



PARLIAMENTARY CONTROL IN PRACTICE

(DECEMBER 12, 2020 – JUNE 17, 2022)

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INTRODUCTION

The assessment of the parliamentary control of the X convocation Parliament of Georgia is based on the analysis of the information collected by our parliamentary office, the information posted on the Parliament's website, and the statistical data provided by the Parliament to our organization. The reporting period is December 12, 2020 - June 17, 2022.¹

KEY FINDINGS

During the reporting period, the implementation of parliamentary control was irreparably damaged by the ongoing political processes in the country, particularly the boycott of the parliament after the 2020 parliamentary elections by the majority of the opposition. As a result, the Parliament actually continued work without opposition, which had a severe impact on its oversight functions, the use of control mechanisms was reduced, and when used - often executed in an extremely ceremonial manner.

When exercising parliamentary oversight, as hitherto, the attitude of accountable officials towards parliamentary control was still a problem, especially if the control is initiated by the opposition. Another challenging issue for the Parliament is to fulfill its duties in a timely and efficient manner, for instance - reviewing the reports of the accountable bodies and monitoring the implementation of the recommendations issued by the Parliament. Parliamentary control in the most important areas of the country is still ineffective, for example, the oversight of the security sector, due to inappropriate legal guarantees along with a number of other issues.

Statistical Data

- **22 Thematic Inquiry Groups** were established in the Parliament
- **4 requests were registered** for the establishment of the temporary investigative commissions, but **only 1 was created** – „**The Interim Fact-Finding Commission on the Parliamentary Elections of October 31, 2020**” (initiated by the Georgian Dream faction)
- Parliament Members sent 2 922 questions to the accountable bodies, of which **371 were left unanswered**
- Instead of 6 interpellations, **one interpellation** and **19 ministerial hours** were held
- Accountable officials were **summoned 19 times** to the committee sittings, **in 12 cases** that were initiated by the opposition, the accountable persons **did not appear** before the committee.

Major Challenges

- The Parliament did not exercise the following parliamentary control mechanisms during the reporting period: request the hearing of the Prime-minister's extraordinary report, summon an accountable official to the plenary sitting at the invitation of $\frac{1}{3}$ of the parliament members, summon the government representative or other accountable person to the committee session by the majority faction;
- 25 reports were submitted to the Parliament during the reporting period, and 9 of them were not discussed. Multiple postponements of report discussions occur systematically, activity reports for 2020 are often reviewed one or more years late;
- It is challenging that there is no effective mechanism for monitoring the recommendations issued by the Parliament. The Parliament does not use utilize its powers to control the implementation of the recommendations issued by the trust group, thematic study groups, and the committees;
- The members of the government neglect parliamentary control, especially if it is initiated by the opposition. For example, in 12 cases when the opposition factions summoned accountable persons to the committee sitting, they did not appear in any of them; 280 of the 371 questions left unanswered are submitted by the opposition.

¹ Legislation is given according to the reporting period.

RECOMMENDATIONS

- The use of Parliamentary control mechanisms should be enhanced, and the members of parliament should demonstrate a high degree of independence while exercising parliamentary control. Parliamentary oversight should address the most challenging issues of the country and should not be imposed based on parochial party agendas.
- Members of both the parliamentary majority and the opposition should utilize all the mechanisms of parliamentary control, including the establishment of investigative commissions, and hearing of the reports from accountable bodies according to the schedule.
- In order to fully engage the opposition in parliamentary control and strengthen its role, solid legal guarantees should be established:
 - The Rules of Procedure of the Parliament should ensure the proper participation of the opposition in the process of election to parliamentary positions and the compulsion to consult with them;
 - Independent officials should not be elected by the parliament without consensus with the opposition parties, regardless of the number of mandates of the majority. The approval of the majority of the opposition should be necessary to elect the Auditor General and the Prosecutor General. Support of the majority and minority of the Parliament should be necessary to appoint members of the Supreme Court and High Council of Justice;
 - In order to enhance the role of the opposition, it is recommended to implement the best international practice so that the representatives of the opposition could also be elected as chairpersons of the parliamentary committee. The positions of parliamentary committee chairpersons should be proportionally distributed among the represented political powers. The representatives of the opposition, among others, should lead the following committees: Human Rights and Civil Integration Committee, Budget and Finance Committee, and Defense and Security Committee.
 - When using specific mechanisms of parliamentary control, the guarantees should be increased for the opposition. For example, members of the opposition should be privileged to ask questions to the government (in particular, the opposition should have the right to open debates. When discussing the Prime Minister's annual report, the opposition should have the right to ask more questions to the executive than the majority during interpellation); Members of the opposition should have the right to request debates, including debates on matters of urgency or current affairs; Members of the opposition (opposition factions) should have the right to summon the General Prosecutor and the Head of the State Security Service to the committee sitting.
- Accountable bodies and members of the government should assist the Parliament to fully and effectively implement the control, they should conscientiously and thoroughly adhere to the parliamentary control procedures prescribed by the constitution and rule of procedures, even if it is initiated by the opposition. Furthermore, they should timely respond to the questions submitted by the parliament members, and attend the committee sittings when summoned by the opposition, etc.
- Parliament should pay special attention to the monitoring of the implementation of its own recommendations so that parliamentary oversight does not have a formal nature. Heads of accountable bodies should be invited to the committee to examine the implementation status of the recommendations issued by the Parliament. It is important to introduce an effective monitoring mechanism to assess the level of implementation of the recommendations following the thematic research.
- Parliamentary control should cover all areas that are essential for the country. Exhaustive control over the state security sector is essential. Amendments should be made to the rule of procedures of the Parliament, strengthening the country's representative body with additional powers, namely:

- A permanent supervisory council of experts should be established with the parliamentary committee overseeing the State Security Service; it will monitor the State Security Service on a regular basis and be accountable to the Parliament. The council members should be elected by the Parliament. The Supervisory Council must have guarantees of independence;
- The members of the specialized committee of the parliament and the supervisory council must have access to classified information, except for information about current operations.

