



# Parliament of Georgia Self-Assessment Report

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10/22/2018

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## Executive summary

Under the latest Open Parliament Action Plan of the Parliament of Georgia, the institution took the commitment to institutionalize a parliamentary self-assessment toolkit designed by the Inter-Parliamentary Union (IPU). To that end, three organizations, the IPU, USAID Good Governance Initiative (GGI) and United Nations Development Programme (UNDP) (hereafter “support partners”) provided support to the Parliament of Georgia. The toolkit invites parliaments to evaluate their performance against a set of criteria based on core democratic values. The purpose of the self-assessment is to help parliaments identify their strengths, weaknesses and needs for organizational development, and to determine priorities for institutional strengthening.

The self-assessment process for the Parliament of Georgia was based on two toolkits that address the general functioning<sup>1</sup> and gender sensitivity<sup>2</sup> of the Parliament, developed by the IPU, which defines a democratic parliament as one that is:

- Representative
- Transparent
- Accessible
- Accountable
- Effective<sup>3</sup>

A gender-sensitive parliament is one that responds to the needs and interests of both men and women in its structures, operations, methods and work.<sup>4</sup> Many women around the world still lack equal rights and empowerment opportunities, and face discrimination and violence. It is often necessary and important to increase a Parliament’s gender sensitivity and the number of women MPs, whose presence and influence result in positive changes in laws, practices, behavior and cultures.

The self-assessment was adapted to the Georgian context in close consultation with Parliament and focused on the six main areas of parliamentary work: 1) The representativeness of Parliament; 2) Parliamentary oversight of the executive; 3) Parliament’s legislative capacity; 4) Transparency, accessibility and accountability; 5) Parliament’s involvement in international policy; and 6) Gender equality of Parliament.

The methodology consisted of a preliminary phase, a self-assessment workshop, and the final draft of the report. The preliminary phase included desk research: reviewing the relevant parts of the rules of procedures and reports from Georgian civil society organizations. The support partners also developed a short survey for staff members and Members of Parliament (MPs).

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<sup>1</sup> Inter-Parliamentary Union (2008) Evaluating parliament: A self-assessment toolkit for parliaments

<sup>2</sup> Inter-Parliamentary Union (2016) Evaluation the gender sensitivity of parliaments: A self-assessment toolkit

<sup>3</sup> Inter-Parliamentary Union (2008) Evaluating parliament: A self-assessment toolkit for parliaments

<sup>4</sup> Inter-Parliamentary Union (2016) Evaluation the gender sensitivity of parliaments: A self-assessment toolkit

The report is divided into six thematic sections with a short overview of the theme (including the survey results), as well as achievements, challenges, and recommendations identified by the participants of the self-assessment exercise.

In most of the thematic areas the workshop participants identified tangible achievements. In the transparency, accessibility and accountability area, for example, participants agreed that the creation and work of the Open Governance Permanent Parliamentary Council and its Action Plan have facilitated a number of positive developments. These include easier access to the Parliament, the creation and publication of committee action plans, and proactive sharing of the information on Parliamentary activities. Participants also noted that the proposed Rules of Procedure will increase parliamentary oversight mechanisms and the legislative capacity of the Parliament. Another achievement noted by the participants was ratification of the Council of Europe's Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) and the harmonization of Georgian legislation based on this Convention.

However, the participants could not reach consensus on a few aspects of the six thematic areas. These included the degree that the representation of opposition should be included in decision-making bodies; the extent that Parliament should be involved in developing and overseeing the state budget; and the necessity for gender quotas.

Workshop participants were mostly in agreement on the list of key challenges for the Parliament. For example, most agreed that the Parliament lacks analytical capacities and evidence-based legislative processes. It was also acknowledged that the oversight function is not being effectively exercised, although there are expectations that the proposed new Rules of Procedure (RoP) will significantly strengthen this function. The expedited procedure for bills was identified as a significant challenge to the quality of the laws produced, as well as to the opportunities for MPs and the public to be meaningfully involved. Participants also agreed there is a need for flexible working hours for women who have children or/and provision of related infrastructures. They also pointed out that there is a lack of understanding of gender issues. During the workshop, women tended to contribute more openly and actively to gender equality discussions than men.

