premier-presidential subtype republics are Bulgaria⁸⁹³ and Slovakia.⁸⁹⁴ In these countries, the head of the relevant agency is dismissed by the president on the recommendation of the government. The involvement of the Parliament in the dismissal process is provided for by the legislation of Lithuania and Croatia, albeit with important peculiarities. In particular, the head of the State Security Department in Lithuania is dismissed by the first person of the country, and this decision is confirmed by the Seimas;⁸⁹⁵ As for Croatia, here the procedure for dismissal of the director of the intelligence body can be initiated by the head of state, the Prime Minister and the Croatian Parliament.⁸⁹⁶ When the procedure is initiated by the President or the Prime Minister, the initiators may seek the opinion of Parliament before making a final decision.⁸⁹⁷ When the procedure is initiated by the legislature, the first person of the country and the Prime Minister are obliged to dismiss the director of the Security and Intelligence Agency.⁸⁹⁸ As mentioned, the Security Intelligence Service in Finland is one of the units of the Ministry of Internal Affairs and, therefore, its dismissal is the competence of the head of this agency.⁸⁹⁹

From the parliamentary countries, in Greece the Minister of Internal Affairs has the authority to dismiss the Director General of the National Intelligence Office;⁹⁰⁰ the Latvian Security Police is a subdivision of the Ministry of Internal Affairs, which allows the Minister to dismiss its Head;⁹⁰¹ In Hungary, the Head is dismissed by the Prime Minister on the proposal of the

⁸⁹⁰ Law of Georgia on the Intelligence Service of Georgia, art. 9, cl. 1.

⁸⁹¹ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 143.

⁸⁹² Ibid.

⁸⁹³ There is a similar scheme for the appointment of the heads of the State Agency for National Security, as well as the Military Information Service of Bulgaria, Act on the Management and Functioning of the System of National Security Protection, SG No. 61/11.08.2015, art. 7.5. available at: <https://www.dar.bg/en/files/113-act-on-the-management-and-functioning-of-the-system-of-national-security-protection.pdf>, updated at: 08.01.2017.

⁸⁹⁴ The Act of the National Council of the Slovak Republic, art. 3, cl. 2.

⁸⁹⁵ Menabde V. (Head of Research and Academic Editor) et al, cited work (first edition), p. 110.

⁸⁹⁶ Act on the Security Intelligence System of the Republic of Croatia, art. 66, cl.5.

⁸⁹⁷ Ibid.

⁸⁹⁸ Ibid.

⁸⁹⁹ SUPO is an expert in national security, Official website of the Security and Intelligence Service of Finland.

⁹⁰⁰ Law National Intelligence Service and other provisions of Greece, art. 9, cl. 2.

⁹⁰¹ Law on the State Security Institutions of Latvia, sec. 15, cl. 1.

relevant minister.⁹⁰² In Italy, the Head of the intelligence service is dismissed by the Prime Minister, on the basis of a preliminary consultation with the inter-ministerial Committee on Security of the Republic.⁹⁰³ In Spain this right is granted by the government as a collective body.⁹⁰⁴

In the interests of Georgia, in order to distance the Intelligence Service as much as possible from the political influence of, the law should take into account the possibility of dismissal of its head and exclude the mechanism of political responsibility from it.

⁹⁰² Act on the National Security Services of Hungary, art. 12.

⁹⁰³ Law of 3 August 2007, n. 124 on the Information system for the security of the Republic of Italy and a new discipline of secrecy, art. 6, cl. 7.

⁹⁰⁴ Law 11/2002, 6 May, Regulating The National Intelligence Centre of Spain, art. 9, cl. 1.

12. SPECIAL STATE PROTECTION SERVICE

Special State Protection Service (hereinafter – SSPS) is a special paramilitary institution under the direct control of the Government, which ensures the security of the country.⁹⁰⁵ According to the charter of the SSPS, the Service unites 14 structural divisions.⁹⁰⁶

The main task of the SSPS is to protect various officials and state institutions from illegal actions.⁹⁰⁷ The field of activity of the SSPS is “to carry out security, operational, operative-investigative and other special measures permitted by law for the security of the persons and facilities of protection, to ensure control and own security within competence.”⁹⁰⁸

In order to participate in the preparation and conduct of these events, the SSPS may attract the forces and resources of various ministries, agencies and services; Receiving operative notifications from state bodies; Requesting actions necessary to ensure the security of protected persons and facilities; Administrative arrest and detention, personal examination and examination of items, temporary confiscation of vehicles, items and documents; Creating and using information systems, etc.⁹⁰⁹

The report of the head of the SSPS on the activities of the Service is heard by the Government and the program of activities is approved by it.⁹¹⁰ The current Rules of Procedure indicate that the SSPS is one of the agencies in the defense and security sector⁹¹¹ and its activities are overseen by the Parliament through the Defense and Security Committee (and other sector specialized committees) and the Trust Group.⁹¹²

According to the law, the Special State Protection Service is headed by the Head of the Service, who is appointed and dismissed by the Prime Minister.⁹¹³ **Given the functions, tasks and powers of the SSPS, it is desirable that this process not be in the hands of the head of government alone.⁹¹⁴ It would be better if the head of the SSPS is appointed to the position by the legislature.**

⁹⁰⁵ Law of Georgia on the Special State Protection Service, art. 1.

⁹⁰⁶ Resolution #71 of the Government of Georgia on the approval of the Statute of the Special State Protection Service, art. 15.

⁹⁰⁷ Law of Georgia on the Special State Protection Service, art. 4 and 5.

⁹⁰⁸ Resolution №71 of the Government of Georgia on the approval of the Statute of the Special State Protection Service, art. 4 .

⁹⁰⁹ Menabde V. (Head of Research and Academic Editor) et al, cited work, pp. 173-174.

⁹¹⁰ Ibid, p. 174.

⁹¹¹ Rules of Procedure of the Parliament of Georgia, art. 156.

⁹¹² Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 174.

⁹¹³ Law of Georgia on the Special State Protection Service, art. 7, cl. 1.

⁹¹⁴ Menabde V. (Head of Research and Academic Editor) et al, cited work, p. 174.

RECOMMENDATIONS

Governmental Program and a Report of the Prime Minister

- The Prime Minister's annual report should coincide with the anniversary of the declaration of confidence to the Government;
- The Governmental Program should become a guiding document for the Government, and it should consider all the goals thoroughly and systematically;
- The Prime Minister's annual reporting mechanism needs to be effectively implemented. A crucial step in this process is Parliament's efforts to ensure that no problems with oral reporting occur in the coming years, just as they did in 2019. It is recommended that after the Prime Minister's report, debates be held on the issues covered by the Governmental Program and the report and not on the current actual matters, which don't have anything to do with the Program.

Minister's Hour and a Question Time

- The Rules of Procedure should restrict holding more than one Minister's hour procedure per day;
- The existing version of the Minister's hour should be abolished, and the ministers should report to the relevant committees, together with the Prime Minister, the week before the PM's report to the plenary session;
- The Bureau should change the schedule of ministers approved for the "Minister Hour" format in extreme cases only in a manner, that all the ministers are heard during that year in the parliament;
- The Rules of Procedures should establish a Question Time tool, which will be established as a stable, bi-weekly institution (every session week) and will allow individual MPs to receive answers from members of the Government on issues of interest to them. A deadline should be set for the questions, which may be 48 hours before the Question Time. The Minister (including the Prime Minister) will be obliged to go to the legislative body on the day specified by the Rules of Procedure and answer all questions in person.

Interpellation

- The interpellation procedure should be conducted at least once a month, and the relevant subject should submit a question 10 days in advance;
- Members of the legislative body should make sufficient efforts to reconcile the issues of questions and parliamentary debates in future interpellations.
- The Rules of Procedure should exclude the possibility of asking several substantially different questions under one interpellation through appropriate amendments;
- The Rules of Procedure should clearly define the link between interpellation and no-confidence procedures;
- The Rules of Procedure should clearly indicate that after the completion of the interpellation, the draft resolution initiated by interpellator is voted on;
- A normative regulation is necessary to make it obligatory to publish the interpellation on the website of the Parliament like the question of an MP;

Question

- It is necessary that the accountable persons consider the provisions of the Rules of Procedures and answer the questions of the MPs in a timely manner;
- The possibility of asking unanswered questions at Question Time should be considered;

Request of Information from accountable Persons and Study of Activities of an Administrative Body

- The Rules of Procedure should define a uniform deadline for requesting information from an accountable person by a committee, and allow the committee to modify it if necessary. Since this competence is nurtured by the Member of Parliament's questioning authority, it is recommended that identical procedures are applied directly to them (In case of a question, the term to answer is 15 days, which can be extended by 10 days with the consent of the author);
- In order to meet the requirement of foreseeability of the norm and avoidance of duplication of the authority, it is recommended to repeal paragraph 3 of the Article 37 of the Rules of Procedure altogether (The authority of the committee to study the activities of the administrative body);

Summoning an Official to a Committee Sitting

- The Rules of Procedures should directly determine that the hearing of the summoned official is to be held at the next sitting of the committee after the relevant decision has been made, unless the committee indicates another date;
- The restriction on re-summoning a person to a committee sitting within 2 months without the support of a majority of the enlisted members of the committee should be lifted, and summoning of an accountable person should be possible by each committee - by a majority of attendees and by a faction - by any frequency;
- A faction should be empowered to invite all accountable persons to the committee sitting, including the Prime Minister, the Prosecutor General and the Head of the State Security Service;

Thematic Speaker of a Committee

- Committee's Action Plan should have an identical structure. It should consist of a specific topic and the activities included in it;
- The action plan should accurately state the name and surname of an MP who is responsible for the specific working field;
- The topics of the report should be evenly distributed among the members of the committee and the opposition should also be involved in the work;
- Only a committee member should be designated as a thematic speaker indicating the name and surname;
- Changes in committee members should be reflected in the Action Plan;

Committee on Defense and Security and Trust Group

- The Defense and Security Committee should be divided. Two committees should be set up in the Parliament (with the full access to classified information), one of which will control only the defense field, while the function of the other committee should be the control of other bodies. The Trust Group should be abolished;
- The period should be determined during which the parliamentary entities should fully fill their quota in case of removal of a member, otherwise the mechanism should resume its work with the existing composition;
- The Rules of Procedure should specify the frequency of the Trust Group meeting;
- The trust group should be able to make the visit without notifying the agency.

Thematic Scrutiny group

- Parliamentary mechanisms are generally based on the principle of proportional representation of factions, the same principle should be applied to the thematic scrutiny group;
- The number of members of the thematic scrutiny group should not exceed 1/3 of the members of its creating body;
- After leaving the standing council, committee or faction, the MP should be replaced, the composition of the group should be modified in case such increase or decrease of the faction affects the pre-established quotas;
- Creation of a group should be possible by a simple majority;
- The Rules of Procedure should clearly define the group membership and consider only a member of the relevant committee/council as such;
- The term of the group authority should be determined by a creating subject in every specific case;
- The term of the group authority should be extended, if necessary, by its founding body, upon the request of the group itself;
- If the group violates the deadline set for it, the authority should automatically be terminated;
- Cases of non-compliance with the obligation to publish information should be completely eliminated;
- The groups should comply with their obligations under the Rules of Procedure and publish information about the hearing in a timely manner;
- The Bureau should be obliged to include the group report on the agenda of the plenary session each time;
- Parliament should consider the final documents prepared by the groups in a timely manner.

Temporary commission

- In addition to the Constitution, the rules for staffing the commission should also be reflected in the Rules of Procedure;
- The Commission's authority to apply to the Prosecutor General to review criminal case materials and make copies is inconsistent with the mandate of the Commission. Therefore, it must be abolished;
- The term of the commission and the possibility of its extension should be determined by the Parliament in each specific case;

Working group

- The groups should be set up by the decision of the committees;
- Seats for the opposition must be provided in the group. The Committee shall determine the total number of group members. Half should be staffed with experts in the field, and half should be filled on the basis of the principle of proportional representation of factions. In addition, only the factions whose representatives are on the relevant committee should have members in the group;
- A member of the committee staff should not be represented in the group;
- The committee should set a deadline for the group, taking into account the complexity of the task assigned. The relevant entry should be added to the Rules of Procedure.

Temporary Investigative Commission

- The number of MPs required to set up an investigative commission should be reduced to 1/5;
- The right to nominate the members of the temporary investigative commission should be granted to factions only (as provided by the Constitution);
- The term of the temporary commission should be based on the existing need and should not be strictly limited as is today;
- The power to make an interim decision should be given to the number of members of the commission that is required to create it, and a majority should be necessary only when making a final decision.
- Failure to comply with the task of the investigative commission should be a subject to either criminal or administrative liability. Application of both simultaneously is inconsistent with the practice of the states studied.

Ministries

- Every change in the Cabinet must have the vote of confidence of the Parliament;
- The text of the Constitution should be amended, and the Parliament should be given the opportunity to impose an individual political liability on a Minister;
- The circle of initiators of the no-confidence motion should be reduced to one-fifth of the members;
- Restrictions on re-initiating the no-confidence motion should be lifted.

State Security Service

- Only the legislative body should take part in the appointment of the head of the State Security Service, and a 3/5 quorum should be set for the approval of the candidacy. In this way, the process will become consensus-oriented that will eliminate selection on the basis of political loyalty;
- The possibility of submitting a report by the Deputy Head of the State Security Service to the Parliament should be abolished (in the event of a honorary cause, postponing the submission of the report should be possible);
- In order to improve the model of dismissal of the Head of State Security Service and to eliminate the risks of political pressure and manipulation of distrust towards him/her, it is necessary to dismiss him/her through the same consensus mechanism on the basis of which he/she is appointed.

Intelligence Service and Special State Protection Service

- The head of the Intelligence Service should be appointed by the legislative body based on a consensus-oriented tool;
- The Intelligence Service reports to the trust group, although this format is not sufficient for proper oversight. It is necessary to determine the reporting format at least at the level of the relevant committee or at the plenary session at best (non-classified part);
- Given the functions, tasks and powers of the Special State Protection Service, the process of appointing its head should not be within the authority of the Head of Government alone. It would be better if the head of the Special State Protection Service is appointed to the position by the legislative body.