1. VOTE OF CONFIDENCE AND NO CONFIDENCE IN THE GOVERNMENT

1.1. VOTE OF CONFIDENCE IN THE GOVERNMENT

On 24 December 2020, in light of the opposition boycott, the Parliament expressed confidence in the new composition of the government.² Two months after its appointment, on 18 February 2021, Prime Minister Giorgi Gakharia resigned. The ruling party nominated Irakli Garibashvili as the new prime minister candidate, who in turn presented the composition of the cabinet and the government program 2021-2024 to the parliament.³ On February 20-21, the parliamentary committees discussed and positively evaluated the composition of the proposed cabinet and the government program, and on February 22, the parliament expressed confidence in the new government.⁴

2. ANNUAL REPORT OF THE PRIME MINISTER

Following the amendments made in the constitution in 2017, the Prime Minister shall submit a report on the implementation of the government program to the parliament once a year.⁵

On 31 May 2021, Prime Minister Irakli Garibashvili submitted a government report to the Parliament in writing, including the progress on the implementation of the government program 2020-2021.⁶ Irakli Garibashvili presented the report to the Parliament on June 25.⁷ In 2022, the Prime Minister submitted the annual report to the Parliament on 31 May⁸ and presented it to the plenary sitting on June 22.

3. QUESTION OF THE MEMBER OF PARLIAMENT

Typically, the most frequently used parliamentary control mechanism is to submit a question. The mechanism implies the right of a deputy to submit a question to the government, a member of the government, other bodies accountable to the parliament,⁹ a government body of all territorial levels, or a state institution.

During the reporting period, **59** members of the Parliament submitted a total of **2 922** questions in writing, of which 2 098 were from opposition MPs, and 823 were from Georgian Dream member MPs.

2 Decree of the Parliament, December 24, 2020, <https://info.parliament.ge/file/1/BillReviewContent/265981>

3 The composition of the Government of Georgia and Government Program 2021-2024 - Toward Building a European State, presented by the candidate for the Prime Minister of Georgia, Irakli Gharibashvili, for the declaration of confidence in the Parliament of Georgia, 19.02.2021, <https://info.parliament.ge/#law-drafting/21609>

4 Decree of the Parliament, February 22, 2021, <https://info.parliament.ge/file/1/BillReviewContent/269599>

5 Constitution of Georgia, Article 55.5.

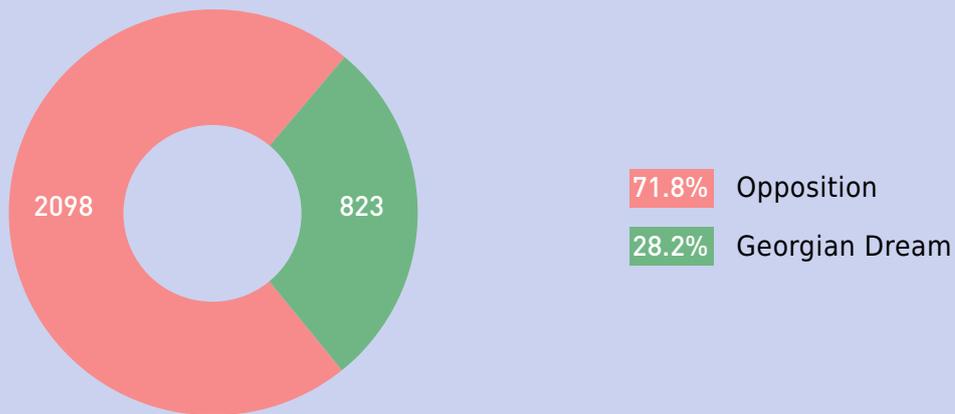
6 Report of the Prime Minister of Georgia on the implementation of the government program, 31.05.2021, <https://parliament.ge/legislation/22381>

7 Ibid, see the audio recordings of the discussions.

8 Report on the implementation progress of the government program, 31.05.2022, <https://info.parliament.ge/#law-drafting/24245>

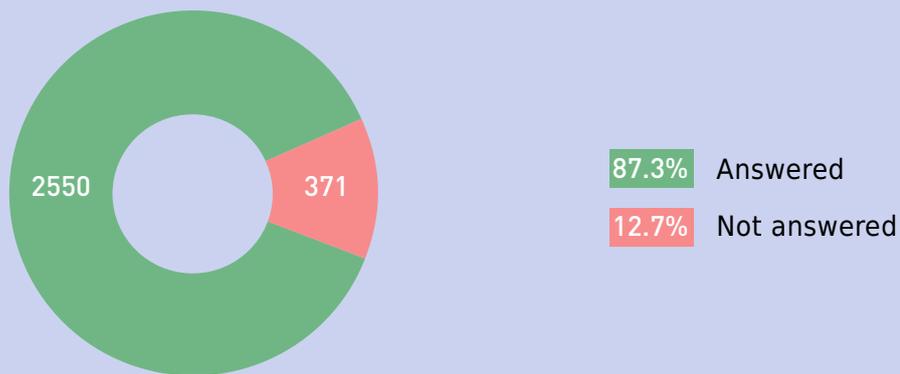
9 Regulatory commissions, state inspector, general prosecutor, pension agency, and other bodies, which, in accordance with the Constitution of Georgia or another legislative act, submit a report of their activities to the parliament or whose accountability to the parliament in another form is directly provided for by the legislative act.

Questions submitted by the MPs in the reporting period



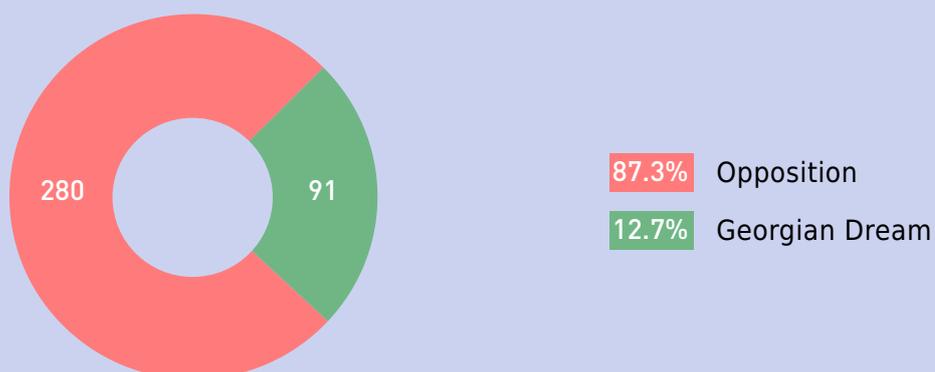
Out of 2 922 questions registered in the reporting period, 2 550 were answered, and 371 questions remained unanswered.