For almost all thematic areas a key recommendation was to increase Parliament's analytical capacities. Most importantly this means addressing the need to analyze the potential and actual impacts of proposed and adopted legislation. The need to institutionalize the Regulatory Impact Assessment (RIA) methodology was also mentioned as a precondition for effective regulations. Another cross-cutting recommendation that emerged from the discussions was to better restrict exercising the expedited procedure for bills. This will increase the transparency of the legislative process, enhance access to bills, allow greater participation from the public and ensure better legislation. Another important recommendation from the participants was to raise awareness of gender related issues, including support for increasing the sensitivity of men. This will contribute to more gender responsive legislative work.

While this report focuses on existing achievements and challenges, the Legislature is discussing new Rules of Procedure (RoP) for Parliament. The proposed RoP aim to significantly improve many aspects of parliamentary life such as its oversight function and mechanisms; the legislative process; accountability and public engagement. Many of the recommendations of this report will be addressed by the new RoP if they are adopted as proposed.

## **Methodology of the self-assessment exercise**

The purpose of the self-assessment exercise was to facilitate a frank discussion on Parliament's performance in six key areas: 1) representativeness; 2) oversight by Parliament of the Executive; 3) legislative capacity; 4) transparency, accessibility, and accountability; 5) involvement in international policy; and 6) gender equality. The report attempts to identify areas for improvement with concrete recommendations for follow-up action to make Parliament a more representative, accountable, active and transparent institution.

The exercise was comprised of three main phases:

**The preparatory phase.** At the end of May 2018, a short online questionnaire based on IPU toolkits was sent to all Members of Parliament and parliamentary staff to collect preliminary information. There were 179 staff members (122 women and 57 men) and 36 MPs (7 women and 29 men) who participated in the survey. The results from the staff survey are separated by gender and presented in this report in relevant sections. It was decided to use graphs only for staff member results, because the number of MPs who participated in the survey was too low for meaningful graphs to be displayed. However, under each graph the average scores from the survey of MPs is used in comparison with those of the staff. Local consultants also conducted desk research using reports on the Parliament from organizations such as Transparency International (TI) and the Georgian Young Lawyers Association (GYLA). These reports assess various aspects of Parliamentary activities, including transparency and legislative capacity.

**The self-assessment workshop.** A workshop was held on June 11-12, 2018, chaired by Irina Pruidze, MP, Chair of the Permanent Council on Open and Transparent Governance. Workshop invitations were sent to the members of the Bureau, Chairs and Vice-Chairs of Parliamentary Committees, members of the Gender Equality and Open Governance Permanent Councils, one independent MP, the Secretary General of the Parliament, Heads of the committee staffs, the Head of the Speaker's Cabinet and the Head of the Financial Department. Opening remarks were made by Tamar Chugoshvili, MP, First Deputy Speaker and Chair of the Gender Equality Council.

The workshop was comprised of six sessions, each focusing on a theme. Each was introduced by a Member of Parliament and referred to any progress Parliament has recently made in a given area and to any relevant plans for progress and areas for development. These introductions were followed by short presentations on the survey, with findings in percentages disaggregated by staff and MP responses. Additional

information was provided from desk research. This provided the basic information so that group discussions could take place. Participants also had a list of questions to prompt discussion. It was suggested that they give their own opinion for each question on a scale of 1 to 5, where 1 means “very poor”; 2 means “poor”; 3 means “medium”; 4 means “good” and 5 means “very good”.

At the end of each session, groups were asked to answer three questions:

1. What has been the biggest recent improvement in this area?
2. What is the most serious ongoing deficiency?
3. What measures are needed to remedy this deficiency?

**The report-writing phase.** The last stage was the preparation of a final report with findings based on the self-assessment exercise and recommendations for the improvement of parliamentary work. The initial report was prepared by local consultants and was further expanded by comments from GGI, UNDP, IPU and the Parliament itself, including the Permanent Parliamentary Council on Open Governance (PPCOG) and the Gender Equality Council (GEC). The PPCOG and GEC also led the overall self-assessment process.

The process was supported by USAID’s Good Governance Initiative in Georgia and UNDP within the UN Joint Programme for Gender Equality (UNJP). IPU provided guidance and support throughout the procedure. One international and two local experts led the self-assessment process.

## **Representativeness of the Parliament**

### ***Overview of the theme***

The objective of the session was to assess how adequately the composition of the Parliament and its various bodies represent the diversity of the country, including political opinion, women, marginalised groups, youth, religious minorities and sexual minorities. The session participants also discussed how effectively Parliament is used as a forum for debate on questions of public concern.

