

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Informal Rule Has Triggered Crisis of Democratic Institutions

We would like to respond to the recent developments that have taken place in the country, which are indicative of a severe crisis in the governance system, clear signs of elite corruption and informal clan rule in Georgia. We believe that the control exercised by an influential group over public institutions and its use of those institutions for the promotion of narrow group interests is a precursor towards the breakdown of the public institutions.

In the past few years, there have been a number of cases pointing to the fact that certain individuals stand above the law and are untouchable. The parallel existence of formal and informal governance undermines the system of democratic accountability, strips the formal decision-makers of their responsibilities and alienates the citizens from the political system.

In spite of coming to power with the promise to eradicate and [] justice and on the severe and systematic violations of human rights committed in the past, the new government has failed to show political will on creating a more viable, more democratic system for solving these issues.

The following issues are indicative of a crisis in the democratic governance system:

- Clan-based governance in the judicial system, as a result of which the judiciary is unable to uphold the rule of law and in some cases even serves the interests of the ruling party;
- Politicization of the law enforcement structures, which makes it impossible for unbiased investigations to take place against members of the ruling party or its close

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associates, including the investigation of crimes related to corruption;

- The weakness of the Parliament as a political center and the deterioration of the parliamentary process as a mere formality;
- Misappropriation of public resources by narrow groups in the background of a heavy social and economic conditions.

Unfortunately, the recent statements of the ruling party and today briefing have illustrated that the ruling party is not looking for solutions to solve the aforementioned issues, and is instead trying to avoid responsibility and is not planning to respond to the case.

Under these circumstances, it is especially important for the society to stay focused on the aforementioned issues and demand an appropriate response from the government.

Due to the severity of the case, we think the following steps should be taken:

- The state institutions should act based on their constitutional obligations and on public interest. Moreover, they should not follow any illegal orders or directions from external sources;**
- Current and former public officials, as well as businessmen, who hold information about potential abuse of power and illegal interference in the work of public institutions, should go public with their information;**
- International partners of Georgia should pay close attention to the fulfillment of the commitments undertaken by the Government, including those related to human rights and rule of law.**

Transparency International Georgia

Georgian Young Lawyer's Association

International Society for Fair Elections and Democracy

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Georgian Democracy Initiative

Human Rights Education and Monitoring Center

Georgian Reforms Associates

In Depth Reporting and Advocacy Center

Article 42

Institute for Development of Freedom of Information

Open Society Georgia Foundation

Green Alternative

Atlantic Council

Partnership for Human Rights