Answers to the Questions submitted by MPs

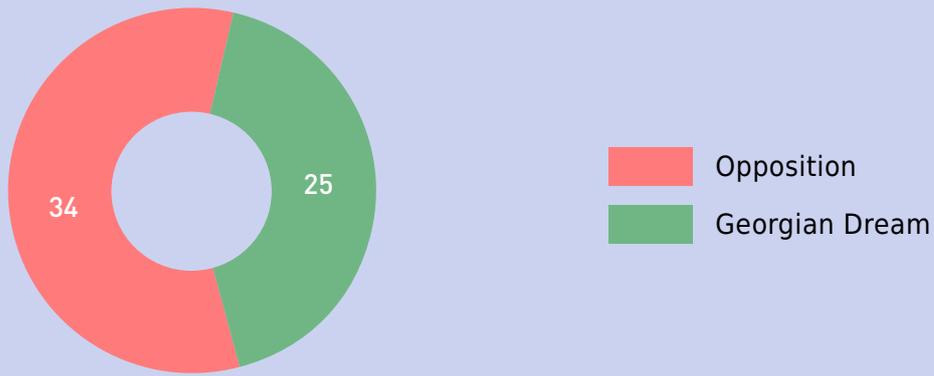


91 unanswered questions were asked by the member of the Georgian Dream faction and 280 - by the representatives of the opposition.

Distribution of Questions Not Answered between the Georgian Dream and Opposition



Distribution of Questions between the Georgian Dream and Opposition



As for the authors of the questions, a total of 59 members of the parliament used this specific control mechanism, 25 were representatives of the ruling party, and 34 were representatives of the opposition.

During the reporting period, Mikheil Sarjveladze (the majority) submitted the most parliamentary questions (445), Levan Ioseliani (opposition) submitted 313, and Aleksandre Elisashvili (opposition) – 284 questions.

Top 10 Members of the Parliament by the Number of Submitted Questions

	Sarjveladze Mikheil	Majority	445
	Ioseliani Levan	Opposition	313
	Elisashvili Aleksandre	Opposition	284
	Dekanoidze Khatia	Opposition	236
	Akubardia Teona	Opposition	181
	Samnidze Khatuna	Opposition	177
	Kordzaia Tamar	Opposition	155
	Gotsiridze Roman	Opposition	135
	Sepashvili Eka	Majority	134
	Botkoveli Giorgi	Opposition	126

The table below discloses the list of public officials who received the most questions from the member of parliament during the reporting period.

Top 10 Public Officials receiving the most MP Questions in the reporting period	
Minister of Justice Rati Bregadze	195
Minister of Internal Affairs Vakhtang Gomelauri	72
Minister of Finance Lasha Khutsishvili	50
Minister of Defence Juansher Burchuladze	42
National Bank of Georgia	34
Minister of Education and Science Mikheil Chkhenkeli	33
Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs Ekaterine Tikaradze	32
Head of the State Security Service Grigol Liluashvili	29
Prosecutor General Irakli Shotadze	24
Minister of Foreign Affairs Davit Zalkaliani	24

The table below shows the list of the public officials who left the most questions unanswered,¹⁰ thereby violating the requirements of the rule of the procedures of the Parliament.

List of Public Officials who left the most MP Questions Unanswered		
Public official	Unanswered questions	The number of questions
Mayor of the Bolnisi Municipality Davit Sherazadishvili	12	23
Mayor of the Tsalka Municipality Ilia Sabadze	10	26
Mayor of the Kaspi Municipality Vakhtang Maisuradze	10	23
Mayor of the Lentekhi Municipality Gia Oniani	9	11
Mayor of the Mestia Municipality Kapiton Zhorzholiani	9	23
Minister of Finance Lasha Khutsishvili	8	41
Mayor of the Lentekhi Municipality Badri Liparteliani	7	13
Minister of Foreign Affairs Davit Zalkaliani	6	24

The topics of the questions left unanswered covered various areas, such as requesting information regarding the spending of budget funds by the legal entities of the municipalities. There were also questions related to the sanctions against Russia and questions about the EU self-assessment questionnaire.

¹⁰ Data is presented as of October 12, 2022.

The Rules of Procedure of the Parliament does not envisage specific sanctions or any other response mechanism when MP questions are left unanswered. Publicly disclosing information about MP questions, giving, delaying, or not providing answers to them is an indirect preventive mechanism for neglecting MP questions. Since 2016, such a system is applied on the website of the Parliament.¹¹ The system creates an opportunity for public control over this particular instrument of parliamentary control, but there is no opportunity to thoroughly discuss and respond to the delayed and unanswered questions.

[Open Parliament Action Plan for 2021-2022](#) envisages a commitment¹² to provide detailed information on MP questions. In particular: questions and received answers are uploaded in the current system. However, the system processes - a letter requesting a deadline extension to provide answers to MPs' questions - as a response to the initial letter. The system should separate letters requesting the deadline extension from actual response letters. Those two types of response letters should be placed under different sections. To address this issue, a new module should be integrated into the Parliament's website. The Parliament had to fulfill this commitment in 2021, but it was not implemented.

4. INTERPELLATION

The term "Interpellation" was established with the constitutional amendments of 2017.¹³

The Rules of Procedure of the Parliament also determines the period of the interpellation: the addressee of the question will be presented to the Parliament twice during each regular session (on Friday of the last week of March and May of the spring plenary session and of September and November of the autumn plenary session).

According to the rule, the interpellation is held twice in each session, therefore, during the reporting period, the law allowed for 6 interpellations to be held, although it was held only once, on 27 May 2022.¹⁴

On May 27, the Prime Minister of Georgia Irakli Garibashvili, Minister of Foreign Affairs Ilia Darchiashvili, Minister of Economy and Sustainable Development Levan Davitashvili, and Minister of Justice Rati Bregadze were summoned at the plenary sitting using the interpellation mechanism.

Interpellation on 27 May 2022		
Author of the Question	Addressee of the Question	Subject of the Question
Georgian Dream Fraction	Minister of Economy and Sustainable Development Levan Davitashvili ¹⁵	<ol style="list-style-type: none"> 1. The impact of the developments in the region on Georgia's economy 2. Government's vision and expectations 3. Steps that are being taken to stimulate the economy.¹⁶

11 See the link: <https://info.parliament.ge/#mpqs>

12 Commitment 3.8, Initiators: Transparency International Georgia (TI-G); Young Layers Association Georgia (GYLA).

13 A group composed of, at least, 7 MPs, and a faction shall be entitled to ask a question to the Government of Georgia, other bodies accountable to Parliament, and members of the Government. The question shall be in writing. The content of the question shall be specific and shall be related to the issue under the jurisdiction of the addressee. The addressee is obliged to answer the question personally at a parliamentary plenary session, followed by debates.