The current Parliament was elected based on a mixed electoral system, with 73 MPs elected through single-member majoritarian districts and 77 MPs elected through party lists. Geographically, all districts are represented in Parliament. During the last parliamentary elections, smaller districts have merged to ensure that there is not a big disparity between the weights of district votes. Previously, for example, the Kazbegi electoral district with about 3000 voters, elected one MP, while the Kutaisi electoral district --with over 100,000 voters --could also elect only one MP.

Ethnic representation is reasonably ensured at the Parliament of Georgia. Districts with predominantly ethnic minority populations usually elect MPs from their ethnic minority (mostly Armenians from Javakheti and mostly Azerbaijanis from Kvemo Kartli). Ethnic identities largely coincide with traditional religions, so the Parliament

has mostly Georgian orthodox MPs, but also some Grigorian Christian and Moslem representatives. Religious minorities do not have an explicit representation at the Parliament, however individual MPs sometimes voice their interests. As for sexual minorities, only a few MPs have voiced and defended their interests.

The current composition of the Parliament was formed by three electoral groups that passed the 5% threshold (Georgian Dream, United National Movement, and the Alliance of Patriots of Georgia) and two independent candidates through single member majoritarian districts.<sup>5</sup> Based on constitutional amendments, in 2020 the parliamentary election threshold will be decreased to 3%, and the right to form electoral blocks will be retained.<sup>6</sup> In the 2024 parliamentary elections, the country will switch to a fully proportional electoral system with a 5% threshold. The proportional system will increase chances for smaller parties to get into Parliament. However, from 2024, parties will no longer be able to form electoral blocks, which will be particularly challenging for small parties.<sup>7</sup>

The current constitution allows all eligible persons 21 years and older to be elected to Parliament. However, in 2016, in the last parliamentary elections, only one MP was younger than 30 and just 20 were younger than 35 (13% of the total composition). Based on recent constitutional amendments, the minimum age for MPs will be raised to 25.<sup>8</sup>

Female representation in the Parliament of Georgia is low, at only approximately 15%. This rate is well below the global (23.8%) and European (27.5%) averages of women in Parliament, as of June 1, 2018. The Georgian Parliament remains significantly male-dominated, and female MPs lack representation in decision-making processes. However, it is noteworthy that five out of fifteen Committee Chairs are women.

Achieving gender equality on the way to building a democratic state has been challenging for Georgia. The disparity in representing women in the Parliament has been a long-standing problem, which has been acknowledged by MPs from the ruling party as well as from the opposition. Equal participation of women and men in politics is an important condition for effective democracy and good governance. However, a bill proposing a quota for more balanced gender representation in elected offices was not passed by the Parliament in Spring, 2018.

Concerning opposition participation, within Parliament some mechanisms ensure their representation at decision-making levels. For example, the opposition can appoint Committee Deputy chairs and participate in international delegations. Proposed amendments to the Rules of Procedure will increase the rights of the opposition. For instance, the number of opposition representatives in a temporary

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<sup>5</sup> Central Election Commission (2016), Final Results of the 2016 October 8 Parliamentary Elections, <http://cesko.ge/res/docs/20161116144542%E1%83%9D%E1%83%A5%E1%83%9B%E1%83%98.pdf> (accessed on September 21, 2018)