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106. Letter of the Parliament of Georgia #1-3456/20 of March 11, 2020;
107. letter #1-6672/20 of the Parliament of Georgia dated of June 1, 2020.
108. Letter #1-8116/20 of the Parliament of Georgia dated of July 1, 2020.;
109. Letter #2-7178/20 of the Parliament of Georgia dated of July 2, 2020.
110. Letter #1-9605/20 of July 17, 2020 of the Parliament of Georgia.
111. Letter of the Parliament of Georgia # 1-9604/20 dated of July 28, 2020;
112. Letter from the Parliament of Finland of October 2, 2019, via e-mail.

Electronic recourses:

113. Webpage of Bundestag - <https://www.bundestag.de/en/>;
114. Webpage of the National Intelligence Center of Spain; - <https://www.cni.es/en/wel-cometocni/>;
115. Webpage of Rigikogu of Estonia; - <https://www.riigikogu.ee/en/>;
116. Interpressnews - <https://www.interpressnews.ge/ka/>;
117. Chamber of Deputies of Italy - <https://en.camera.it/>;
118. Official webpage of Internal Information and security Council of Italy - <https://www.sicurezza.gov.it/sisr.nsf/english.html>;
119. Webpage of the Saeima of Latvia - <https://www.saeima.lv/en/>;
120. Webpage of the Parliament of Greece - <https://www.hellenicparliament.gr/en/>;

121. Webpage of Georgian Young Lawyers' Association - <https://gyla.ge/ge>;
122. Webpage of the Parliament of Georgia - www.paliament.ge;
123. The official Facebook page of the Parliament of Georgia - <https://www.facebook.com/parliamentgeo/>;
124. Legislative Herald of Georgia- <https://matsne.gov.ge/ka>;
125. Public Broadcaster of Georgia - <https://1tv.ge>;
126. Web-page of National Council of Slovakia - <https://www.nrsr.sk/web/>;
127. Webpage of the Parliament of Hungary - <https://www.parlament.hu/web/house-of-the-national-assembly>;
128. Webpage of the Parliament of Finland <https://www.eduskunta.fi/EN/Pages/default.aspx>;
129. Official webpage of Security and Intelligence Service of Finland - <https://www.supo.fi/en>;
130. Webpage of Sabor of Croatia - <https://www.sabor.hr/en/home>;
131. Boletín oficial del Estado – <https://www.boe.es>;
132. Constitute Project – <https://www.constituteproject.org>;
133. ¿Por qué es importante la Mesa del Congreso? Análisis. Decide la constitución de los grupos, la distribución de escaños y las comparecencias - <https://tinyurl.com/yz-kh2wg4>;
134. Sustainable governance indicator - <https://www.sgi-network.org>.

TABLES

Table #1: Interpellation practice in the Parliament of Georgia

Date	Interpellant	Addressee	issue	Resolution	Statistical data
22.03.2019	Faction National Movement	Prime Minister Mamuka Bakhtadze	Growth of the criminal situation in the country	Was not initiated	<p>Time limits: the author of the question was allocated 3.5 minutes instead of 10 minutes. The head of the government spoke for 10 minutes instead of 30 minutes. The author of the specifying question had 1 minute instead of 3 minutes. 2 minutes instead of 5 minutes were allocated to independent MPs. 5 minutes instead of 15 minutes were allocated for the factions that are not affiliated with the Minority and the Majority. The Majority had 15 minutes instead of 45. The concluding speech lasted 7 minutes instead of 20 minutes.</p> <p>Apart from the author of the interpellation, 11 other MPs made remarks, 2 of which were members of the majority.</p>
22.03.2019	Faction European Georgia - Regions	Minister of Education, Science, Culture and Sport Mikheil Batiashvili	Cancellation of school final exams	Was not initiated	<p>Time limits: same as above.</p> <p>10 MPs took floor besides the author of the question. 2 out of the MPs were members of the Majority.</p>
22.03.2019	Faction European Georgia	Minister of Education, Science, Culture and Sport Mikheil Batiashvili	Increase of the salaries of the pedagogues; school autonomy; increase/reform of pupil's vouchers	Was not initiated	<p>Time limits: same as above.</p> <p>7 MPs took floor besides the author of the question. 3 out of the MPs were members of the Majority.</p>

31.05.2019	Faction European Georgia - Movement for Freedom	Prime Minister Mamuka Bakhtadze	The accumulative pension, Otkhozoria-Tatunashvili Act, bank regulations and TBC case	Was not initiated	<p>Time limits: 3 minutes were allocated for the author of the question (three MPs presented 3 components of the question. Each could speak for 1 minute). 7.5 minutes were allocated to the addressee of the question for answer. 1 minute was allocated for specifying the question and 2.5 minutes – for answer. 1.5 minutes were allocated for independent MPs; the factions that are not affiliated with the Minority and the Majority had 4 minutes each, the Majority – 11.5 minutes and 5 minutes were allocated for a concluding speech.</p> <p>20 MPs took floor besides the author of the question and the Prime Minister. 4 out of the MPs were members of the Majority.</p>
31.05.2019	Faction European Georgia - Movement for Freedom	Prime Minister Mamuka Bakhtadze	Labor remuneration system and practice at central and local levels, at LEPLs and Non-entrepreneurial Non-commercial Legal Entity (NNLE)	Was not initiated	<p>Time limits: same as above.</p> <p>15 MPs took floor besides the author of the question and the Prime Minister. 4 out of the MPs were members of the Majority.</p>
31.05.2019	Faction Georgian Dream	Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs David Sergeenko	Distribution of the social allowances and expediency of the costs for universal healthcare	Was not initiated	<p>Time limits: same as above.</p> <p>6 MPs took floor besides the author of the question. 2 out of the MPs were members of the Majority.</p>

31.05.2019	Faction National Movement	Chair of the Central Election Commission (CEC) Tamar Zhvania	CEC response to the violations in the electoral campaigns	Was not initiated	Time limits: same as above. 6 MPs took floor besides the author of the question. 3 out of the MPs were members of the Majority.
29.05.20.	Faction National Movement	Prime Minister Giorgi Gakharia	Poverty, including children's and pensioners' poverty; what was the impact of the government's mistakes committed during the state of emergency on the poverty and what are the plans to address the negative impacts.	Was not initiated	Time limits: the author of the question was allocated 5 minutes instead of 10 minutes. The addressee could spoke for 15 minutes instead of 20 minutes. The time for debates was distributed as follows: independent MPs – 2.5 minutes instead of 5 minutes, the factions that are not affiliated with the Minority and the Majority – 7.5 minutes instead of 15 minutes, the representatives of the Majority – 22 minutes instead of 45 minutes, concluding remarks – 10 minutes instead of 20 minutes. 13 MPs took floor. 4 out of them were members of the Majority.
29.05.20.	Factions European Georgia, European Georgia Regions and European Georgia - Movement for Freedom	Prime Minister Giorgi Gakharia	During the economic crisis, decrease of taxes, pension fund, anti-crisis plan, decrease of bureaucratic expanses and differentiated approach to the application of limitations introduced during the state of emergency vis-a-vis different groups	Was not initiated	Time limits: same as above. 11 MPs took floor besides the author of the question. 5 out of the MPs were members of the Majority.

Table #2: Statistics of the questions asked by the Georgian MPs to the government and answers to them

Persons accountable to the Parliament	Amount of overdue questions	Numbers of questions without answers	Signed by addressee	Another person answered a question (%) ¹	Numbers of the questions asked
PM (Mamuka Bakhtadze)	3	1	0	100%	5
PM (Giorgi Gakharia)	2	2	1	33%	5
Minister of Finance	10	14	11	55%	34
Minister of Foreign Affairs	5	12	4	80.9%	21
Minister of Education, Science, Culture and Sport (Mikheil Batiashvili)	29	4	26 ²	33%	42
Minister of Education, Science, Culture and Sport (Mikheil Chkhenkeli)	13	0	17	10.5%	19
Minister of Regional Development and Infrastructure	10	2	4	77.7%	18
Minister of Internal Affairs (Giorgi Gakharia)	1	3	0	100%	13
Minister of Internal Affairs (Vakhtang Gomelauri)	4	1	0	100%	10
Minister of Justice	4	5	0	100%	15
Minister of Environmental Protection and Agriculture	6	4	1	95%	21
Minister of Economy and Sustainable Development (Giorgi Kobulia)	3	2	0	100%	11
Minister of Economy and Sustainable Development (Natela Turnava)	7	0	19	34.4%	29
Minister of Defense (Levan Izoria)	3	0	0	100%	4
Minister of Defense (Irakli Garibashvili)	0	0	4	0%	4
Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs (David Sergeenko)	3	0	16	16%	19
Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs (Ekaterine Tikarade)	12	4	2	92.5%	28
State Minister of Reconciliation and Civic Equality	3	0	5	37.5%	8
Total	118	54	110	56.3%	306

¹ The numbers are rounded to tenth.

² Minister Chkhenkeli answered and signed answers to three questions addressed to his predecessor.

Table #3: Practice of requesting information from accountable persons by the Committee in the Parliament of Georgia

Committees ¹	Requested information	Time-limit defined						Answers when time limit was not defined						Written responses	Oral responses	
		Total	up to 1 week	1-2 weeks	2 weeks-1 month	More than 1 month	Time limit was not observed	Unanswered	Total	up to 1 week	1-2 weeks	2 weeks-1 month	More than 1 month	Unanswered		
Agrarian Issues Committee ²	8	0	0	0	0	0	0	0	8	2	0	3	1	2 ³	6	0
Human Rights and Civil Integration Committee ⁴	2	2	0	1	0	1	1 ⁵	1 ⁶	0	0	0	0	0	0	1	0
Environmental Protection and Natural Resources Committee ⁷	23	0	0	0	0	0	0	0	23	7	3	12	1	0	23	0
Sector Economy and Economic Policy Committee ⁸	5	0	0	0	0	0	0	0	5	1	2	2	0	0	5	0
Education, Science and Culture Committee ⁹	1	0	0	0	0	0	0	0	1	0	0	1	0	0	0	1
Diaspora and Caucasus Issues Committee ¹⁰	4	1	0	0	0	1	1 ¹¹	0	3	3	0	0	0	0	2	2
European Integration Committee ¹²	3	1	1	-	0	0	0	0	2	1	0	0	1	0	3	0
Defence and Security Committee ¹³	11	4	4	0	0	0	2 ¹⁴	0	7	1	2	3	1	0	11	0
Budget and Finance Committee ¹⁵	8	0	0	0	0	0	0	0	8	2	4	1	1	0	8	0
Sports and Youth Issues Committee ¹⁶	14	0	0	0	0	0	0	0	14	0	3	5	2	4 ¹⁷	9	1
Total	79	8	5	1	0	2	4	1	71	17	14	27	7	6	68	4

¹ Updated based on the data from June 26, 2020.

² Information provided by letters #1-20623/19 from 22 November 2019 and #1-23004/19 from 13 December 2019 of the Parliament.

³ In both cases this is the Ministry of Environmental Protection and Agriculture of Georgia.

⁴ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.

⁵ The GoG did not respect the timeline.

⁶ The GoG did not answer.

⁷ Information provided by letters #1-20623/19 from 22 November 2019 and #1-9604/20 from 28 July, 2020 of the Parliament.

⁸ Information provided by letters #1-15068/19 from 22 August 2019, #1-20623/19 from 22 November 2019, #1-23004/19 from 13 December 2019, #1-1815/20 from 18 February 2020 of the Parliament.

⁹ Information provided by letters #1-20623/19 from 22 November 2019 and #1-23004/19 from 13 December 2019 of the Parliament.

¹⁰ Information provided by letters #1-17823/19 from 8 October 2019 and #1-20623/19 from 22 November of the Parliament.

¹¹ The MFA did not respect the timeline.

¹² Information provided by letters #1-20623/19 from 22 November 2019 and #1-1815/20 from 18 February 2020 of the Parliament.

¹³ Information provided by letters #1-20623/19 from 22 November 2019, #1-1815/20 from 18 February 2020 and #1-9604/20 from 28 July 2020 of the Parliament.

¹⁴ MoJ and the State Inspector's Office did not respect the timeline.

¹⁵ Information provided by letters #1-9/20 from 16 January 2020 and #1-9604/20 from 28 July 2020 of the Parliament.

¹⁶ Information provided by letters #1-9/20 from 16 January 2020, #1-2595/20 from 18 February 2020 and #1-3157/20 from 9 March 2020 of the Parliament.

¹⁷ MoJ, MFA, MoF and Ministry of Education, Science, Culture and Sport did not respond.

Table #4: Practice of summoning officials by the majority of the committee members in the Parliament of Georgia

Initiator of summoning an accountable person ¹	An official was summoned by a majority of votes of the MPs present at the Committee	Summoned official	Date of summoning	Topic	Showed up in the session	
					Yes	No
Agrarian Issues Committee	- ²	-	-	-	-	-
Human Rights and Civil Integration Committee	- ³	-	-	-	-	-
Education, Science and Culture Committee	- ⁴	-	-	-	-	-
Environmental Protection and Natural Resources Committee	- ⁵	-	-	-	-	-
Sector Economy and Economic Policy Committee	✓ ⁶	Deputy Minister of Ministry of Environmental Protection and Agriculture	April 12, 2019	Production, import and sale of biodegradable and compostable plastic bags	✓	
		Minister of Economy and Sustainable Development	June 7, 2019	Strike of workers of Chiatura Mine	✓	
Diaspora and Caucasus Issues Committee	- ⁷	-	-	-		
Committee on European Integration	- ⁸	-	-	-		
Defence and Security Committee	- ⁹	-	-	-		
Legal Issues Committee	- ¹⁰	-	-	-		

Regional Policy and Self - Government Committee	✓ ¹¹	Public Defender of Georgia	January 16, 2019	Human rights protection situation in regions and municipalities	✓
		State Minister of Reconciliation and Civic Equality	March 13, 2019	Situation in the regions adjacent to the state borders and across the dividing lines (needs of suffering population)	✓
	✓ ¹²	State Minister of Reconciliation and Civic Equality	October 21, 2019	Status of implementation of "A Step to a Better Future" Peace Initiative Facilitation of Trade Across Dividing Lines"	✓
	✓ ¹³	Representatives of the State Security Service and Ministry of Internal Affairs	October 28, 2019	Security situation on the occupied territories and across the occupation line	✓
Procedural Issues and Rules Committee	- ¹⁴	-	-	-	
Budget and Finance Committee	- ¹⁵	-	-	-	
Sports and Youth Issues Committee	- ¹⁶	-	-	-	
Healthcare and Social Issues Committee	✓ ¹⁷	Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs	February 17, 2020	1. Base and Results of the Resolution N520 from November 5, 2019 of the Government. 2. Indebtedness of the Ministry of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs towards the medical institutions engaged in the universal healthcare system and plan for payment of debts. 3. Concerning firing the social workers of the Social Service Agency	✓ ¹⁸

¹ Updated based on the data from June 26, 2020.