14 It should be noted that during the spring session of 2021, a group of 7 Parliament members submitted questions to 4 public officials using the interpellation mechanism. However, the hearings of the officials were not held at the plenary sitting, for more details, see "Report on the Performance of the Parliament of the Tenth Convocation", Transparency International Georgia, 26.07.2022, p. 15. https://transparency.ge/sites/default/files/parlamentis_sakmianobis_angarishi_-_x-e.pdf

15 See the written and verbal answers to the question: <https://bit.ly/3T29J8t>; <https://bit.ly/3Mv0ZFa>

16 See the questions of the faction: <https://bit.ly/3s2FJNT>

Georgian Dream Fraction	Minister of Foreign Affairs Ilia Darchiashvili ¹⁷	<ol style="list-style-type: none"> 1. Details of the preparation of the EU Questionary 2. According to the minister, what will be the focus of the European Commission 3. Expectations of receiving the candidate status 4. Challenging and successful directions identified in the process of working on the questionnaire 5. Diplomatic work carried out by the Ministry for the purpose of receiving the candidate status.¹⁸
A group composed of 7 MPs ¹⁹	Prime Minister Irakli Garibashvili ²⁰	<ol style="list-style-type: none"> 1. What measures are taken by the government to ensure that Georgia will not be used for the evasion of sanctions imposed against Russia ²¹
United National Movement Fraction	Minister of Justice Rati Bregadze ²²	<ol style="list-style-type: none"> 1. What measures are being taken to protect the rights of inmates?²³

5. MINISTERIAL HOUR

The Ministerial Hour is a parliamentary control mechanism introduced as a result of the 2018 reform of the Rules of Procedure of the Parliament, the previous rule did not envisage such a tool. The Ministerial Hour refers to a speech by members of the government before the plenary sitting of Parliament on the respective components of the implementation of the government program. Each minister (except the prime minister) reports before the plenary sitting once a year within the minister's hour and speaks about his/her own direction of the implementation of the government program.

The schedule for the reporting of ministers before the Parliament is developed by the parliamentary Bureau. The schedule shall be made so that at least one Ministerial Hour is held at least every two weeks of the plenary sittings. The report of the minister shall be considered by the Parliament in accordance with the procedure for considering a draft law by first hearing as provided for by the Rules of Procedure.

The schedule for Ministerial Hours of 2021 was developed on 1 February by the Bureau,²⁴ and later 6 changes were made to that list.²⁵ As for 2022, it was developed on 31 January²⁶ and no changes were made during the reporting period. The table contains information about the minister's hours during the reporting period.²⁷

17 See the written and verbal answers to the question: <https://bit.ly/3VrBA3p>; <https://bit.ly/3g1TkSF>

18 See the question of the faction: <https://bit.ly/3CLjII6>

19 Davit Usupashvili, Ana Natsvlishvili, Salome Samadashvili, Shalva Shavgulidze, Armaz Akhvlediani, Tamar Kordzaia, Dilar Khabuliani

20 See the written and verbal answers to the question: <https://bit.ly/3TnLVLM>; <https://bit.ly/3EH1kCQ>

21 See the question of the group: <https://bit.ly/3yQP5jy>

22 See the written and verbal answers to the question: <https://bit.ly/3CVdddDU>; <https://bit.ly/3yGCOrz>

23 See the question of the faction: <https://bit.ly/3Dbdu64>

24 Schedule of the 2021 Ministerial Hours presented by the Speaker of the Parliament of Georgia Archil Talakvadze, <https://info.parliament.ge/#law-drafting/21351>

25 Changes were introduced by the following decisions of the Bureau: N34/16 March 15, N35/2 March 17, N37/16 March 22, N45/1 April 13, N84/25 September 7, N91/25 November 8.

26 Decision of the Bureau of the Parliament N116/12 of January 31.

27 See the video recordings of the Ministerial hours: <https://parliament.ge/supervision/minister-hours>

Ministerial Hours in the Reporting Period		
Nº	Minister	Date of the Ministerial Hour
1	Minister of Regional Development and Infrastructure	17.02.2021
2	Minister of Internal Affairs	5.03.2021
3	Minister of Environmental Protection and Agriculture	18.03.2021
4	Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs	28.04.2021
6	Minister of Defence	13.05.2021
7	Minister of Finance	11.06.2021
8	State Minister for Reconciliation and Civic Equality of Georgia	18.11.2021
9	Minister of Foreign Affairs	19.11.2021
10	Minister of Education and Science	1.12.2021
11	Minister of Culture, Sports and Youth	3.12.2021
12	Minister of Economy and Sustainable Development	16.12.2021
13	Minister of Justice	17.12.2021
14	Minister of Finance	17.02.2022
15	Minister of Internal Affairs	17.03.2022
16	Minister of Environmental Protection and Agriculture	14.04.2022
17	Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs	11.05.2022
18	Minister of Regional Development and Infrastructure	25.05.2022
19	Minister of Defence	9.06.2022

6. HEARING OF A MEMBERS OF THE GOVERNMENT OF GEORGIA AND OTHER OFFICIALS BEFORE THE PARLIAMENT

Pursuant to the Constitution, a public official accountable to the Parliament shall be entitled and, upon request, obliged to attend sittings of Parliament, parliamentary committees, or commissions, provide answers to questions raised during the plenary, and submit a report of activities performed.

6.1 HEARING AT THE PLENARY SITTING

There are two ways to hear a member of the government at the plenary sitting, to summon and by his/her own initiative.