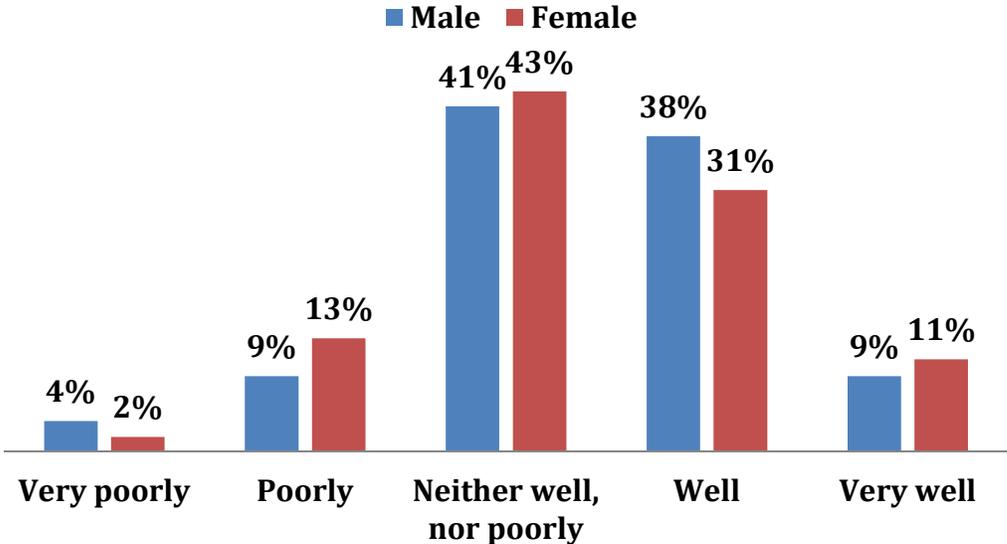
<sup>6</sup>Constitutional Law of Georgia (2018) <https://info.Parliament.ge/file/1/BillReviewContent/179591?>

<sup>7</sup>Constitutional Law of Georgia (2018) <https://info.Parliament.ge/file/1/BillReviewContent/179591?>

<sup>8</sup>Constitutional Law of Georgia (2018) <https://info.Parliament.ge/file/1/BillReviewContent/179591?>

investigative commission will be not less than half of the composition of the commission. Some internationally established practices could enhance the level of opposition representation in Parliament. One such mechanism would be to appoint members from the opposition to some key decision-making offices. In many countries with strong democratic parliaments, there are mechanisms to guarantee that opposition parties are represented within some decision-making positions such as committee chairs. In the UK, in almost all commonwealth nations and in many other countries, the Chair of the Public Accounts Committee is always drawn from the opposition. This is a key committee, in charge of overseeing government expenditures.<sup>9</sup> However in Georgia no opposition member is currently Chair of a Committee in the Parliament.

Figure 1: How inclusive is the Parliament in its composition and manner of working with all constituency groups and considering their interests? (Includes gender, religious, ethnic, political, social, etc)



The survey results show that the majority of male and female staff of the Parliament consider the representativeness of the Parliament on average or better than average. The average score to this question was 3.36 by staff members and 3.38 by MPs. Thus, there is no major difference in assessing representatives of the Parliament between MPs and the Parliamentary staff.

**Recent achievements and improvements**

The interests of some of the largest vulnerable groups in the country, such as people living under the poverty line, were considered as represented at the Parliament to some degree by the participants of the self-assessment exercise. One opposition MP said that some sectors have long been advocated for because of general public interest and donor support. For example, on health-related issues, there are always MPs in the Parliament who know the topic and can raise issues of public concern. Similarly, many

<sup>9</sup> See, for example, UK Parliament, *History - Public Accounts Committee* <https://www.Parliament.uk/business/committees/committees-a-z/commons-select/public-accounts-committee/history-of-committee/> (accessed on September 4, 2018)

non-parliamentary actors also have acquired expertise and experience in such areas and are in a strong position for active advocacy work. Specific results from such advocacy work include new laws, such as the anti-discrimination law, which are steps in the right direction.

However, there are areas with little or no long-standing public interest or donor support. The opposition MP further argued that for interest groups that represent such sectors (for example, car owners), it is harder to engage in active advocacy work at the Parliament.

Parliamentary staff is generally considered apolitical. Many staff members have been working at the Parliament since Georgia gained independence in 1991, under different governments and ruling parties. One senior staff member noted: “I have many employees in my department, with varying political views. Everybody understands that at work they need to be impartial and not voice their political sympathies aloud, to ensure that it doesn’t interfere with their work.”

## **Challenges**

There was significant debate about how moving from a mixed electoral system to a proportional one may influence the representativeness of the Parliament. For example, some participants argued that a majoritarian system produces over-representation of the winning party, while a proportional system would give more opportunities to smaller and diverse parties to be represented in Parliament. On the other hand, some participants argued that the majoritarian system encourages more direct contact with the constituency, thus increasing accountability of individual MPs.