² Information provided by letters #1-1815/20 from 18 February 2020 and #1-2397/20 from 26 February 2020 of the Parliament of Georgia.

³ Information provided by letters #1-17823/19 from 8 October 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

⁴ Information provided by letter #1-25495/19 from 24 December 2019 of the Parliament of Georgia.

⁵ Information provided by letters #1-25495/19 from 24 December 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

⁶ Information provided by letter #1-25495/19 from 24 December 2019 of the Parliament of Georgia.

⁷ Information provided by letters #1-25495/19 from 24 December 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

⁸ Information provided by letters #1-25495/19 from 24 December 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

⁹ Information provided by letters #1-22377/19 from 12 December 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹⁰ Information provided by letters #1-20623/19 from 22 November 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹¹ Information provided by letter #1-25495/19 from 24 December 2019 of the Parliament of Georgia.

¹² Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹³ This hearing was held together with the Defense and Security Committee. Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹⁴ Information provided by letters #1-25495/19 from 24 December 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹⁵ Information provided by letters #1-190501/19 from 26 October 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹⁶ Information provided by letters #1-190501/19 from 26 October 2019 and #1-1815/20 from 18 February 2020 of the Parliament of Georgia.

¹⁷ Information provided by letters #1-1815/20 from 18 February 2020, #1-2397/20 from 26 February 2020 and #1-9604/20 from 28 July 2020 of the Parliament of Georgia.

¹⁸ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.

Table #5: Practice of summoning officials by a faction in the Parliament of Georgia

Summoning subject ¹	Committee where a person was summoned	Summoned person	Date of summoning	Session date	Showed up in the Committee		Violation of the RoP	
					Yes	No	Yes	No
Faction European Georgia and Faction European Georgia - Movement for Freedom ²	Budget and Finance Committee	Minister of Finance Ivane Machavariani	April 2, 2019 ³	April 23, 2019	✓			✓
Faction European Georgia ⁴	Education, Science and Culture Committee	Minister of Education Mikheil Batiashvili	December 31, 2018	February 7, 2019	✓			✓

Faction European Georgia and European Georgia Regions ⁵	The President of the National Bank Koba Gvenetadze	February 18, 2019	February 26, 2019	✓			✓
European Georgia ⁶		March 14, 2019	April 23, 2019	✓			✓
Sector Economy and Economic Policy Committee, European Georgia, European Georgia Regions, European Georgia - Movement for Freedom ⁷		April 11, 2019	June 7, 2019	✓			✓
European Georgia, European Georgia Regions, European Georgia - Movement for Freedom ⁸		April 22, 2019					
National Movement ⁹		May 30, 2019					
European Georgia, European Georgia Regions, European Georgia - Movement for Freedom ¹⁰		March 25, 2019			✓		✓
Alliance of Patriots and Social-Democrats		April 2, 2019			✓	✓	✓
Independent MPs ¹¹		February 13, 2020	February 24, 2020		✓	✓	
European Georgia ¹²		December 19, 2018			✓ ¹³	✓	
		April 21, 2019			✓		✓
					✓		✓

European Georgia, European Georgia Regions, European Georgia - Movement for Freedom	Legal Issues Committee	Minister of Internal Affairs Giorgi Gakharia, Minister of Justice Thea Tsulukiani, Minister of Economy and Sustainable Development Natela Turnava ¹⁴	March 4 and April 2, 2019			✓	✓	
European Georgia		Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs David Sergeenko	February 25, 2019 ¹⁵	✓			✓	
European Georgia, European Georgia Regions	Healthcare and Social Issues Committee	Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs David Sergeenko and Minister of Finance Ivane Machavariani	29 March, 2019 ¹⁷			✓		✓
Patriots of Georgia		Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs David Sergeenko	April 2, 2019 ¹⁸			✓		
Independent MPs		Minister of Internally Displaced Persons from Occupied Territories, Labour, Health and Social Affairs Ekaterine Tikaradze				✓	✓	

¹ Updated based on the data from June 26, 2020.

² Information provided. by letter, #1-20623/19 from 22 November 2019 of the Parliament of Georgia.

³ Information provided by letter, #1-2397/20 from 26 February 2020 of the Parliament of Georgia.

⁴ Information provided by letter, #1-20623/19 from 22 November 2019 of the Parliament of Georgia.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.

¹² Information provided by letter #1-15068/19 from 22 August 2019 of the Parliament of Georgia.

¹³ The Minister did not come as before that he presented the same issues to the plenary session of the Parliament. Information provided by letter #1-15068/19 from 22 August 2019 of the Parliament of Georgia.

¹⁴ Information provided by letter #1-22377/19 from 12 December 2019 of the Parliament of Georgia.

¹⁵ Information provided by letter #1-3794/20 from 12 March 2020 of the Parliament of Georgia.

¹⁶ The Health Care and Social Issues Committee hearing David Sergeenko, news, the website of the parliament of Georgia, available at <https://bit.ly/345at4n>, last seen: 27.02.20.

¹⁷ Information provided by letter #1-3794/20 from 12 March 2020 of the Parliament of Georgia.

¹⁸ Ibid.

Table #6: Practice of appointing a Thematic rapporteur in the Parliament of Georgia (2019)

Thematic speakers Committees	First and last names of the Committee members	Representative of the Opposition	Record “Committee Member”	Delegation	Trust Group	Working group	Servants of the Office
Agrarian Issues Committee ¹	✓ ²						✓ ³
Human Rights and Civil Integration Committee ⁴	✓ ⁵	✓ ⁶					✓ ⁷
Education, Science and Culture Committee ⁸	✓ ⁹	✓ ¹⁰	✓ ¹¹				✓ ¹²
Environmental Protection and Natural Resources Committee ¹³	✓ ¹⁴		✓ ¹⁵				✓ ¹⁶
Sector Economy and Economic Policy Committee ¹⁷	✓ ¹⁸	✓ ¹⁹					✓ ²⁰
Diaspora and Caucasus Issues Committee ²¹	✓ ²²	✓ ²³	✓ ²⁴				✓ ²⁵
Committee on European Integration ²⁶	✓ ²⁷	✓ ²⁸					✓ ²⁹
Defence and Security Committee ³⁰	✓ ³¹	✓ ³²	✓ ³³	✓ ³⁴	✓ ³⁵		✓ ³⁶

Legal Issues Committee ³⁷	✓ ³⁸	✓ ³⁹							
Regional Policy and Self - Government Committee ⁴⁰	✓ ⁴¹			✓ ⁴²					
Foreign Relations Committee ⁴³	✓ ⁴⁴	✓ ⁴⁵		✓ ⁴⁶				✓ ⁴⁷	✓ ⁴⁸
Procedural Issues and Rules Committee ⁴⁹	✓ ⁵⁰	✓ ⁵¹							
Budget and Finance Committee ⁵²	✓ ⁵³								✓ ⁵⁴
Sports and Youth Issues Committee ⁵⁵	✓ ⁵⁶	✓ ⁵⁷		✓ ⁵⁸					
Healthcare and Social Issues Committee ⁵⁹	✓ ⁶⁰	✓ ⁶¹							✓ ⁶²

- ¹ AP of the Agrarian Issues Committee specified 4 strategic goals, 13 tasks and 65 topics. The AP is accessible at the following website: http://parliament.ge/ge/ajax/downloadFile/108825/Agriculture_AP_full, Last seen: 05.12.19.
- ² According to the AP of the Agrarian Issues Committee 1 person is a speaker on 32 out of 65 topics.
- ³ According to the AP of the Agrarian Issues Committee, a servant of the Office is a speaker on 65 topics. A servant of the Office is a speaker for 33 topics and a co-speaker for 32 topics.
- ⁴ The AP of the Human Rights and Civil Integration Committee specifies 7 strategic goals with 141 tasks. It is available at: <https://tinyurl.com/y3cogbqp>, last updated on 15.09.19.
- ⁵ The AP of the Human Rights and Civil Integration Committee assigns the majority of tasks to the chair and deputy chairs of the Committee. The Chair Sopio Kiladze is a speaker for 120 topics, her deputy Rati Ionatamishvili – for 25 topics. Other tasks are assigned as follows: Anri Okhanashvili – 15 tasks, Dimitri Tskitishvili – 16 tasks (Dimitri Tskitishvili is not a member of the Committee since May 20, 2019), Dimitri Mkhedize - 15 topics, Irakli (Dachi) Beraia - 19 topics (Irakli (Dachi) Beraia became a member of the Committee on June 24, 2019), Davit Matikashvili - 13 topics, Vano Zardiashevili - 12 topics (Vano Zardiashevili is not a member of the Committee since November 12, 2019), Levan Bezhanidze - 10 topics, Tsotne Zurabiani - 4 tasks, Merabi Kvaraia - 8 tasks. The AP of the Human Rights and Civil Integration Committee is available at: <https://tinyurl.com/y3cogbqp>, last updated on 15.09.19.
- ⁶ George Tugushi is the only representative from the Opposition who is responsible for the implementation of one task of the AP of the Human Rights and Civil Integration Committee. He was appointed as a thematic speaker concerning drafting and initiation of amendments to the Organic Law Labor Code of Georgia” and accompanying amendments to other legal acts. The AP of the Human Rights and Civil Integration Committee is available at: <https://tinyurl.com/y3cogbqp>, last updated on 15.09.19.
- ⁷ The Office of the Committee is responsible for preparation of 96 out of 141 tasks. The AP of the Human Rights and Civil Integration Committee is available at: <https://tinyurl.com/y3cogbqp>, last updated on 15.09.19.
- ⁸ The AP of the Committee defined 3 strategic goals, 7 tasks and 45 topics. It is accessible at the following website: <https://tinyurl.com/yx2kojxk>, last updated on 05.12.19.
- ⁹ According to the AP of the Committee, Mariam Jashi is responsible for 51 topics, Genadi Margvelashvili – 13 topics, Guguli Magradze – 9 topics, Nino Tsilosani – 13 topics, Sergo Ratiani – 22 topics, Lela Keburia – 9 topics, Sergi Kapanadze – 12 topics, Simon Nozadze – 5 topics, Revaz Arveladze – 3 topics, Gia Zhorzholiani – 1 topic, Irma Inashvili – 4 topics, Zaza Papuashvili – 7 topics. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx2kojxk>, last updated on 05.12.19. Mariam Jashi left the Majority on November 25, 2019. Information is accessible at the following website: <http://parliament.ge/ge/mp/5660>. Last seen: 05.12.19.
- ¹⁰ 5 are member of the Opposition: Sergo Ratiani, Lela Keburia, Sergi Kapanadze, Gia Zhorzholiani and Irma Inashvili.
- ¹¹ MP was referred in 15 occasions, and chair of the Committee – in 7 cases. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx2kojxk>, Last seen: 05.12.19.
- ¹² Employee of the Office was nominated in 44 occasions. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx2kojxk>, Last seen: 05.12.19.
- ¹³ 2019 AP defines 4 strategic goals, 15 tasks and 109 topics. The AP of the Committee is available on the following website: <https://tinyurl.com/uyaa5v>, Last seen: 05.12.19.
- ¹⁴ According to 2018, 2019 and 2020 Action Plans, Kakha Kuchava is a speaker on 127 topics, Gia Gachechiladze – 47 topics, Sulkhan Makhatadze – 36 topics, Zaza Khutsishvili – 33 topics, Endzela Machavariani – 27 topics, Goga Gulordava – 23 topics, Koba Lursmanashvili – 15 topics, Otari Danelia – 10 topics, Gogi Meshveliani – 8 topics, Edisher Toloraia – 5 topics, Irakli Khakhubia – 2 topics, Mamuka Mdinardze – 1 topic, Irakli Mezurnishvili – 1 topic. The AP of the Committee is available on the following website: <https://tinyurl.com/uyaa5v>, Last seen: 05.12.19.
- ¹⁵ Members and chair of the Committee are speakers on 12 topics. The AP of the Committee is available on the following website: <https://tinyurl.com/uyaa5v>, Last seen: 05.12.19.
- ¹⁶ Employees of the Office are also responsible for all 194 topics. The AP of the Committee is available on the following website: <https://tinyurl.com/uyaa5v>, Last seen: 05.12.19.
- ¹⁷ The AP of the Sector Economy and Economic Policy Committee specifies 3 strategic goals, 10 tasks and 107 topics. The AP of the Committee is available at the following website: <https://tinyurl.com/wyzz8fq>, last seen: 05.12.19.

¹⁸ The following members of the Committee were speakers on the following topics: Roman Kakulia on 51 topics, Levan Koberidze on 34 topics, David Songulashvili on 21 topics, Nino Tsilosani on 19 topics, Revaz Arveladze on 9 topics, Temur Kokhleidze on 7 topics, Kakhaber Okriashvili on 7 topics, Irakli Abuseridze on 6 topics, Mirian Tsiklauri on 4 topics, George Begadze on 3 topics.

¹⁹ Speakers from the Opposition are Levan Koberidze on 34 topics, George Bokeria on 4 topics, Zurab Tchiaberaishvili on 3 topics, Nato Chkeidze on 2 topics, David Chichinadze on 1 topic, Levan Koberidze and David Chichinadze left the Majority on May 6, 2019 and on October 8, 2018 respectively. Information is available on the following websites: <http://parliament.ge/ge/mp/5207> and <http://parliament.ge/ge/mp/5667>, last seen: 05.12.2019.

²⁰ Members of the Office of the Committee are also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/wyzz8fq>, Last seen: 05.12.2019

²¹ The AP of the Diaspora and Caucasus Issues Committee defined 8 goals and 78 topics. The AP is accessible at the following website: <https://tinyurl.com/vbghvwd>, Last seen: 05.12.19.

²² The following members of the Committee are speakers on the following topics: Givi Chichinadze on 30 topics, Irakli Mezurnishvili on 25 topics, Pati Khalvashi on 10 issues, Svetlana Kudba on 10 issues, Makhr Darziev on 11 topics, Tamaz Naveriani on 8 topics, Shota Shaleishvili on 6 topics, Anzor Bolkvadze on 3 topics. The AP is accessible at the following website: <https://tinyurl.com/vbghvwd>, Last seen: 05.12.19.