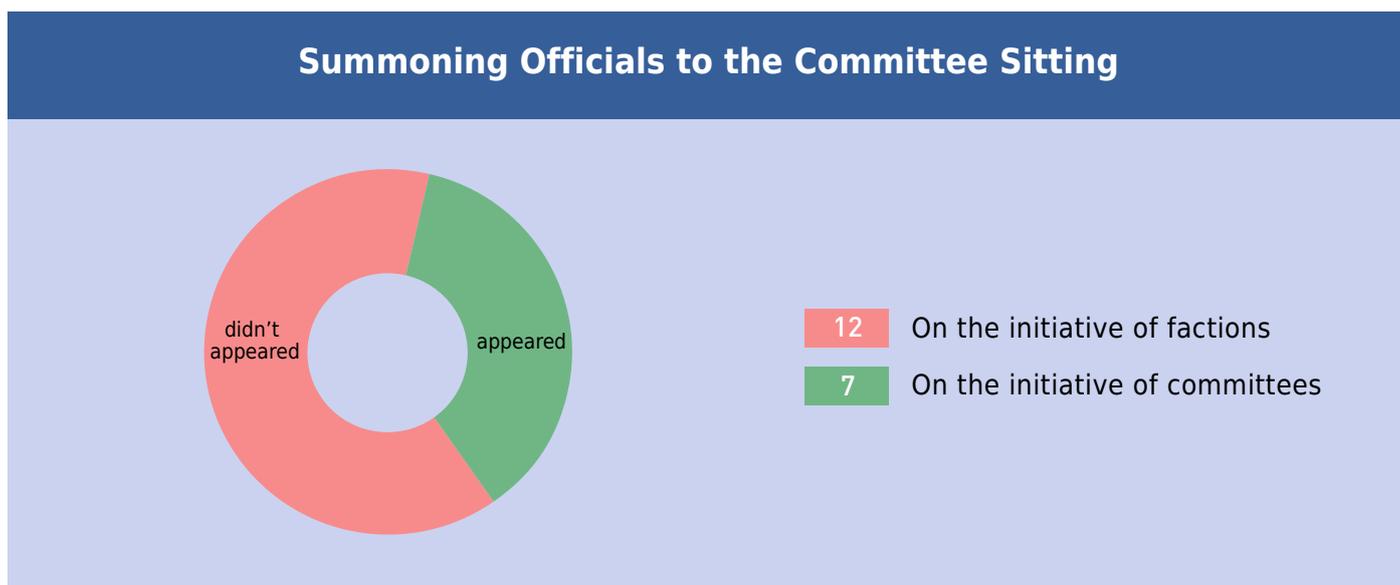
Since 2012, the mechanism²⁸ of inviting an official to the plenary sitting has not been used in the Parliament, and there was no exception during the reporting period of the study.

The Rules of Procedure also grants the right to a member of the government, a public official accountable to the parliament, the head of a body accountable to the parliament, and the public defender to appear before the plenary sitting on their own initiative.²⁹

During the reporting period, only the Minister of Internal Affairs applied, of his own accord, to address the plenary sitting, on July 13, 2021. The minister was planning to give a report on the ministry's activities on recent events in the country (including the events of the 5th of July). The hearing of the minister was scheduled on July 18 at an extraordinary plenary sitting. The journalists attending the sitting were holding posters and banners protesting the violence of July 5 of which their colleague Lekso Lashkarava became a victim. In response, the Chairman of the Parliament, Kakha Kuchava suspended the sitting. According to him, "continuing the sitting in this situation does not really serve the purpose we gathered for," and scheduled an extraordinary sitting.³⁰ Consequently, the Minister of Internal Affairs did not address the Parliament.

6.2. SUMMONING OFFICIALS TO THE COMMITTEE SITTING

During the reporting period, the committees and factions summoned officials **19 times** to the sittings of different committees, in 7 cases the initiator was a committee, and summoned officials appeared at the committee sittings. The opposition factions summoned 12 officials to the committee sitting, but none of them appeared before the committee.



It should be noted that in some cases the 2-month deadline for mandatory reporting was not passed.³¹ Although, this does not limit a public official to appear at the committee sitting, at his/her initiative. See the table below.

28 Upon the request of a committee or a faction, by the majority of votes of members attending the plenary sitting (but by not less than one-third of the full composition of Parliament), shall summon an official accountable to Parliament to a plenary sitting. If summoned, they are obliged to appear before a plenary sitting, answer the questions asked at the sitting, and report on performed activities.

29 Rules of Procedure of the Parliament of Georgia, Article 154, Paragraph 1.

30 *Today's extraordinary session is closed - the hearing of the Minister of Internal Affairs will not be held today*, interpressnews.ge, 18.07.2021, <https://bit.ly/3iiQKFR>

31 A public official shall be obliged to attend a committee sitting at the request of the majority committee members within 2 months after his/her attendance at a committee sitting on a compulsory basis.

Officials Summoned to the Parliamentary Committee Sittings by the Faction in the reporting period

Initiator	Summoned Public Official	Committee	Date of the Committee Session/ Comment
Lelo– Partnership for Georgia – Parliamentary Faction (03.06.2021)	Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs Minister of Justice Minister of Internal Affairs	Human Rights and Civil Integration Committee	Not Appeared ³²
Charles Michel’s Reforms Group – Parliamentary Faction (23.06.2021)	Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs	Human Rights and Civil Integration Committee	Not Appeared ³³
Charles Michel’s Reforms Group – Parliamentary Faction (23.06.2021)	Minister of Internal Affairs	Human Rights and Civil Integration Committee	Not Appeared ³⁴
Charles Michel’s Reforms Group – Parliamentary Faction (06.07.2021)	Minister of Internal Affairs	Human Rights and Civil Integration Committee	Not Appeared
Charles Michel’s Reforms Group – Parliamentary Faction	Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs	Human Rights and Civil Integration Committee	Not Appeared ³⁵
Lelo – Partnership for Georgia – Parliamentary Faction (31.05.2021)	Minister of Economy and Sustainable Development Minister of Justice Minister of Environmental Protection and Agriculture	Sector Economy and Economic Policy Committee	Not Appeared.
Charles Michel’s Reforms Group – Parliamentary Faction (24.06.2021)	Minister of Economy and Sustainable Development	Sector Economy and Economic Policy Committee	Not Appeared
Lelo – Partnership for Georgia – Parliamentary Faction	Minister of Culture, Sports and Youth	Culture Committee	Not Appeared. ³⁶

32 According to the information received from the Parliament, the summoned officials are ready to continue the consultation regarding the date, if the initiator agrees.

33 In this case, the law has not been violated as according to the Rules of procedure, Article 4, paragraph 3, the terms defined by the Rules of Procedure shall cease to run during the period between sessions of the Parliament, and the obligation to appear at the committee sitting within the time limits stipulated by Article 40 of the Rules of Procedure no longer applies.

34 Ibid.

35 According to the information received from the Parliament, the consultation regarding the date was ongoing. However, due to the termination of the faction, the issue remained open.