While there was no consensus between the majority and the opposition MPs, several issues were highlighted as main challenges for the representativeness of the Parliament. There was a heated discussion on how representative the Parliament is for different types of constituents and interest groups. The report has grouped these challenges below:

### **) Interest groups**

One opposition MP pointed out that not all themes and interest groups are equally represented in the Parliament:

‘For themes where public awareness is high and support from donors and politicians have not been disputed, there are special interest representatives in the Parliament who represent the concerns of such groups. For example, committee hearings often include CSOs working on domestic violence or health issues. However, many groups may not be consulted when important legislative acts are being adopted. One of the latest regulations restricts the conditions that car-owners for receiving credit in banks or micro-finance organizations. This affects a large portion of the population, but the consultation process has not been nearly as inclusive as it should have been.’ (MP)

Another participant made a point that was highly contested by the others in the group, that the Parliament and its priorities are not representative of all social groups in the country:

Most MPs, from all political groups, do not defend the interests of minority groups, nor even consider themselves as representing them, since they receive no political rewards for doing so.' (MP)

One MP noted that the composition of Parliament does not reflect certain sectors and professions in the country:

'Often, when compiling party lists, more weight is given to speech-making skills than professional experience. As a result, we only have a few people who can represent such sectors as financial, economic, environmental, etc.' (MP)

However, there were also views arguing that Parliament's composition shouldn't explicitly represent any group in society:

'It's unclear why Parliament should reflect these groups (women, religious, ethnic, political, social and other groups). These groups choose their own representatives, who might be of different genders, or ethnic origins or religious views. Therefore, it is not really necessary for these groups to be clearly or even approximately represented in Parliament.' (staff member)

### **Opposition participation at the decision-making level**

Opposition MPs noted that there are no Chairs of Committees from opposition or minority parties, although there are Vice-Chair posts and Deputy Speakers from the opposition. In terms of debate, the opposition has rights to speak as prescribed in the RoP.

### **Engagement with the public**

One MP raised concern about the lack of mechanisms through which parties connect with the public.

'Parties should be defending the interests of specific social or other groups. If the parties are disconnected from the public, then how there can be representativeness? ... If party popularity is based solely on its leader and advertisement campaigns, then such a party doesn't represent the interests of any group.' (staff member)

### **Women's representation**

With only 15% of MPs being women, Georgia ranks low for female representation in Parliament. However, different political groups and individual actors within these political groups view the issue differently. While Parliament failed to adopt a bill to enact a gender quota for Parliament, a large group of MPs still believe such a bill should be adopted. Many others do not perceive the low number of women as an important

challenge. There are also MPs who believe that the low number of women in the Parliament is a problem, but it shouldn't be addressed by imposing a quota, but by creating equal opportunities and incentives for women.

### ***Recommendations***

- Improve Parliament's mechanisms to engage citizen participation.
- Ensure wider discussion of proposed bills and cover a larger number of interest groups.
- Ensure that MPs have sufficient skills for their role once elected.
- Improve the mechanisms for opposition MPs to express their position. In terms of debates there are rights to speak for the opposition, but rights should also be included in the rules of procedure. As noted in the Executive Summary, if the new RoP are adopted as proposed, opposition MPs will have greater opportunities to express their positions.
- Consider the practices of other national Parliaments concerning the rights of opposition parties to ensure that all MPs can fulfil their representative roles.
- Resume debate and advocate for the adoption of gender electoral quotas.

## **Parliamentary Oversight over the Executive**

### ***Overview of the theme***

The objective of this session was to assess the oversight mechanisms available for MPs, the role of Committees, Parliament's influence on the national budget and the ability to monitor the implementation of legislation in general. The session also included assessment of the research and information facilities available for MPs to exercise the oversight function of the Parliament.

The GYLA assessment of the parliamentary work in the 2016 Fall session and the 2017 Spring session highlights the fact that oversight mechanisms were not actively used for the reporting period.<sup>10</sup> In 2017, ten committees requested the attendance of accountable executive bodies a total of 65 times. Thirty-three MPs have used the right of Parliamentary Question with a total of 124 questions directed at 35 state entities. Most of these questions (100) came from the 16 opposition MPs. In four cases during 2017 the opposition requested that investigative commissions be formed, but none of these requests were fulfilled.<sup>11</sup> In 2018, one highly important investigative commission was formed and chaired by a representative from the opposition. Other types of temporary commissions were more common and easier to form. For example, during the GYLA assessment (2016 Fall/2017 Spring), two temporary commissions were