²³ Zviad Kvachantiradze on 73 topics and Eka Beselia on 8 topics. Zviad Kvachantiradze and Eka Beselia left the Majority on March 4, 2019 and February 25, 2019 respectively. The information is accessible at the following website: <http://parliament.ge/ge/mp/2047> and <https://tinyurl.com/wyzz8fq>, Last seen: 05.12.19.

²⁴ Members of the Committee on 3 topics. The AP is accessible at the following website: <https://tinyurl.com/vbghvwd>, Last seen: 05.12.19.

²⁵ The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/vbghvwd>, Last seen: 05.12.19.

²⁶ The AP of the Committee on European Integration defined 4 goals, 6 tasks and 106 topics. The AP is accessible at the following website: <https://tinyurl.com/rc67fpq>, Last seen: 05.12.19.

²⁷ The members of the Committee are speakers on the following number of topics: Tamar Khulordava – 72 topics, Gia Gachechiladze – 24 topics, Irine Pruidze – 16 topics, Zaza Khutishvili – 7 topics, George Mosidze – 7 topics, Shota Khabareli – 4 topics. The AP is accessible at the following website: <https://tinyurl.com/rc67fpq>, Last seen: 05.12.19.

²⁸ Beka Natsvlishvili from the Opposition is a speaker on 7 topics. He left the Majority on March 4, 2019. Information is accessible at the following website: <http://parliament.ge/ge/mp/5658>, Last seen: 05.12.19. The AP is accessible at the following website: <https://tinyurl.com/rc67fpq>, Last seen: 05.12.19.

²⁹ The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/rc67fpq>, Last seen: 05.12.19.

³⁰ The AP of the Defence and Security Committee defined 5 goals and 70 specific tasks. The AP of the Committee is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

³¹ Irakli Sesiashevili is a thematic speaker for 62 tasks of the AP, while other members of the Committee are thematic speakers on less tasks: Koba Kobaladze – 4 topics, Simon Nozadze – 4 topics, Irakli Beraia – 13 topics, Paata Mkheidze – 2 topics, Irakli Abesadze – 1 topic, Irakli Sesiashevili and other members of the Committee – 2 topics. The AP of the Defence and Security Committee is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

³² Irakli Abesadze is the only representative of the Opposition who is a speaker under the AP of the Defence and Security Committee. The AP of the Committee is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

³³ The AP defines that "Irakli Sesiashevili and members of the Committee" are responsible for 2 topics. The AP of the Committee is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

³⁴ The AP defines that "head and members of the Standing Parliamentary Delegation" are responsible for 6 topics. The AP of the Committee is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

³⁵ Trust group - 22 topics.

³⁶ The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/y3qj5t5u>, Last seen: 12.10.19.

- ³⁷ The AP of the Legal Issues Committee defines 5 strategic goals and 103 activities. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx8omf79>, Last seen: 15.09.19.
- ³⁸ The AP of the Legal Issues Committee specifies that the Chair and the Deputy Chair of the Committee are responsible for the majority of the activities. The Chair Anri Okhanashvili is a speaker on 79 topics and the First Deputy Chair David Matikashvili is a speaker on 73 topics. Other topics of the AP are distributed as follows: Gurami Macharashvili - 15 topics, Goga Gulordava - 14 topics, Mamuka Mdinardze - 11 topics, Vano Zardiashevili - 2 topics, Zakaria Kutsnashvili is not an MP since June 21, 2019, however he is still referred in the AP), Nino Gogvadze - 9 topics, George Khatidze - 10 topics. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx8omf79>, Last seen: 22.09.19.
- ³⁹ The representatives of the Opposition are responsible for the following issues: Eka Beselia - 17 topics, Levan Gogichaishvili - 4 topics. The AP of the Committee is accessible at the following website: <https://tinyurl.com/yx8omf79>, Last seen: 22.09.19.
- ⁴⁰ The AP of the Regional Policy and Self - Government Committee defines 4 tasks and 83 topics. The AP is accessible at the following website: <https://tinyurl.com/wlec8dz>, Last seen: 05.12.19.
- ⁴¹ The Chair of the Committee Zaza Gabunia is a speaker on 80 topics and Merab Kvaria - on 6 topics. The AP is accessible at the following website: <https://tinyurl.com/wlec8dz>, Last seen: 05.12.19.
- ⁴² The term "Members of the Committee" are used concerning 6 topics. The AP is accessible at the following website: <https://tinyurl.com/wlec8dz>, Last seen: 05.12.19.
- ⁴³ The AP of the Foreign Relations Committee defines 5 goals, 20 tasks and 114 topics. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19.
- ⁴⁴ The AP specifies the names of the following MPs: Sopio Katsarava - 91 topics, Nino Gogvadze 20 topics, George Volski - 3 topics, Tamar Khulordava - 8 topics, Irine Pruidze - 17 topics, Irakli Mezurnishvili - 3 topics, George Khatidze - 12 topics, Archil Talakvadze - 1 topic, Isko Daseni - 3 topics, Tsotne Zurabiani - 1 topic. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19. Archil Talakvadze is not a member of the Committee since June 25, 2019. He became the Chair of the Parliament. Information is accessible at the following website: <http://parliament.ge/ge/mp/5693>, updated on 05.12.19. George Volski is the First Deputy Chair of the Parliament since November 26, 2019. According to the RoP, the First Deputy Chair of the Parliament cannot be the member of any committee. Accordingly he left the Committee on November 26, 2019; however relevant amendments were not made to the AP. Information is accessible at the following website: <https://tinyurl.com/wmqk3kq>, Last seen: 05.12.19. Even though Archil Talakvadze and George Volski left the Committee, the relevant amendments to the AP were not made.
- ⁴⁵ The following representatives of the Opposition are thematic speakers: Dimitri Tskitishvili - 18 topics, George Tsereteli - 6 topics, George Kandelaki - 4 topics, Zviad Kvachantiradze - 14 topics, Ramaz Nikolashvili - 1 topic, George Bokeria - 2 topics, Ada Marshania - 1 topic. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19.
- ⁴⁶ Members of the Committee are speakers on 31 topics. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19.
- ⁴⁷ Members of the Working Group are speakers on 1 topic. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19.
- ⁴⁸ The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/s4g9fth>, Last seen: 05.12.19.
- ⁴⁹ The AP of the Procedural Issues and Rules Committee defines 3 goals and 34 topics. The AP is accessible at the following website: <https://tinyurl.com/wvpk86s>, Last seen: 05.12.19.
- ⁵⁰ The AP specifies the names of the following MPs: George Kakhiani - 17 topics, Gurami Macharashvili - 22 topics, Endzela Machavariani 5 topics, Shalva Kiknavelidze - 5 topics, Karlo Kopaliani - 7 topics, Alexandre Erkvania - 6 topics, Sopio Kiladze - 4 topics. The AP is accessible at the following website: <https://tinyurl.com/wvpk86s>, Last seen: 05.12.19.
- ⁵¹ The following representatives of the Opposition are thematic speakers Khatuna Gogorishvili - 4 topics, Lela Keburia - 2 topics, Giga Bukia - 4 topics.
- ⁵² The AP of the Budget and Finance Committee defines 5 goals, 19 tasks and 129 topics. The AP is accessible at the following website: <https://tinyurl.com/wx9emoh>, Last seen: 05.12.19.
- ⁵³ The AP of the Budget and Finance Committee specifies only one thematic speaker – the Chair of the Committee Irakli Kovzanadze - for 128 topics. The AP is accessible at the following website: <https://tinyurl.com/wx9emoh>, Last seen: 05.12.19.
- ⁵⁴ The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/wx9emoh>, Last seen: 05.12.19.

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- ⁵⁵ The AP of the Sports and Youth Issues Committee provides 4 goals, 32 tasks and 53 topics. The AP is accessible at the following website: <https://tinyurl.com/svkyexo>, Last seen: 05.12.19.
- ⁵⁶ The AP specifies the names of the following MPs: Mikheil Kavelashvili - 29 topics, Irakli Abuseridze -13 topics, George Kopadze - 10 topics, Tamaz Navariani - 9 topics, Genadi Margvelashvili - 8 topics, Shota Khabareli - 7 topics, Leri Khabelovi - 5 topics, George Mosidze -5 topics, Tengiz Khubuluri - 3 topics, George Totladze - 3 topics, Mukhran Vakhtangadze - 2 topics, Levan Kobiasvili - 2 topics. The AP is accessible at the following website: <https://tinyurl.com/svkyexo>, Last seen: 05.12.19.
- ⁵⁷ Zaza Kedelashvili from the Opposition is a speaker on 6 topics. The AP is accessible at the following website: <https://tinyurl.com/svkyexo>, Last seen: 05.12.19.
- ⁵⁸ The term "based on the delegation by the Chair" defines a thematic speaker on 2 topics. The AP is accessible at the following website: <https://tinyurl.com/svkyexo>, Last seen: 05.12.19.
- ⁵⁹ The AP of the Healthcare and Social Issues Committee defines 4 goals, 40 tasks and 66 topics. The AP is accessible at the following website: <https://tinyurl.com/yxybgqn8>, Last seen: 05.12.19.
- ⁶⁰ The AP specifies the names of the following MPs: Akaki Zoidze - 53 topics, Ilia Nakashidze - 6 topics, Levan Bezhanidze - 3 topics, Koba Nakaide - 5 topics, Dimitri Mkhaidze - 3 topics, Rati Ionatamishvili - 5 topics, Elguja Gotsiridze - 1 topic, Mirian Tsiklauri - 5 topics, Dimitri Khundadze - 4 topics. The AP is accessible at the following website: <https://tinyurl.com/yxybgqn8>, Last seen: 05.12.19.
- ⁶¹ The following representatives from the Opposition are thematic speakers: Zurab Tchiaberashvili - 3 topics, Levan Koberidze - 8 topics, Gigi Tsereteli - 5 topics, Mariam Jashi - 10 topics (see footnote 9), Helen Khoshtaria - 9 topics. The AP is accessible at the following website: <https://tinyurl.com/yxybgqn8>, Last seen: 05.12.19.
- ⁶² The Office of the Committee is also responsible for every topic of the AP. The AP is accessible at the following website: <https://tinyurl.com/yxybgqn8>, Last seen: 05.12.19.

Table #7 Practice of appointing a Thematic rapporteur in the Parliament of Georgia (2020)

Identification of a thematic speaker	Name and Surname of the Member of the Committee	Representative of the Opposition	Reference "Member of the Committee"	Delegation	Trust Group	Friendship Group	Employee of the Office
Committees	✓ ²						✓ ³
	✓ ⁵	✓ ⁶	✓ ⁷				✓ ⁸
	✓ ¹⁰	✓ ¹¹	✓ ¹²				✓ ¹³
	✓ ¹⁵		✓ ¹⁶				✓ ¹⁷
	-						
	-						
	✓ ²¹	✓ ²²					✓ ²³
	✓ ²⁵	✓ ²⁶	✓ ²⁷	✓ ²⁸	✓ ²⁹		✓ ³⁰
	✓ ³²	✓ ³³					
	✓ ³⁵		✓ ³⁶				
	✓ ³⁸		✓ ³⁹	✓ ⁴⁰		✓ ⁴¹	✓ ⁴²
	✓ ⁴⁴						

Budget and Finance Committee ⁴⁵	-								
Sports and Youth Issues Committee ⁴⁶	✓ ⁴⁷	✓ ⁴⁸							✓ ⁴⁹
Healthcare and Social Issues Committee ⁵⁰	-								

¹ The AP of the Agrarian Issues Committee specifies 4 strategic goals that has 15 tasks and 72 topics. The AP is accessible at the website of the Parliament: <https://tinyurl.com/y6ctgk9k>, updated on 10.09.20.

² According to the AP of the Agrarian Issues Committee, 10 members of the Committee are speakers for 86 topics. The chair of the Committee is a speaker for 50 topics, and the first deputy chair – for 21 topics.

³ According to the AP of the Agrarian Issues Committee, employee of the Office is a speaker for 72 topics; the employee of the Office is an only speaker for 15 topics and co-speaker for 57 topics together with the member of the Committee.

⁴ The AP of the Human Rights and Civil Integration Committee specifies 7 strategic goals, 16 tasks and 214 activities. The AP of the Committee is a accessible <https://tinyurl.com/y645vaow>, updated on 10.09.20.

⁵ According to the AP of the Human Rights and Civil Integration Committee, the Chair and the First Deputy Chair are responsible for the majority of activities. The Chair Sopio Kilai is a speaker for 121 topics, and her deputy Shalva Kiknaveidze – for 22 topics. Other topics of the AP of the Human Rights and Civil Integration Committee are distributed among the members of the Committee as follows: Merabi Kvaria – 24 topics, Dimitri Tskitishvili – 8 topics, Dimitri Mkhedize – 28 topics, Ada Marshania – 15 topics, David Matikashvili – 7 topics, Levan Bezhanidze – 8 topics, Tsotne Zurabiani – 4 topics, Ilia Nakashidze – 7 topics, Nato Chkheidze – 1 topics. The AP of the Committee is a accessible <https://tinyurl.com/y645vaow>, updated on 10.09.20.

⁶ Ada Marshania, Dimitri Tskitishvili and Nato Chkheidze from the Opposition are speakers for some topics of the AP. See numbers of the topics in footnote 5.

⁷ The AP of the Human Rights and Civil Integration Committee uses the term “member of the committee” under the graph “speaker” in relation to 71 activities. The AP of the Committee is a accessible at: <https://tinyurl.com/y645vaow>, updated on 10.09.20.

⁸ According to the AP of the Human Rights and Civil Integration Committee, the employees of the Office of the Committee are responsible for the preparation of 71 out of 71 topics. The AP of the Committee is a accessible at: <https://tinyurl.com/y645vaow>, updated on 10.09.20.

⁹ The AP of the Education, Science and Culture Committee defines 3 strategic goals, 8 tasks and 44 topics. The AP is accessible on the following website: <https://tinyurl.com/y54atokk>, updated on 10.09.20.

¹⁰ According to the Committee AP, a thematic speaker is: Genadi Margvelashvili (Chair) on 44 topics, Alexandre Kantaria (first Deputy Chair) – 14 topics, Guguli Magradze – 14 topics, Simon Nozadze – 14 topics, Gia Zhorzhiani – 6 topics, Zaza Papuashvili – 8 topics, Givi Chichinadze – 8 topics, Teimuraz Tchkuaseli – 8 topics, Ruslan Gadjevi – 7 topics, Tar Chugoshvili – 12 topics, Eka Beselia – 1 topic. The AP is accessible on the following website: <https://tinyurl.com/y54atokk>, updated on 10.09.20.