36 According to the information received from the parliament, the hearing of the minister did not take place at the committee sitting, since the minister spoke about the aforementioned issues in the format of the minister’s hour at the plenary sitting of the parliament.

The majority of committee members summoned an official 7 times, and in all cases, the addressee appeared at the committee sitting (see the table below).

Public Officials Summoned to the Parliamentary Committee Sessions by the majority of the committee members in the reporting period			
Parliamentary Committee	Committee Session Date / Comment	Initiator	Addressee
Human Rights and Civil Integration Committee	08.02.2021	Committee	Minister of Justice
Defence and Security Committee	08.02.2021	Committee	Minister of Justice
Legal Issues Committee	08.02.2021	Committee	Minister of Justice
Foreign Relations Committee	08.02.2021	Committee	Minister of Justice
Budget and Finance Committee	12.04.2021	Based upon the letters of the Deputy Chairman of the Parliament Levan Ioseliani and the Member of the Parliament Aleksandre Elisashvili, by the decision of a majority of attendees at the committee sitting	President of National Bank of Georgia; Deputy Minister of IDPs from Occupied Territories, Labour, Health, and Social Affairs; Head of Social Service Agency

7. HEARING THE REPORTS OF OTHER BODIES ACCOUNTABLE TO THE PARLIAMENT

In addition to the government, the Parliament also oversees other bodies such as the National Bank of Georgia, the State Audit Office, the State Security Service, and others. The primary tool of oversight is hearing their annual reports.

The reports of the bodies where the Parliament designates public officials are discussed at the plenary sitting, as a result of which the Parliament is empowered to adopt a decree.

During the reporting period, a total of **25** reports were submitted³⁷ to the Parliament, of which 9 reports were not discussed within the review period.³⁸

8. TEMPORARY INVESTIGATIVE COMMISSION

During the reporting period, **4** requests for the establishment of a temporary investigative commission were made by the factions as follows: Georgian Dream, Lelo - Partnership for Georgia, Charles Michel's Reform Group, and United National Movement - united opposition "Strength is in Unity". The investigative commission was only created in one case when it was initiated by the majority.³⁹

37 See the list of reports: <https://bit.ly/3Yw73Dh>

38 See detailed information about reports in the table: <https://bit.ly/3FOGtxE>

39 See detailed information on temporary investigative commissions in the table: <https://bit.ly/3WeEA2Q>

On February 17, 2021, at the initiative of the Georgian Dream faction, a Temporary Investigative Commission of the Parliament of Georgia was established with the purpose of studying the parliamentary elections of October 31, 2020. The commission consisted of 4 members, of which two members represented the ruling party, and 2 were independent deputies.⁴⁰ The commission completed⁴¹ its work on July 26, concluding that the 2020 parliamentary elections were held in a free environment and in line with the law. The conclusion was adopted by the parliament in the form of a decree.⁴² The decree was supported by the ruling party and one member of the European Socialists political group.

9. OVERSIGHT OF PUBLIC FUNDS MANAGEMENT

Under the parliamentary control mechanisms of public funds management, the following will be assessed: annual reports on state budget execution, performance reports of the State Audit Office, and activities of the Standing Audit Group on State Audit Service Reports (Standing Audit Group).

9.1. ANNUAL REPORT ON STATE BUDGET EXECUTION

On May 20, the State Audit Office submitted⁴³ the conclusion on budget execution for 2020 to the Parliament, and the government submitted the budget execution report on May 28. The Parliament reviewed the conclusion and the report simultaneously,⁴⁴ committees published their conclusions timely in compliance with the law, and all committees endorsed the government's report and the audit's conclusion.⁴⁵ The conclusion of the Finance and Budget Committee was published on June 21,⁴⁶ and it shares the recommendations of the Audit Office conclusion and endorses its adoption at the plenary sitting. On July 26, as a result of the discussion at the plenary sitting, the Parliament approved the government's budget execution report 2020 with a decree.⁴⁷

The audit service submitted its conclusion on the 2021 budget execution to the parliament on May 20, 2022.⁴⁸ Its review process commenced on May 28, along with the 2021 state budget execution report submitted by the government.⁴⁹ During the reporting period, the report was discussed in the committees, but it was not yet approved at the plenary sitting.

9.2. STANDING AUDIT GROUP

Following the decision of the Finance and Budget Committee on December 22, 2020, a Standing Audit Group on State Audit Office Reports (Standing Audit Group) was established, comprised of 5 members of the same committee.⁵⁰ After the termination of the parliamentary boycott, Roman Gotsiridze, a member of the United

40 The information discussed and taken note of the composition of the temporary investigative commission of the Parliament of Georgia studying the parliamentary elections of October 31, 2020, at the N30 sitting of the Bureau of the Parliament of Georgia on 1 March 2021, <https://bit.ly/3lp9Rsp>

41 see Commission activity materials: <https://parliament.ge/supervision/investigative-commission>

42 On the results of the activities of the temporary investigative commission of the Parliament of Georgia studying the parliamentary elections of October 31, 2020, 26.07.2021, <https://info.parliament.ge/#law-drafting/22688>

43 Conclusion of the State Audit Office on the Annual Report of the 2020 State Budget Execution, <https://info.parliament.ge/file/1/BillReviewContent/274079?>

44 Annual report on the 2020 state budget execution; Conclusion of the State Audit Office on the Government's Annual Report on the 2018 state budget execution, <https://info.parliament.ge/#law-drafting/22124>

45 Conclusions of the Committees on the 2020 Annual State Budget Execution Report of Georgia <https://info.parliament.ge/file/1/BillReviewContent/276404>

46 Conclusion of the Budget and Finance Committee on the 2020 Annual State Budget Execution Report of Georgia, <https://info.parliament.ge/file/1/BillReviewContent/276402?>