¹¹ 3 members of the Opposition are speakers: Tamar Chugoshvili, Eka Beselia and Gia Zhorzhiani.

¹² The AP uses the term “member of the committee” under the graph “speaker” in relation to 1 topic. The AP is accessible on the following website: <https://tinyurl.com/y54atokk>, updated on 10.09.20.

¹³ According to the AP, employees of the Office are responsible for 44 topics. The AP is accessible on the following website: <https://tinyurl.com/y54atokk>, updated on 10.09.20.

¹⁴ The AP of the Environmental Protection and Natural Resources Committee specifies 4 strategic goals, 15 tasks and 62 topics. The AP is accessible on the following website: <https://tinyurl.com/uyaaV5v>, updated on 11.09.20.

¹⁵ According to the 2020 AP, Kakha Kuchava (previous Chair) is a speaker on 47 topics, Gia Gachechiladze - 13 topics, Sulikhan Makhatadze - 4 topics, Zaza Khutsishvili - 9 topics, Endzela Machavariani - 7 topics, Goga Gulordava - 3 topics, Otari Danelia - 4 topics, Edisher Toloraia - 2 topics. The AP is accessible on the following website: <https://tinyurl.com/uyaaV5v>, updated on 11.09.20. Goga Gulordava is not a member of the Committee since March 3, 2019, Kakha Kuchava - since November 28, 2019, Edisher Toloraia - since December 20, 2019 and Gogi Meshveliani - since December 17, 2019.

¹⁶ Members and the Chair of the Committee are speakers on 11 topics. The AP is accessible on the following website: <https://tinyurl.com/uyaaV5v>, updated on 11.09.20.

¹⁷ An employee of the Office is also responsible for every topic (62) of the AP. The AP is accessible on the following website: <https://tinyurl.com/uyaaV5v>, updated on 05.12.19.

¹⁸ The AP of the Sector Economy and Economic Policy Committee is not published on the website of the Parliament. The website of the Parliament of Georgia: <https://tinyurl.com/yxhtc33g>, updated on 11.09.20.

¹⁹ The AP of the Diaspora and Caucasus Issues Committee is not published on the website of the Parliament. The website of the Parliament of Georgia: <https://tinyurl.com/y2825ppd>, updated on 11.09.20.

²⁰ The AP of the Committee on European Integration defines 4 goals, 24 tasks and 81 activities. The AP is accessible on the following website: <http://www.parliament.ge/uploads/other/137/137311.pdf>, updated on 11.09.20.

²¹ The following member of the Committee are speakers for the following number of topics: David Songulashvili (Chair) - 75 topics, Gia Gachechiladze - 14 topics, Shota Khabareli - 3 topics, Tamar Khulordava - 3 topics, Beka Natsvlishvili - 5 topics, Guguli Magradze - 9 topics, George Khatidze - 2 topics. The AP is accessible on the following website: <http://www.parliament.ge/uploads/other/137/137311.pdf>, updated on 11.09.20. Beka Natsvlishvili is not a member of the Committee since June 8, 2020. The website of the Parliament of Georgia, accessible at: <http://parliament.ge/ge/mp/5658>, updated on 11.09.20.

²² Tamar Khulordava and Beka Natsvlishvili are speakers from the Opposition.

²³ Members of the Office of the Committee are also responsible for every topic of the AP. The AP is accessible on the following website: <http://www.parliament.ge/uploads/other/137/137311.pdf>, updated on 11.09.20.

²⁴ The AP of the Defence and Security Committee defines 5 goals, that has 10 specific tasks and 66 actions. The AP of the Committee is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

²⁵ Irakli Sesiashevili (Chair) is a thematic speaker for 54 topics of the AP, while other members of the committee are responsible for a fewer topics: Koba Kobaladze (first deputy) - 4 topics, Simon Nozadze - 3 topics, Koba Narchemashvili - 2 topics, Paata Mkheidze - 1 topic, Irakli Sesiashevili and members of the Committee - 2 topics. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

²⁶ Koba Narchemashvili is the only representative from the Opposition who is a thematic speaker on 2 topics, according to the AP of the Defence and Security Committee. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

²⁷ According to the AP "Irakli Sesiashevili and members of the Committee" are thematic speakers for 11 topics. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

²⁸ The Head and members of the Parliamentary Standing Delegations are speakers for 4 topics. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

²⁹ The Trust Group is a speaker for 20 topics. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

³⁰ Members of the Office of the Committee are also responsible for every topic of the AP. The AP is accessible on the following website: <https://tinyurl.com/y3gj4vta>, updated on 11.09.20.

³¹ The AP of the Legal Issues Committee defines 5 strategic goals, that has 103 activities. The AP of the Committee is accessible at: <https://tinyurl.com/yx8omf79>, updated on 11.09.20.

³² The majority of tasks under the AP of the Legal Issues Committee is distributed among the Chair and the First Deputy Chair. The Chair of the Committee Anri Okhanashvili is a speaker on 79 topics, the First Deputy Chair David Matikashvili - 73 topics. Other topics of the AP of the Legal Issues Committee are distributed as follows: Guram Macharashvili -

- 15 topics, Goga Gulordava - - 14 topics, Mamuka Mdinaradze - 11 topics, Vano Zardiashvili - 2 topics, Zakaria Kutsnashvili is not an MP since June 21, 2019, however he is still referred in the AP) Nino Gogvadze - 9 topics, George Khatidze - 10 topics. The AP of the Committee is at accessible at: <https://tinyurl.com/yx8omf79>, updated on 11.09.20.
- ³³ The Opposition speakers are on the following topics: Eka Beselia - 17 topics, Levan Gogichaishvili - 4 topics. The AP of the Committee is accessible at: <https://tinyurl.com/yx8omf79>, updated on 22.09.19.
- ³⁴ The AP of the Regional Policy and Self - Government Committee specifies 4 tasks and 81 activities. The AP is accessible on the following website: <https://tinyurl.com/yyy6989e>, updated on 11.09.20.
- ³⁵ The Chair of the Committee Zaza Gabunia is a speaker on 75 topics, Merabi Kvaraja - 7 topics, Erekle Tripolsky (the First Deputy Chair) - 1 topic. The AP is accessible on the following website: <https://tinyurl.com/wlec8dz>, updated on 05.12.19.
- ³⁶ The AP uses the term "member of the committee" under the graph "speaker" in relation to 4 topics. The AP is accessible on the following website: <https://tinyurl.com/yyy6989e>, updated on 11.09.20.
- ³⁷ The AP of the Foreign Relations Committee specifies 5 goals, 11 tasks and 41 activities. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20.
- ³⁸ The following members of the Committee are named: David Songulashvili - 2 topics, Irakli Sesiashevili - 7 topics. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20. It is noteworthy that David Songulashvili was not a member of the Foreign Relations Committee. The website of the Parliament of Georgia, accessible at: <http://parliament.ge/ge/mp/5669>, updated on 11.09.20.
- ³⁹ The members of the Committee are speakers on 32 topics. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20.
- ⁴⁰ The Parliamentary Standing Delegation is a speaker on 1 topic. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20.
- ⁴¹ Members of the Group of Friendship are speakers on 1 topic. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20.
- ⁴² Members of the Office of the Committee are also responsible for every topic of the AP. The AP is accessible on the following website: <https://tinyurl.com/y2xg7bvd>, updated on 11.09.20.
- ⁴³ The AP of the Procedural Issues and Rules Committee defines 3 goals and 34 topics. The AP is accessible on the following website: <https://tinyurl.com/y3oj6hbw>, updated on 11.09.20.
- ⁴⁴ The following members of the Committee are named: Gurami Macharashvili (chair)- 23 topics, Edisher Toloraia (First Deputy) - 6 topics, Endzela Machavariani - 3 topics, Alexandre Erkvania - 2 topics, Roman Muchiashevili - 12 topics, George Kakhiani - 10 topics, Temur Gotsiridze - 5 topics, Iliane Tsulaia - 3 topics, Vladimir Kakhadze - 4 topics. The AP is accessible on the following website: <https://tinyurl.com/y3oj6hbw>, updated on 11.09.20.
- ⁴⁵ The AP of the Budget and Finance Committee defines 38 topics. However, the members of the Committee were not nominated as speakers on these topics. The AP is accessible on the following website: <https://tinyurl.com/y5ssmhmm>, updated on 11.09.20.
- ⁴⁶ The AP of the Sports and Youth Issues Committee provides 4 goals, 12 tasks and 95 activities. The AP is accessible on the following website: <https://tinyurl.com/yycne8tp>, updated on 11.09.20.
- ⁴⁷ The following members of the Committee are named: Mikheil Kavelashvili (Chair) - 95 topics, Shota Khabareli (First Deputy) - 27 topics, Irakli Abuseridze - 25 topics, George Kopadze - 7 topics, Tamaz Naveriani - 4 topics, Genadi Margvelashvili - 13 topics, Leri Khabelovi - 10 topics, George Mosidze - 20 topics, Tengiz Khubuluri - 5 topics, George Totladze - 4 topics, Mukhran Vakhhtangadze - 10 topics, Levan Kobiashevili - 11 topics. The AP is accessible on the following website: <https://tinyurl.com/yycne8tp>, updated on 11.09.20.
- ⁴⁸ Zaza Kedelashvili from the Opposition is a speaker on 17 topics. The AP is accessible on the following website: <https://tinyurl.com/yycne8tp>, updated on 11.09.20.
- ⁴⁹ A representative of the Office of the Parliament is also defined for all (95) topics. 9 The AP is accessible on the following website: <https://tinyurl.com/yycne8tp>, updated on 11.09.20.
- ⁵⁰ The AP of the Healthcare and Social Issues Committee is not published on the website of the Parliament. The website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y2z7kcy>, updated on 11.09.20.

Table #8: General data on the establishment and functioning of the Thematic Scrutiny Group in the Parliament of Georgia

Creating subject ¹	The name of the Thematic Scrutiny Group	Results of Voting	Proportion of Members	Speaker of the Thematic Scrutiny Group	number of persons in the Thematic Scrutiny Group who are not members of the creating subject	number of working meetings	number of hearings
The Permanent Parliamentary Gender Equality Council	1. Women's Participation in State Economic Programs	All MPs present at the hearing of the Committee, including the representatives of the Opposition	The Majority - 4 members (80%), the Opposition - 1 member (20%). ³	Nino Tsilosani, ⁴ Faction Georgian Dream ⁵	0	3 ⁶	3 ⁷
	2. Accessibility to the Vocational Education for Economic Empowerment of Women	supported creation of the thematic groups ²	The Majority - 9 members (81,82%), the Opposition - 2 members (18,18%). ⁸	Guguli Magradze, ⁹ Faction Georgian Dream ¹⁰	0	1 ¹¹	3 ¹²
Open Governance Permanent Parliamentary Council	3. Instruments and practice of civic participation in state bodies	All members of the Council, including representatives of the Opposition supported creation of thematic groups ¹³	The Majority - 2 members (50%), the Opposition - 2 members (50%). ¹⁴	Irine Pruidze, ¹⁵ Independent MP ¹⁶	0	1 ¹⁷	5 ¹⁸
Foreign Relations Committee	4. Thematic Scrutiny on Disinformation and Propaganda	Nobody was against the creation of the thematic scrutiny group. ¹⁹	* ²¹ The Majority - 5 members (62,5%), the Opposition - 3 members (37,5%). ²⁰	Nino Gogvadze, ²² Independent MP ²³	2 ²⁴	7 ²⁵	2 ²⁶

Defence and Security Committee	5. Thematic Scrutiny on Disinformation and Propaganda	-	The Majority - 1 members (50%), the Opposition - 1 members (50%). ²⁷					
Human Rights and Civil Integration Committee	6. Labor Safety Challenges in Georgia	10 members of the Committee supported creation of the thematic scrutiny group. Nobody, including the Opposition, objected. ²⁹	The Majority - 13 members (86.67%), the Opposition - 2 members (13.33%). ³⁰	სტოგო კილაძე, ³¹ Faction Georgian Dream ³²	6 ³³	8 ³⁴	1 ³⁵	
	7. Accessibility to the Healthcare Services for the Women with Disabilities	10 members of the Committee supported creation of the thematic scrutiny group. Nobody, including the Opposition, objected. ³⁶	The Majority - 9 members (81,82%), the Opposition - 2 members (18,18%). ³⁷	Rati Ionatamishvili, ³⁸ Faction Georgian Dream ³⁹	1 ⁴⁰	In total 15 meetings were held (10 out of them were held in 5 different regions) ⁴¹	did not hold hearing on the thematic inquiry. ⁴²	
Sector Economy and Economic Policy Committee	8. Efficiency of State Enterprise Management	9 members of the Committee supported creation of the thematic scrutiny group. ⁴³	The Majority - 4 members (80%), the Opposition - 1 members (20%). ⁴⁴	Nino Tsilosani, ⁴⁵ Faction Georgian Dream ⁴⁶	3 ⁴⁷	2 ⁴⁸	3 ⁴⁹	
	9. Thematic scrutiny group on Review of the state of art education outside of school and in general education institutions	1 members of the Committee, including representatives of the Opposition supported creation of the thematic scrutiny group. ⁵⁰	The Majority - 6 members (100%), the Opposition - 0 ⁵¹	Genadi Margvelashvili, ⁵² Faction Georgian Dream - Greens ⁵³	0	10 ⁵⁴	2 ⁵⁵	

Education, Science and Culture Committee	10. Thematic working group on Accessibility to the quality vocational education adjusted to the needs of regions		The Majority - 3 members (60%), the Opposition - 2 members (40%). ⁵⁶	Genadi Margvelashvili, ⁵⁷ Faction Georgian Dream - Greens ⁵⁸	0			
	11. Thematic Scrutiny group on Access to Quality Preschool Education for All Children		The Majority - 3 members (75%), the Opposition - 1 members (25%). ⁵⁹	Genadi Margvelashvili, ⁶⁰ Faction Georgian Dream - Greens ⁶¹	0			
Sector Economy and Economic Policy Committee and the Committee on European Integration⁶²	12. Thematic Scrutiny Group on Intermittent Technical Inspection of the Vehicles	the Committee supported commencement of thematic inquiry. Nobody objected. ⁶³	The Majority - 5 members (62.5%), the Opposition - 3 members (37.5%). ⁶⁴	Tamar Khulordava, ⁶⁵ Independent MP ⁶⁶	0 ⁶⁷			2 ⁶⁸
	13. Thematic scrutiny group to study the situation of providing adequate housing for people in Georgia	The Members of the Committee supported creation of the group unanimously. ⁶⁹	The Majority - 4 members (100%), the Opposition - 0 members. ⁷⁰	Zaza Gabunia, ⁷¹ Faction Georgian Dream ⁷²	0	0		3 ⁷³
Environmental Protection and Natural Resources Committee	14. Lead Environmental Pollution Assessment	The Members of the Committee supported creation of the group. ⁷⁴	The Majority - 5 members (100%), the Opposition - 0 member ⁷⁵	Nino Tsilosani, ⁷⁶ Faction Georgian Dream ⁷⁷	1 ⁷⁸			2 ⁷⁹

Committee on European Integration	15. Small and Medium Enterprise Challenges at the EU market	The Members of the Committee supported creation of the group. ⁸⁰	The Majority - 5 members (55,55%), the Opposition - 4 members (45,45%)	David Songulashvili, Faction Georgian Dream	4 ⁸¹	1 ⁸²
Sports and Youth Issues Committee	16. How to raise the physical and sport activities in the society?	The Committee supported creation of the group. ⁸³	The Majority - 7 members (100%), the Opposition - 0 member.	Mikheil Kavelashvili, Faction Georgian Dream	0	2 ⁸⁴

¹ Information is provided as of August 31, 2020.

² Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament of Georgia.

³ See full list of members: the thematic scrutiny group on Women's Participation in State Economic Programs, the website of the Parliament, accessible at: <https://tinyurl.com/rapud2b>, updated on 28.09.19.

⁴ The thematic scrutiny group on Women's Participation in State Economic Programs, the website of the Parliament, accessible at: <https://tinyurl.com/rapud2b>, updated on 18.01.20.

⁵ Nino Tsilosani, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5694>, updated on 18.01.20.

⁶ News, the thematic scrutiny group on Women's Participation in State Economic Programs, the website of the Parliament: <https://tinyurl.com/vm7y7zx>, updated on 29.09.19.

⁷ Ibid.

⁸ See full list of members: the thematic scrutiny group on Accessibility to the Vocational Education for Economic Empowerment of Women, the website of the Parliament, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/215658?>, updated 28.09.19.

⁹ The thematic scrutiny group on Accessibility to the Vocational Education for Economic Empowerment of Women, the website of the Parliament, accessible at: <https://tinyurl.com/rwdzeu8>, updated on 18.01.20.

¹⁰ Guguli Magradze, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/2106>, updated on 18.01.20.

¹¹ News, the thematic scrutiny group on Accessibility to the Vocational Education for Economic Empowerment of Women, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/tfjtcht>, updated on 29.09.19.

¹² Ibid.

¹³ Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament of Georgia. The #10 minutes of meeting of the Open Governance Permanent Parliamentary Council, the website of the Parliament, accessible at: <https://tinyurl.com/yp5ruge>, updated on 27.10.19.

¹⁴ See full list of members: the thematic scrutiny group on Instruments and practice of civic participation in state bodies, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/222344?>, updated 28.09.19.

¹⁵ The Open Governance Permanent Parliamentary Council, TOR of the thematic scrutiny, the website of the Parliament, accessible at: <https://tinyurl.com/sb8owx7>, updated 18.01.20.

- ¹⁶ Irine Pruidze was a member of the Faction Georgian Dream before November 25, 2019. The website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5622>, updated on 18.01.20.
- ¹⁷ News, the thematic scrutiny group on Instruments and practice of civic participation in state bodies, the website of the Parliament, accessible: <https://tinyurl.com/ug4teur>, updated on 29.09.19.
- ¹⁸ Ibid.
- ¹⁹ The Foreign Relations Committee did not provide more detailed information. Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament of Georgia.
- ²⁰ See full list of members of the thematic scrutiny on Disinformation and Propaganda, the website of the Parliament, accessible at: <https://tinyurl.com/s4lwlcx>, updated on 28.09.19.
- ²¹ The proportion of the thematic scrutiny group after their merger: The Majority - 6 members (60%), the Opposition - 4 members (40%). Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament. The composition of the members was not changed after Dimitri Tskitishvili left the Foreign Relations Committee on December 17, 2019. See the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/2789>, updated on 30.12.19. See the composition of the thematic scrutiny group on the website of the Parliament, accessible at: <https://tinyurl.com/s4lwlcx>, updated on 30.12.19.
- ²² The Foreign Relations Committee, thematic scrutiny group on Disinformation and Propaganda, the website of the Parliament, accessible at: <http://www.parliament.ge/uploads/other/112/112761.pdf>, updated on 18.01.20.
- ²³ Nino Goguaдзе is an independent MP since November 29, 2019. The website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5655>, updated on 18.01.20.
- ²⁴ After the merger of the thematic scrutiny groups, some member of the new groups are neither members of the Defence and Security Committee nor the Foreign Relations Committee, namely Irine Pruidze and George Bokeria. Accessible at: <https://info.parliament.ge/file/1/BillReviewContent/224361?> and <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated 02.11.19.
- ²⁵ News, thematic scrutiny group on Disinformation and Propaganda, the website of the Parliament, accessible at: <https://tinyurl.com/rgxzmzh>, updated on 27.11.19.
- ²⁶ Ibid.
- ²⁷ This thematic scrutiny group does not exist independently, and it was merged with the thematic scrutiny group created by the Foreign Relations Committee. Before merger, Levan Gogichaishvili who is representative of the Opposition was its member. Full composition of the group members is accessible at: the following website: <https://info.parliament.ge/file/1/BillReviewContent/219197?>, updated on 28.09.19.
- ²⁸ After this thematic scrutiny group was merged with the thematic scrutiny group on Disinformation and Propaganda, a new thematic scrutiny group has not held any meetings.
- ²⁹ Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament of Georgia.
- ³⁰ See full list of members: The thematic scrutiny group on Labor Safety Challenges in Georgia, the website of the Parliament, accessible at: <http://parliament.ge/uploads/other/118/118155.pdf>, updated on 28.09.19. The composition of the thematic scrutiny group was not changed after the mandate of MP of Vano Zardiasvili and Akaki Zoidze were terminated on November 12 and December 12, 2019, respectively. Accessible at: <http://www.parliament.ge/ge/mp/5628> and <http://www.parliament.ge/ge/mp/5618>, updated on 30.12.19.
- ³¹ The thematic scrutiny group on Labor Safety Challenges in Georgia, the website of the Parliament, accessible at: <http://parliament.ge/uploads/other/118/118155.pdf>, updated on 18.01.20.
- ³² Sopio Kiladze, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5662>, updated on 18.01.20.
- ³³ Some members of the thematic scrutiny group on Labor Safety Challenges in Georgia that was created by the Human Rights and Civil Integration Committee were not members of the Committee during the scrutiny, namely: Akaki Zoidze, Dimitri Khundadze, Guram Macharashvili, Mirian Tsiklauri, Irakli Mezurnishvili. Websites of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/220581?> and <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated 02.11.19.
- ³⁴ Information provided by letters #1-190501/19 from 26 October 2019 of the Parliament of Georgia.
- ³⁵ Ibid.

- ³⁶ Minutes #115 of the session of the Human Rights and Civil Integration Committee, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y47sm8tj>, updated on 31.10.19.
- ³⁷ See full list of members: the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities, the website of the Parliament, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/226669>, updated on 28.09.19. The composition of the thematic scrutiny group was not changed after the mandate of MP of Vano Zardiashevili and Kaki Zoidze were terminated on November 12 and December 12, 2019, respectively. Accessible at: <http://www.parliament.ge/ge/mp/5628> and <http://www.parliament.ge/ge/mp/5618>, updated on 30.12.19.
- ³⁸ The Statute of the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities created within the framework of the Human Rights and Civil Integration Committee, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/hycgrmf>, updated on 18.01.20.
- ³⁹ Rati Ionatamishvili, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5632>, updated on 18.01.20.
- ⁴⁰ Akaki Zoidze was a member of the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities even though he was not a member of the Committee when the group was created, the websites of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/226669>, and <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated 02.11.19.
- ⁴¹ Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁴² Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia. According to the Rules of Procedures, the thematic scrutiny groups is obliged to hold a hearing. The Rules of Procedures of the Parliament, article 155, section 7.
- ⁴³ The Sector Economy and Economic Policy Committee did not specify how the representatives of the Parliamentary Majority and the Opposition voted. It just informed us that 9 MPs participated in voting and all of them supported creation of the thematic scrutiny group. However, the Committee did not specify whether 9 MPs represented the Majority or the Opposition. Information provided by letter #1-22377/19 from 12 December 2019 of the Parliament of Georgia.
- ⁴⁴ See full list of members: the thematic scrutiny group on Efficiency of State Enterprise Management, the website of the Parliament, accessible at: <https://tinyurl.com/qnlkrn2>, updated on 13.03.20. The composition of the thematic scrutiny group was not changed after Kakha Kuchava left the Sector Economy and Economic Policy Committee. See. The websites of the Parliament of Georgia: <http://www.parliament.ge/ge/mp/5623> and <https://tinyurl.com/qnlkrn2>, updated on 18.01.20.
- ⁴⁵ About the thematic scrutiny on Efficiency of State Enterprise Management, the website of the Parliament, accessible at: <https://tinyurl.com/qnlkrn2>, updated on 18.01.20.
- ⁴⁶ Nino Tsilosani, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5694>, updated on 18.01.20.
- ⁴⁷ Some members of the thematic scrutiny group on Efficiency of State Enterprise Management were not the members of the Committee during the scrutiny, namely: Levan Koberidze, Tsotne Zurabiani and George Khatidze. The websites of the Parliament of Georgia: <https://info.parliament.ge/file/1/BillReviewContent/224385> and <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated 02.11.19.
- ⁴⁸ The report of the thematic scrutiny group on Efficiency of State Enterprise Management, the website of the Parliament, accessible at: <https://tinyurl.com/t9kq75m>, updated on 16.03.20.
- ⁴⁹ Ibid.
- ⁵⁰ Information provided information by letter #1-1815/20 from 18 February 2020 of the Parliament.
- ⁵¹ The composition of the thematic scrutiny group, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/wo76nt5>, updated on 13.03.20.
- ⁵² The composition of the thematic scrutiny group, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/wgk347s>, updated on 19.02.20.
- ⁵³ Genadi Margvelashvili, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5684>, updated on 19.02.20.
- ⁵⁴ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁵⁵ Ibid.
- ⁵⁶ The composition of the thematic scrutiny group, the website of the Parliament of Georgia, accessible at: <https://rb.gy/msj11q>, updated on 18.08.20.
- ⁵⁷ Ibid.

- ⁵⁸ Genadi Margvelashvili, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5684>, updated on 19.02.20.
- ⁵⁹ The composition of the thematic scrutiny group, the website of the Parliament of Georgia, is accessible at: <https://rb.gy/vojb9x>, updated on 18.08.20.
- ⁶⁰ Ibid.
- ⁶¹ Genadi Margvelashvili, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5684>, updated on 19.02.20.
- ⁶² The thematic scrutiny group was created during the joint session of the Committees and was merged into one group based on the decision N293/15 of the Bureau of the Parliament dated from October 7, 2019. Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.
- ⁶³ The following MPs participated in the voting: Genadi Margvelashvili, Alexandre Kantaria, Guguli Magradze, Zaza Papushashvili, Teimuraz Chkvaseli, Givi Chichinadze, Simon Nozadze, Gia Zhorzholiani, Tamar Chugoshvili, Eka Beselia, Lela Keburia and Sergo Ratiani. Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁶⁴ The list of members of the thematic scrutiny group, the website of the Parliament, accessible at: <https://tinyurl.com/vgbvbes>, updated on 19.02.20. The composition of the members was not changed since the creation of the group (before 18.02.20). Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.
- ⁶⁵ Ibid.
- ⁶⁶ Tamar Khulordava is an Independent MP since November 18, 2019 when she left the Faction Georgian Dream. The website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5619>, updated on 19.02.20.
- ⁶⁷ After the merger of the thematic scrutiny groups, some of its members were not the members of the committees that created the group, namely: Zaza Khutsishvili and George Begadze. The website of the Parliament, accessible at: <https://tinyurl.com/vgbvbes> and <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated on 19.02.20. Irine Pruidze was a member of the Committee on European Integration when the thematic scrutiny group was created (October 7, 2019), however later she left the Committee. See: Irine Pruidze, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5622>, updated on 13.03.20. Likewise, Zaza Khutsishvili was a member of the Committee on European Integration, however he left the Committee later. See: Zaza Khutsishvili, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5653>, updated on 13.03.20. George Begadze was a member of the Sector Economy and Economic Policy Committee; however, he left the Committee later. See: George Begadze, the website of the Parliament, accessible at: <http://parliament.ge/ge/mp/5673>, updated on 13.03.20. These changes were not reflected in the composition of the thematic scrutiny group.
- ⁶⁸ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.
- ⁶⁹ Ibid.
- ⁷⁰ The composition of the thematic scrutiny group to study the situation of providing adequate housing for people in Georgia, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/soxue2c>, updated on 19.02.20.
- ⁷¹ Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament.
- ⁷² Zaza Gabunia, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5664>, updated on 10.03.20.
- ⁷³ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁷⁴ Minutes #99 of the session of the Environmental Protection and Natural Resources Committee, the website of the Parliament, accessible at: <https://rb.gy/f3bij6>, updated on 18.08.20.
- ⁷⁵ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁷⁶ About the thematic scrutiny on Efficiency of State Enterprise Management, the website of the Parliament, accessible at: <https://tinyurl.com/qnlkrn2>, updated on 18.01.20.
- ⁷⁷ Nino Tsilosani, the website of the Parliament, accessible at: <http://www.parliament.ge/ge/mp/5694>, updated on 18.01.20.
- ⁷⁸ In the composition of the thematic scrutiny group there is an MP who was not a member of the Committees that created the group, namely Ilia Nakashidze.
- ⁷⁹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁸⁰ Ibid.

⁸¹ In the composition of the thematic scrutiny group there are on MPs who was not a member of the Committees that created the group, namely Nino Tsilosani, Nino Goguaдзе, Beka Natsvlshvili, Levan Koberidze. Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament. Information can be checked on the website of the Parliament of Georgia: <http://parliament.ge/ge/parlamentarebi/deputatebis-sia>, updated on 19.08.20.

⁸² Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.

⁸³ Ibid.

⁸⁴ Ibid.