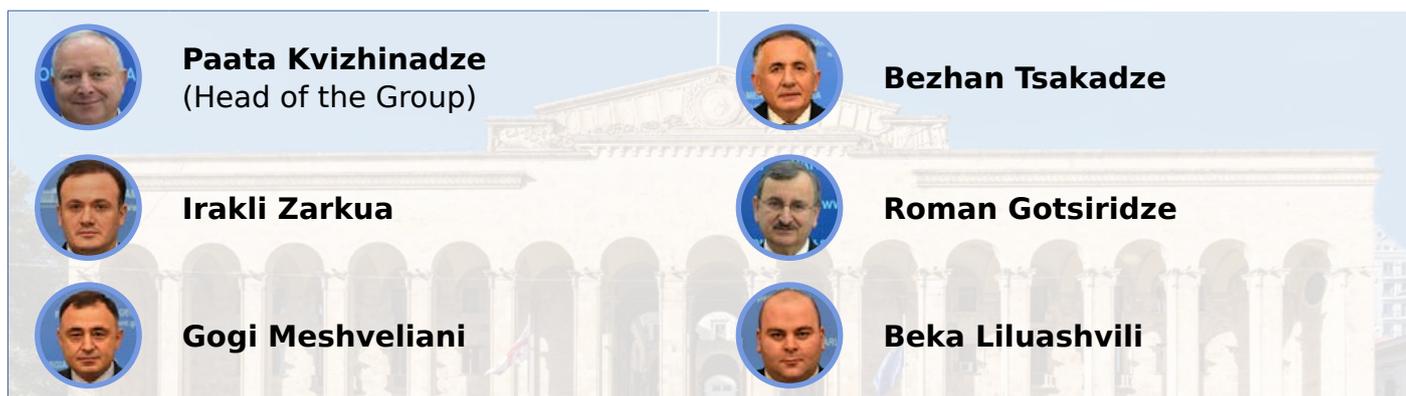
47 Decree of the Parliament of Georgia 830-VRS-XMP, 26.07.2021, <https://info.parliament.ge/file/1/BillReviewContent/279939>

48 Conclusion of the State Audit Office on the Government's Annual Report on the 2021 state budget execution, submitted by the State Audit Office, <https://info.parliament.ge/#law-drafting/24204>

49 2021 Annual State Budget Execution Report of Georgia <https://info.parliament.ge/#law-drafting/24240>

50 Decision of the Budget and Finance Committee on the creation and adoption of the statute of the Standing Audit Group on State Audit Service Reports (Standing Audit Group), operating under the Budget and Finance Committee, 22.12.2020, <https://bit.ly/3IwlTAB>

National Movement, joined the group and initially elected Ramina Beradze was replaced with Gogi Meshveliani by the Georgian Dream. As a result of these adjustments, the group is composed as follows:



During the reporting period, the Standing Audit Group held 13 meetings and submitted 356 recommendations to the Finance and Budget Committee.

9.3. ACTIVITY REPORT OF THE STATE AUDIT OFFICE

The State Audit Office submitted its 2020 activity report to the Parliament on June 1, 2021. A consolidated financial statement and an independent auditor's conclusion are attached to the report.^{51,52} The Parliament discussed the report on July 22⁵³ and adopted a decree taking note on the 2020 Activity report of the State Audit Office on July 26.⁵⁴

On June 1, 2022, the State Audit Office submitted⁵⁵ the 2021 activity report to the Parliament, which also included an independent auditor's report, in accordance with the Parliament's rules of procedure. Parliament did not adopt a decree regarding the report in the reporting period.⁵⁶

10. CONTROL OVER THE ENFORCEMENT OF NORMATIVE ACTS AND TRANSITIONAL PROVISIONS

Parliamentary Committees oversee the status of the enforcement of normative acts adopted by the Parliament in the area falling within its purview. Control of the enforcement of normative acts is a parliamentary mechanism for ex-post regulatory impact assessment (ex-post RIA).

For this purpose, the committees study and analyze the efficiency of normative acts in question and any gaps identified during the period that they were effective, consider measures necessary to remedy these gaps, and subjective and objective factors that prevent the proper enactment of the normative acts and take measures to ensure their execution.⁵⁷ Under the annual action plan, the committee shall determine the activities to be carried out in order to control the enforcement of normative acts, indicating the deadlines and responsible committee members.

51 The conclusion was prepared by the independent auditing company PricewaterhouseCoopers (PwC)

52 2020 Report on the Activities of the State Audit Office, p. 74 <https://info.parliament.ge/file/1/BillReviewContent/275532>

53 On the 2020 Report on the Activities of the State Audit Office, <https://info.parliament.ge/#law-drafting/22338>

54 Decree of the Parliament of Georgia on the 2020 Report on the Activities of the State Audit Office, 831-VRS-XMP, 26.07.2021 <https://info.parliament.ge/file/1/BillReviewContent/232568?>

55 2021 Report on the Activities of the State Audit Office <https://info.parliament.ge/file/1/BillReviewContent/301311>

56 2021 Report on the Activities of the State submitted by the State Audit Office <https://info.parliament.ge/#law-drafting/24246>.

57 Rules of Procedure of the Parliament, Article 38, Paragraph 1.

Parliamentary Committees that utilized the Normative Acts Enforcement Control Mechanism

Agrarian Issues Committee	Control of the enforcement of the Law of Georgia on Agricultural Cooperatives (04.02.2021).
Human Rights and Civil Integration Committee	<ol style="list-style-type: none"> 1. Monitoring the enforcement of the Code on the Rights of Child (10.02.2021). 2. The committee reviewed the process of implementation of the relevant norms of the Law of Georgia on Social Work (№2519-IIS, 13.06.2018) and the Code on the Rights of Child with regard to the ongoing social work in the municipalities. The provided information was taken as a note (23.09.2021 and 10.12.2021). 3. The state of enforcement of the Law of Georgia on the Rights of Persons with Disabilities. The committee developed a report that reflected the recommendations to overcome the challenges identified as a result of the study (10.12.2021).
Budget and Finance Committee	<ol style="list-style-type: none"> 1. "3-month Review of the 2021 State Budget Execution" submitted by the Ministry of Finance of Georgia. 2. "Annual report on the execution of the 2020 state budget of Georgia" submitted by the Government of Georgia. 3. Conclusion of the State Audit Office on the Government's Annual Report on the Execution of the 2020 State Budget of Georgia". 4. Report of the Government of Georgia "On the Execution of the 2021 state budget of Georgia". 5. Conclusion of the State Audit Office on the Government's Annual Report on the Execution of the 2021 State Budget of Georgia". 6. "6-month Review of the 2021 State Budget Execution" submitted by the Ministry of Finance of Georgia. 7. 2020 Activity Report of the State Audit Office. 8. 2020 Annual Report of the National Bank of Georgia. 9. 2020 Annual Report of the LEPL Pension Agency. 10. 2020 Annual Report of the LEPL Georgian Public Broadcaster – submitted by the Board of Trustees of Public Broadcaster. 11. 9-month Review of the 2021 State Budget Execution submitted by the Ministry of Finance of Georgia. 12. 6-month performance review report of the LEPL Pension Agency. 13. Assessment Report on the implementation of the Association Agreement and the 2020 National Action Plan for Georgia's European Integration, in the field of financial services, taxation, accounting, and auditing.
Healthcare and Social Issues Committee	<ol style="list-style-type: none"> 1. The committee discussed a draft decree of the Parliament of Georgia on the State of implementation of the Law of Georgia on Tobacco Control, developed as a legislative initiative 2. The committee started monitoring the enforcement of the normative act on the Protection and Promotion of Breastfeeding, and on Artificial Food Consumption.