Table #9 Terms of functioning of Thematic Scrutiny groups and the practice of meeting them in the Parliament of Georgia

The Thematic Scrutiny group presented a report	the # of overdue days	0 days	80 days	7 days	156 days
	violating the timeframes prescribed by the Rules of Procedures		✓ ⁸	✓ ¹³	✓ ¹⁹
	expanding timeframe without agreement	✓ ⁴	✓ ⁷	✓ ¹²	
	the timeframe was expanded with the agreement of the creating body				✓ ¹⁸
	extending the timeframe by one month	✓ ³		- ¹¹	- ¹⁷
	observing 2-month timeframe	- ²	- ⁶	- ¹⁰	- ¹⁶
	Date of Creation		March 11, 2019		May 28, 2019
The name of the Thematic Scrutiny Group		1. Women's Participation in State Economic Programs	2. Accessibility to the Vocational Education for Economic Empowerment of Women	3. Instruments and practice of civic participation in state bodies	4. Disinformation and Propaganda Issues
Creating subject ¹		The Permanent Parliamentary Gender Equality Council		Open Governance Permanent Parliamentary Council	Foreign Relations Committee/ Defence and Security Committee

Human Rights and Civil Integration Committee	5. Labor Safety Challenges in Georgia	May 8, 2019	_21	_22						✓ ²³	
	6. Accessibility to the Healthcare Services for the Women with Disabilities	July 3, 2019	_24	_25				✓ ²⁶	53 days	✓ ²⁷	
Sector Economy and Economic Policy Committee	7. Efficiency of State Enterprise Management	June 17, 2019	_28	_29		✓ ³⁰		✓ ³¹	22 days	✓ ³²	
	8. Thematic scrutiny group on Review of the state of art education outside of school and in general education institutions	January 24, 2020 ³³	_34	_35		✓ ³⁶		✓ ³⁷		✓ ³⁸	
	9. Thematic scrutiny group on Accessibility to the quality vocational education adjusted to the needs of regions	July 20, 2020 ³⁹									
Sector Economy and Economic Policy Committee	10. Thematic Scrutiny group on Access to Quality Preschool Education for All Children	July 20, 2020 ⁴⁰									
	11. Thematic Scrutiny Group on Intermittent Technical Inspection of the Vehicles	October 7, 2019 ⁴¹	*42	*43		✓ ⁴⁴					
Sector Economy and Economic Policy Committee and Committee on European Integration											

Regional Policy and Self - Government Committee	12. Thematic scrutiny group to study the situation of providing adequate housing for people in Georgia	October 10, 2019 ⁴⁵	*46	*47	✓ ⁴⁸	✓ ⁴⁹	182 days	✓ ⁵⁰	
Environmental Protection and Natural Resources Committee	13. Lead Environmental Pollution Assessment	May 20, 2020 ⁵¹	-52	✓ ⁵³	✓ ⁵⁴		0 days	✓ ⁵⁵	
Committee on European Integration	14. Small and Medium Enterprise Challenges at the EU market	June 5, 2020 ⁵⁶	-57						
Sports and Youth Issues Committee	15. How to raise the physical and sport activities in the society?	May 22, 2020 ⁵⁸	-59	-60					

¹ Information is provided as of August 31, 2020.

² 2-month timeframe ended on May 11, 2019.

³ The group presented the report on June 11, 2019. The letter N2-11034/19 of the Chair of the Permanent Parliamentary Gender Equality Council Tamar Chugoshvili (dated June 11, 2019) to the Bureau of the Parliament, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/18372>, updated on: 17.01.20.

⁴ Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament of Georgia.

⁵ The parliamentary scrutiny on Women's Participation in State Economic Programs, thematic scrutiny group on Women's Participation in State Economic Programs, report, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/223862?>, updated on: 05.09.19.

⁶ 2-month timeframe ended June 6.

⁷ Information provided by letter #1-17823/19 from 8 October 2019 from 18 February 2020 of the Parliament of Georgia.

⁸ The thematic scrutiny group presented its report on August 30, 2019. The letter N2-14829/19 of the Chair of the Permanent Parliamentary Gender Equality Council Tamar Chugoshvili (dated August 30, 2019) to the Bureau of the Parliament, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/18693>, updated on: 17.01.20.

- ⁹ The report on Accessibility to the Vocational Education for Economic Empowerment of Women of the thematic scrutiny group of the Permanent Parliamentary Gender Equality Council, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/229393?>, updated on: 05.09.19.
- ¹⁰ 2-month timeframe ended on September 28.
- ¹¹ 3-month timeframe ended on October 28.
- ¹² The thematic scrutiny group made a decision on extending the timeframe. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament.
- ¹³ The thematic scrutiny group presented a report to the Bureau on November 4, 2019. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament. 3-month timeframe for the thematic scrutiny ended on October 28.
- ¹⁴ The report on Instruments and practice of civic participation in state bodies of the. of the thematic scrutiny group of the Open Governance Permanent Parliamentary Council, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/r2vedvw>, updated on: 17.01.20.
- ¹⁵ On June 17, 2019, the Bureau made a decision on merger of thematic scrutiny groups. The decision N271/24 of the Bureau of the Parliament dated from June 17, 2019, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/224361?>, updated on: 05.09.19.
- ¹⁶ 2-month timeframe ended 17 October.
- ¹⁷ 3-month timeframe ended on 17 November.
- ¹⁸ The chief speaker of the thematic scrutiny group Nino Gogvadze applied to the Bureau with a request for time extension on 10 October. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament of Georgia.
- ¹⁹ Nino Gogvadze presented the report of the group to the Committee. See, news, the session of the Foreign relations Committee, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/vlu3xnz>, updated on: 01.04.20. Information provided by letter #1-4638/20 from March 25, 2020 of the Parliament of Georgia.
- ²⁰ The report of the group is not published on the website of the Parliament, however the Foreign Relations Committee shared it with us based on our request. Information provided by letter #1-4638/20 from March 25, 2020 of the Parliament of Georgia.
- ²¹ 2-month timeframe ended 8 September.
- ²² 3-month timeframe ended on 8 October. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament Georgia.
- ²³ The thematic scrutiny decided to postpone publication of the group report until the recommendations and suggestions of international experts were submitted. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament Georgia.
- ²⁴ 2-month timeframe ended 3 November.
- ²⁵ 3-month timeframe ended on 3 December.
- ²⁶ News, the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/v5wuaw2>, updated on: 18.02.20. Letter # N2-1671/20 of Rati Ionatamishvili addressed to the Bureau of the Parliament (dated from January 31, 2020), the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/242850?>, updated on: 21.02.20. The report of the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities is included in the agenda of the plenary session, the agenda of the plenary sessions. 4-7 February 2020 of the 9th Term of the Parliament, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/u2ymeoh>, updated on: 21.02.20.
- ²⁷ Thematic scrutiny on Accessibility to the Healthcare Services for the Women with Disabilities, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/tplojk4>, updated on: 06.02.20.
- ²⁸ 2-month timeframe ended 14 October.
- ²⁹ 3-month timeframe ended on 14 November.
- ³⁰ The thematic scrutiny group made a decision on extending the timeframe. Information provided by letter #1-22143/19 from December 10, 2019 of the Parliament of Georgia.

- ³¹ The Sector Economy and Economic Policy Committee held a hearing on and accepted as notification the report of the thematic scrutiny on December 16, 2019. The letter N2-22839/19 of the Chair of the Sector Economy and Economic Policy Committee addressed to the Bureau of the Parliament dated from December 20, 2019, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/240523?>, updated on: 18.01.20.
- ³² The report was presented to the Committee on December 16, 2019. Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament. The report of the thematic scrutiny on Efficiency of State Enterprise Management, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/t9kq75m>, updated on: 17.01.20.
- ³³ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament of Georgia.
- ³⁴ 2-month timeframe ended on March 24, 2020. The group continuous work and is preparing a report. Information provided by letter #1-6672/20 from 1 June 2020 of the Parliament of Georgia.
- ³⁵ The thematic scrutiny group decided to expend the timeframe and notified thereon the Bureau of the Parliament. Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.
- ³⁶ The thematic scrutiny group decided to expend the timeframe and notified thereon the Bureau of the Parliament. Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.
- ³⁷ The report of the thematic scrutiny was submitted to the Bureau of the Parliament on August 10, 2020. The website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/260979?>, updated on: 16.09.20.
- ³⁸ The report of the thematic scrutiny group, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y27u2lhy>, updated on: 18.08.20.
- ³⁹ The session of the Education, Science and Culture Committee, the website of the Parliament of Georgia, accessible at: <http://parliament.ge/ge/saparlamento-saqmianoba/komitetebi/ganatilebis-mecnierebis-da-kulturis-komiteti/anonsi/20-ivlisganatleba200720>, page, updated on: 18.08.20.
- ⁴⁰ Ibid.
- ⁴¹ This is the date when the Bureau merged thematic scrutiny groups. Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament of Georgia.
- ⁴² 2-month timeframe ended December 7, 2019.
- ⁴³ 3-month timeframe ended on January 7, 2020.
- ⁴⁴ The Committee on European Integration applied in writing to the Bureau of the Parliament with a request to expand the mandate of the thematic scrutiny group on Intermittent Technical Inspection of the Vehicles. The Bureau made a respective decision. Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament of Georgia.
- ⁴⁵ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament of Georgia.
- ⁴⁶ 2-month timeframe ended December 10, 2019.
- ⁴⁷ 3-month timeframe ended on January 10, 2020.
- ⁴⁸ The thematic scrutiny group decided to expend the timeframe and notified thereon the Bureau of the Parliament. Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament of Georgia.
- ⁴⁹ Letter #2-7482/20 of Zaza Gabunia addressed to the Bureau of the Parliament, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/257605?>, updated on: 19.08.20.
- ⁵⁰ Report of the thematic scrutiny group to study the situation of providing adequate housing for people in Georgia, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/257689?>, updated on: 19.08.20.
- ⁵¹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.
- ⁵² 2-month timeframe ended 20 July.
- ⁵³ 3-month timeframe ended on 20 August. The thematic scrutiny ended its work on August 20.
- ⁵⁴ The thematic scrutiny applied to the Bureau with a request to expand the timeframe. Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament

⁵⁵ The report of the thematic scrutiny on Lead Environmental Pollution Assessment; the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y342hslt>, updated on: 16.09.20. The head of the thematic scrutiny group presented the report to the Committee. Nino Tsilosani stated: “the “Green Budget” project is to allow us making our budget greener and the take the ecology and environmental protection to the higher quality established for the joint environmental protection policy”, news, Environmental Protection and Natural Resources Committee, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y3kv92ta>, updated on: 16.09.20.

⁵⁶ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.

⁵⁷ 2-month timeframe ended on August 5.

⁵⁸ Information provided information by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.

⁵⁹ 2-month timeframe ended on July 22.

⁶⁰ 2-month timeframe ended on August 22.

Table #10: Fulfillment of publicity obligations by Thematic Scrutiny groups established in the Parliament of Georgia

Thematic Working Groups Obligations ¹	Women's Participation in State Economic Programs	Accessibility to the Vocational Education for Economic Empowerment of Women	Efficiency of State Enterprise Management	Disinformation and Propaganda	Labor Safety Challenges in Georgia	Accessibility to the Healthcare Services for the Women with Disabilities	Instruments and practice of civic participation in state bodies	Review of the state of art education outside of school and in general education institutions	Intermittent Technical Inspection of the Vehicles	Study the situation of providing adequate housing for people in Georgia	Accessibility to the quality vocational education adjusted to the needs of regions	Thematic Inquiry group on Equal Access to Quality Preschool Education for All Children	Lead Environmental Pollution Assessment	Small and Medium Enterprise Challenges at the EU market	How to raise the physical and sport activities in the society?
Publish information on the commencement of scrutiny on the website of the Parliament no later than 5 days after the commencement of the scrutiny	✓ ²	✓ ³	✓ ⁴	✓ ⁵	✓ ⁶	✓ ⁷	✓ ⁸	✓ ⁹	✓ ¹⁰	✓ ¹¹	✓	✓	✓ ¹²	✓ ¹³	✓ ¹⁴
Compliance of the published information with the requirements of the Rules of Procedures of the Parliament	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓
Develop a scrutiny plan and schedule	✓ ¹⁵	✓ ¹⁶	✓ ¹⁷	✓ ¹⁸	✓ ¹⁹	✓ ²⁰	✓ ²¹	✓ ²²	✓ ²³	* ²⁴			-	✓ ²⁵	✓ ²⁶

Publish documents/ evidence received during the scrutiny on the website of the Parliament	✓ ²⁷	✓ ²⁸	✓ ²⁹	✓ ³⁰	✓ ³¹	✓ ³²	✓ ³³	✓ ³⁴	✓ ³⁵	✓ ³⁶	✓ ³⁷	✓ ³⁸	✓ ³⁹	✓ ⁴⁰	✓ ⁴¹
Publish information on hearing of the scrutiny	*42	*43	✓ ⁴⁴	*45	✓ ⁴⁶	*47	✓ ⁴⁸	✓ ⁴⁹	✓ ⁵⁰	✓ ⁵¹			✓ ⁵²	✓ ⁵³	✓ ⁵⁴

¹ Updated as of August 31, 2020.

² The TOR of the Scrutiny of the Council, the website of the Parliament of Georgia, accessible at: <http://www.parliament.ge/uploads/other/112/112776.pdf>, updated on: 24.09.19.

³ The TOR of the Scrutiny of the Council, the website of the Parliament of Georgia, accessible at: <http://tiny.cc/xsifdz>, updated on: 24.09.19.

⁴ The TOR of the scrutiny of the Committee, the website of the Parliament of Georgia, accessible at: <http://www.parliament.ge/uploads/other/120/120867.pdf>, updated on: 24.09.19.

⁵ The Foreign Relations Committee, the thematic scrutiny group on Disinformation and Propaganda, the website of the Parliament of Georgia, accessible at: <http://www.parliament.ge/uploads/other/112/112761.pdf>, updated on: 24.09.19.

⁶ The TOR of the scrutiny of the Committee, the website of the Parliament of Georgia, accessible at: <http://parliament.ge/uploads/other/118/118132.pdf>, updated on: 24.09.19.

⁷ The TOR of the thematic scrutiny, the website of the Parliament of Georgia, accessible at: <https://cutt.ly/iw7Ed7V>, updated on: 24.09.19.

⁸ The TOR of the thematic scrutiny, the website of the Parliament of Georgia, accessible at: <http://tiny.cc/vuifdz>, updated on: 24.09.19

⁹ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.

¹⁰ Roadmap of thematic scrutiny groups, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/vy8jqcd>, updated on: 19.02.20.

¹¹ The TOR of the thematic scrutiny, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/sg7rsqa>, updated on: 19.02.20.

¹² Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.

¹⁶ Ibid.

¹⁷ Thematic scrutiny - Efficiency of State Enterprise Management, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/yyuypqvu>, updated on: 13.03.20.

¹⁸ The AP of the thematic scrutiny group on Disinformation and Propaganda, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y6yd34tt>, updated on 30.09.19.

¹⁹ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.

²⁰ Ibid.

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- ²¹ The AP of the thematic scrutiny group on Instruments and practice of civic participation in state bodies, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/yymm4vkh>, updated on 27.11.19.
- ²² Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.
- ²³ The schedule and plan of the scrutiny, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/uqgbiqe>, updated on: 19.02.20.
- ²⁴ As the thematic scrutiny group notified, the schedule, a file with the plan and TOR of the scrutiny is uploaded on the website of the Parliament. Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament. However it is not true. The TOR of the thematic scrutiny, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/sg7rsqa>, updated on: 19.02.20.
- ²⁵ The AP of the thematic scrutiny group on Small and Medium Enterprise Challenges at the EU market for June-July 2020, the website of the Parliament of Georgia, accessible at: <https://rb.gy/cujm10>, updated on: 18.08.20.
- ²⁶ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ²⁷ Received materials, the thematic scrutiny group on Women's Participation in State Economic Programs, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/vfnjrdm>, updated on: 30.09.19.
- ²⁸ Received materials, the thematic scrutiny group on Accessibility to the Vocational Education for Economic Empowerment of Women, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/te8lpot>, updated on: 30.09.19.
- ²⁹ Received justified opinions, the thematic scrutiny group on Efficiency of State Enterprise Management, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/wns58rr>, updated on: 30.09.19.
- ³⁰ Received materials, the thematic scrutiny group on Disinformation and Propaganda, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/w9ag3jt>, updated on: 30.09.19.
- ³¹ The thematic scrutiny - Labor Safety Challenges in Georgia, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y55lu42z>, updated on: 13.03.20.
- ³² Received materials, the thematic scrutiny group on Accessibility to the Healthcare Services for the Women with Disabilities, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/uztk5lr>, updated on: 30.09.19.
- ³³ Received justified opinions, the thematic scrutiny group on Instruments and practice of civic participation in state bodies, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/r8w5jut>, updated on: 30.09.19.
- ³⁴ Received materials, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/rbz5qhm>, updated on: 10.03.20.
- ³⁵ Justified opinions received by the Sector Economy and Economic Policy Committee and the Committee on European Integration, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/r4oazvs>, updated on: 19.02.20.
- ³⁶ Received materials, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/uju8eoh>, updated on: 19.02.20.
- ³⁷ Received materials, the thematic scrutiny group on Accessibility to the quality vocational education adjusted to the needs of regions, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y6atv9h2>, updated on: 20.09.20.
- ³⁸ Received materials, the thematic scrutiny group on Thematic Inquiry group on Equal Access to Quality Preschool Education for All Children, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/y2r64p26>, updated on: 20.09.20.
- ³⁹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁴⁰ Received justified opinions, thematic scrutiny - Small and Medium Enterprise Challenges at the EU market, the website of the Parliament of Georgia, accessible at: <https://rb.gy/9dqb8h>, updated on: 18.08.20.
- ⁴¹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament.
- ⁴² The thematic scrutiny group published information 2-3 days before the hearings. Information provided by letter #1-190501/19 from 26 October 2019 of the Parliament.
- ⁴³ Ibid.

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- ⁴⁴ The thematic scrutiny group observed 1-week timeframe. Information provided by letter #1-190501/19 from 26 October 2019 of the Parliament.
- ⁴⁵ The thematic scrutiny group informed the members and media representatives in advance considering the nature of the topic. Information provided by letter #1-190501/19 from 26 October 2019 of the Parliament.
- ⁴⁶ The thematic scrutiny group observed 1-week timeframe. Information provided by letter #1-190501/19 from 26 October 2019 of the Parliament of Georgia.
- ⁴⁷ This thematic scrutiny group did not hold any hearing on the topic. Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁴⁸ The thematic scrutiny group observed 1-week timeframe. Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁴⁹ Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.
- ⁵⁰ The thematic scrutiny group observed 1-week timeframe. Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament Georgia.
- ⁵¹ Ibid.
- ⁵² Information provided by letter #1-9604/20 from 28 July 2020 of the Parliament of Georgia.
- ⁵³ Ibid.
- ⁵⁴ Ibid.

Table #11. Practice of creating a working group in the Parliament of Georgia

The subject creating the working group	The name of the working group	Duration of the work of the working group	number of representatives of the executive branch	Total number of MPs	MPs from the Majority	MPs from the Opposition	The Office of the Parliament	Experts/ NGO representatives
Sports and Youth Issues Committee ¹	1. The State Youth Policy monitoring and development working group	The working group is created without time limits. Its mandate may be terminated by the decision of the Chair of the Committee. ²	6	5	5	0	3	39
	2. To monitor realization of tasks of the executive branch prescribed by the Transitional Provisions of the Law of Georgia on Social Work and to facilitate effective and rapid implementation of the same Law ³	The duration of the working group is not defined. It will continue operation until the group. Considers reasonable in coordination with the Committee. ⁴	5+6+2 ⁵	2	2	0	0	3
	3. To study the challenges to religious minorities and identify the activities for addressing these challenges ⁶	The duration of the working group is not defined. It will continue operation until the group. Considers reasonable in coordination with the Committee. ⁷	- ⁸	4 ⁹	4 ¹⁰	0	0	- ¹¹
	4. Working group on issues prescribed by the Implementation Plan of the Child Rights' Code defined.	The duration of the working group is not defined.	+ ¹²	+				
Legal Issues Committee	5. Working Group to determine compliance of 20 candidates of the Supreme Court of Georgia with requirements of the Constitution and other laws	10 days ¹³	0	12 ¹⁴	7 ¹⁵	5 ¹⁶	0	4 ¹⁷
	6. Working Group to determine compliance of Vasil Roinishvili, candidate of the Supreme Court of Georgia with requirements of the Constitution and other laws ¹⁸	The duration is not defined. ¹⁹		15 ²⁰	8 ²¹	7 ²²		2 ²³
Regional Policy and Self - Government Committee	7. Working group to inquiry economic, environmental and social problems facing specific settlements and promote addressing them in inter-agency format. ²⁴	For the duration the term of authority of the active Parliament. ²⁵	13 ²⁶	3 ²⁷	3 ²⁸	0 ²⁹	0 ³⁰	0 ³¹
	8. The standing audit group reviewing reports of the State Audit Office	Standing		7 ³²	5 ³³	2 ³⁴	0	0
Healthcare and Social Issues Committee	9. Working group on assessment of needs of introduction of sanitary-hygiene norms ³⁵	The duration of the working group is not defined. It will work for the duration necessary for study and preparation of the topic. ³⁶	3+3 ³⁷	3	3	0	4	5
	10. Working group on modern methods of brain stroke treatment ³⁸		2+1 ³⁹	0	0	0	1	15

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- ¹ Information on the composition of the working group is accessible at the following website: <https://tinyurl.com/yx9ysxb4>, updated on 01.11.19.
- ² Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ³ Information provided by letter #1-17823/19 from 8 October 2019 of the Parliament of Georgia.
- ⁴ Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁵ 5 members are representatives of the executive branch, 6 members represent LEPLs and 2 members – the City Hall of Tbilisi. Information provided by letter #1-17823/19 from 8 October 2019 from 18 February 2020 of the Parliament of Georgia.
- ⁶ Information provided by letter #1-17823/19 from 8 October 2019 of the Parliament of Georgia.
- ⁷ The Committee could not give detailed information as, according to the Committee, representatives of different institutions might have attended the various meetings. Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁸ The Committee could not give detailed information as, according to the Committee, representatives of different institutions might have attended the various meetings. Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ⁹ Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ¹⁰ Ibid.
- ¹¹ The Committee could not give detailed information as, according to the Committee, representatives of different institutions might have attended the various meetings. Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.
- ¹² According to the information provided by the Committee, the composition of the group changed based on the rotation principle and various institutions were represented by different employees based on the needs. Therefore, the number of the committee members was not strictly defined. Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament of Georgia.
- ¹³ News, the Legal Issues Committee, the Legal Issue Committee created a working group to determine compliance of candidates of the supreme court of Georgia with requirements of the laws of Georgia, the website of the Parliament of Georgia, available at: <https://tinyurl.com/y28azp4>, updated on: 19.02.20.
- ¹⁴ Ibid.
- ¹⁵ Ibid.
- ¹⁶ Ibid.
- ¹⁷ Ibid.
- ¹⁸ News, the Legal Issues Committee, session of the Legal Issues Committee, the website of the Parliament of Georgia, accessible at: <https://tinyurl.com/sqy4prv>, updated on: 19.02.20.
- ¹⁹ Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament.
- ²⁰ Ibid.
- ²¹ Ibid. Anri Okhanashvili as the Chair of the Legal Issues Committee and Rati Ionatamishvili, the secretary of the working group represent the factions of the Majority. Other members of the working group from the factions of the Majority are not specified.
- ²² Some factions of the Opposition presented members of the working group: Mamuka Chikovani (faction National Movement), Irma Inashvili (faction Alliance of Patriots and Social Democrats) and Gedevan Popkhadze (faction Independent MPs). Other factions of the Opposition and groups of MPs who are not members of any faction have not presented members of the working group. Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament.
- ²³ Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament.
- ²⁴ Information provided by letter #1-1815/20 from 18 February 2020 of the Parliament.

²⁵ Information provided by letter #1-3157/20 from 9 March 2020 of the Parliament.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Information provided by letter #1-17823/19 from 8 October 2019 of the Parliament of Georgia.

³⁶ Information provided by letter #1-20623/19 from 22 November 2019 of the Parliament of Georgia.

³⁷ 3 members represented the executive branch and 3 members 3 – LEPLs.

³⁸ Information provided by letter #1-17823/19 from 8 October 2019 of the Parliament of Georgia.

³⁹ 2 represented the executive branch and 1 member – LPL.

Table #12: Initiatives to establish a temporary investigative commission in the Parliament of Georgia

Topic	Initiator	Date of Initiation	Date of Discussion at the Bureau	Date of inclusion in the Agenda	Date of Discussion at the Plenary Session	Results of Voting
Concerning the expediency of establishment of an inquiry commission on the murder of Temirlan Machalikhvili as a result of special operation held on December 26, 2017 in Pankisi Gorge ¹	Parliamentary faction National Movement	27 Dec - 2018	04/02/2019		Initial: 07/02/2019 Final: 14/05/2019	For: 30 Against: 3
Concerning establishment of an inquiry commission of the Parliament of Georgia to study possible pressure on the TBC Bank and the persons related to the Anaklia Development Consortium. ²	Factions of the Parliamentary Minority: European Georgia, European Georgia, - Movement for Freedom, European Georgia – Regions	04 Mar - 2019	unknown	-	-	-
On establishment of an inquiry commission on study the issue related to the Financial Company Georgia Ltd ³	Parliamentary faction of the Parliament of Georgia Alliance of Patriots and Social-Democrats	06 Jun - 2019	17/06/2019	-	-	-

¹ Draft laws, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/17022>, updated on: 04.11.2019; the Resolution of the Parliament of Georgia (dated May 29, 2019) on establishment of an interim fact-finding commission on the murder of Temirlan Machalikhvili as a result of special operation held on December 26, 2017 in Pankisi Gorge, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/223340?>, updated on: 04.11.2019.

² Draft laws, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/17442>, updated on: 11.04.2020, draft Resolution of the Parliament of Georgia on establishment of an interim fact-finding commission of the Parliament of Georgia to study possible pressure on the TBC Bank and the persons related to the Anaklia Development Consortium, the website of the Parliament of Georgia, accessible at <https://info.parliament.ge/file/1/BillReviewContent/215586?>, updated on: 11.04.2020.

³ Draft laws, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/18393>, updated on: 11.04.2020; draft Resolution of the Parliament of Georgia on establishment of an interim fact-finding commission on study the issue related to the Financial Company Georgia Ltd, accessible at: <https://info.parliament.ge/file/1/BillReviewContent/224098?>, updated on: 11.04.2020.

Concerning establishment of an inquiry commission on the murder of Temirlan Machalikhvili as a result of special operation held on December 26, 2017 in Pankisi Gorge ⁴	Parliamentary faction National Movement	09 Oct - 2019	15/10/2019	-	-	-
Concerning establishment of an inquiry commission of the Parliament of Georgia to study the possible corruption scheme of the convicted by the President of Georgia Salome Zurbishvili ⁵	Parliamentary factions of the Parliament of Georgia: European Georgia, European Georgia, - Movement for Freedom, European Georgia – Regions	30 Oct - 2019	04/11/2019	-	-	-
Concerning establishment of an inquiry commission on a possible anti-constitutional conspiracy of persons holding high political positions against the Georgian Patriarchate and the violation of the Constitutional Agreement between the State of Georgia and the Georgian Apostolic Autocephalous Orthodox Church ⁶	Parliamentary faction National Movement	06 Nov - 2019	11/11/2019	-	-	-

⁴ Draft laws, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/18914>, updated on: 12.04.2020, draft Resolution of the Parliament of Georgia on establishment of an interim fact-finding commission on the murder of Temirlan Machalikhvili as a result of special operation held on December 26, 2017 in Pankisi Gorge, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#file/1/BillReviewContent/2328357>, updated on: 12.04.2020.

⁵ Draft laws, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/19020>, updated on: 11.04.2020; draft Resolution of the Parliament of Georgia on establishment of an interim fact-finding commission of the Parliament of Georgia to study the possible corruption scheme of the convicted by the President of Georgia Salome Zurbishvili, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#file/1/BillReviewContent/2354827>, updated on: 01.10.2020.

⁶ Draft laws the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#law-drafting/19070>, updated on: 11.04.2020; draft Resolution of the Parliament of Georgia on establishment of an interim fact-finding commission on a possible anti-constitutional conspiracy of persons holding high political positions against the Georgian Patriarchate and the violation of the Constitutional Agreement between the State of Georgia and the Georgian Apostolic Autocephalous Orthodox Church, the website of the Parliament of Georgia, accessible at: <https://info.parliament.ge/#file/1/BillReviewContent/2355857>, updated on: 11.04.2020.