11. THEMATIC INQUIRY

According to the Rules of Procedure of the Parliament, for the purpose of studying a thematic issue and preparing a respective draft decision, a thematic inquiry group may be appointed by the decision of MPs, a standing council of the committee or Parliament, who is empowered to elect a chief speaker from its members.

A thematic inquiry group shall prepare an opinion within three months after starting an inquiry, which shall be submitted to the Parliamentary Bureau or a committee. This time frame, where required, may be extended by 2 months.

During the reporting period, a total of 22 thematic groups were created, 10 of them completed their work and presented the subsequent conclusions, while 12 groups had not completed their work by the end of the reporting period. See the table below for details.⁵⁸

12. PARLIAMENTARY CONTROL OVER GEORGIA'S DEFENSE AND SECURITY SECTOR

The defense and security sector is controlled by the Defense and Security Committee of the Parliament and the Trust Group. According to the information provided by the Defense and Security Committee of the Parliament, during the reporting period, the committee held 5 sessions in a closed format regarding the ongoing war in Ukraine and the increased threats to Georgia.

12.1 ACTIVITY OF TRUST GROUP

The trust group consists of 5 members, one of whom is the Chairperson of the Defense and Security Committee of the Parliament, two are members of the faction in the parliamentary majority, and two are members of the factions in the parliamentary opposition. Furthermore, in order to receive access to state secrets, before being presented to the Parliament, a person nominated as a member of the trust group undergoes security vetting in accordance with the law "On State Secrets".

During the reporting period, the trust group was not fully staffed at any stage, and until March 1, 2022, the group comprised only MPs from the Georgian Dream party. The group was understaffed because of the vague and unsubstantiated barriers created for opposition candidates. State Security Service prolonged the security vetting of the opposition MPs for months.

The candidates nominated by Georgian Dream did not have a similar barrier - on December 16, 2020, the faction nominated Irakli Beraia, Anri Okhanashvili and Aleksandre Tabatadze as members of the trust group. The Parliament noted this information on December 29 of the same year.⁵⁹

The opposition parties presented as members of the trust group:

- Lelo – Partnership for Georgia Faction nominated Mamuka Khazaradze on June 9, 2021.⁶⁰
- United National Movement – Unified Opposition Faction nominated Temur Janashia on June 23, 2021.⁶¹

58 The information is based on the data available on the website of the Parliament and the information requested from the committees. See the table for more information: <https://bit.ly/3Pk0lvT>

59 Address of the Parliamentary faction Georgian Dream on the nomination of members of Parliament Irakli Beraia, Anri Okhanashvili, and Aleksandre Tabatadze as members of the trust group, 16.12.2020 <https://info.parliament.ge/#law-drafting/21106>

60 Address of the Parliamentary Faction Lelo – Partnership for Georgia on the nomination of the member of Parliament Mamuka Khazaradze as a member of the trust group, 9.06.2021 <https://info.parliament.ge/#law-drafting/22353>

61 Address of the United National Movement – Unified Opposition "Strength is in Unity" Faction on the nomination of the member of Parliament Temur Janashia as a member of the trust group, 23.06.2021 <https://info.parliament.ge/#law-drafting/22380>

- Lelo – Partnership for Georgia Faction nominated Badri Japaridze on December 20, 2021⁶² (the faction nominated Badri Japaridze after Mamuka Khazaradze left the Parliament).

The Parliament did not note information about any of the members nominated by Lelo, and consequently, the nominated MPs were not given the opportunity to work in the trust group. According to the information received from the Parliament, the security vetting was in progress in accordance with the law, when Khazaradze and Japaridze were stripped of MP mandates.⁶³ However, the “Lelo” faction nominated Khazaradze and Japaridze a few months before the termination of their mandates, while it took only 13 days from the nomination of the candidates by the Georgian Dream to be recognized by the Parliament.

The candidate nominated by the United National Movement faction, Temur Janashia, was recognized by the Parliament as a member of the trust group on March 1, 2022, 8 months after his nomination.

Due to the above reasons, during the reporting period, the trust group mostly consisted of only 3 members, and all of them were members of the Georgian Dream faction. According to the rules of procedure, the trust group should consist of 5 members. Although there have been cases of incomplete staffing of the trust group in the past years, this practice cannot be considered legal.

Activities carried out by the trust group during the reporting period

Reports on covert actions and special programs implemented in 2020 were presented by the following agencies from the defense and security sector:

-  Georgian Intelligence Service (21 January 2021, 11 February 2022)
-  Ministry of Internal Affairs (28 January 2021, 9 March 2022)
-  Ministry of Defense (12 February 2021, 10 March 2022)
-  Special Penitentiary Service (25 March 2021, 10 March 2022)
-  State Security Service (14 April 2021, 24 January 2022)
-  Special State Protection Service (12 April 2021, 17 February 2022)

In April 2021 and 2022, the LEPL Operative-Technical Agency of the State Security Service presented information on the statistical and general report of its activities.

Three members of the trust group – Beraia, Okhanashvili, and Tabatadze visited 20 agencies in the defense and security sector.

Members of the trust group inspected the LEPL Operative-Technical Agency two times.

The group held 24 sittings in the reporting period, which were attended by the heads of various agencies from the defense and security sector.

During the reporting period, the trust group of the Parliament presented 3 recommendations to the agencies from the defense and security sector.

62 Address of the Parliamentary Faction Lelo – Partnership for Georgia on the nomination of the member of Parliament Badri Japaridze as a member of the trust group, 20.12.2021, <https://info.parliament.ge/#law-drafting/23278>

63 Mamuka Khazaradze’s mandate as a Member of Parliament was terminated on November 16, 2021, Badri Japaridze’s on February 15, 2022.