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<sup>10</sup> GYLA (2017) Report on the Monitoring of the Activity of the Parliament of Georgia: Assessment of Legislative and Oversight Activities <https://gyla.ge/ge/post/saiam-parlamentis-sakanonmdeblo-dazadedamkhedvelo-saqmianoba-sheafasa#sthash.iKnuTLZU.cbmHHAXv.dpbs> (accessed on May 28, 2018)

<sup>11</sup> GYLA (2017) Report on the Monitoring of the Activity of the Parliament of Georgia: Assessment of Legislative and Oversight Activities <https://gyla.ge/ge/post/saiam-parlamentis-sakanonmdeblo-dazadedamkhedvelo-saqmianoba-sheafasa#sthash.iKnuTLZU.cbmHHAXv.dpbs> (accessed on May 28, 2018)

formed.<sup>12</sup> The proposed new RoP will significantly simplify the process of forming of an investigative commission.

The Transparency International report on Strengthening Parliamentary Control in Georgia<sup>13</sup> showed that a number of oversight mechanisms, such as the ‘Government Hour’, are not used by the Parliament, although prescribed in the RoP.

“Committees do not effectively and systematically exercise such oversight powers as the control of implementation of the normative acts and the review of the reports on execution of the state budget, although these powers are provided in the RoP.”<sup>14</sup>

There is not much difference between the opinion of male and female Parliamentary staff members about the oversight function, as can be seen in the following Figure 2. The average score to this question was 3.24 by staff members and 2.92 by MPs. Thus, Parliamentary staff seems more positive in assessing the effectiveness of oversight activities of the Parliament of Georgia.

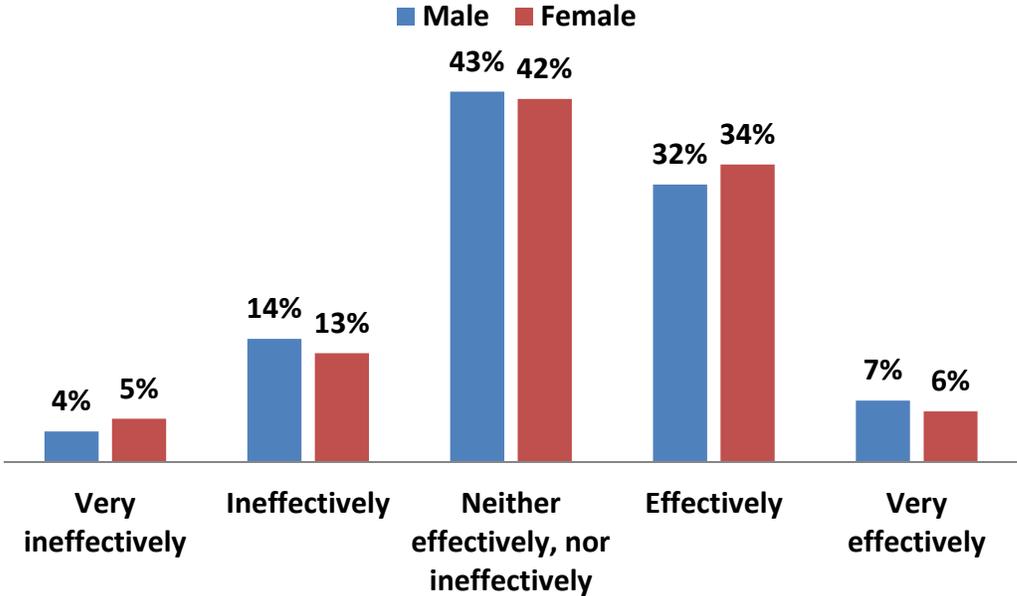
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<sup>12</sup>“Temporary Commission on Territorial Integrity” and “Temporary Commission on Financial Audit of the State Audit Service.” GYLA (2017) Report on the Monitoring of the Activity of the Parliament of Georgia: Assessment of Legislative and Oversight Activities <https://gyla.ge/ge/post/saiam-parlamentis-sakanonmdeblo-da-sazedamkhedvelo-saqmianoba-sheafasa#sthash.iKnuTLZU.cbmHHAXv.dpbs> (accessed on May 28, 2018)

<sup>13</sup> Transparency International (2018) Strengthening Parliamentary Control in Georgia <https://www.transparency.ge/en/post/strengthening-parliamentary-control-georgia> (accessed on May 27, 2018)

<sup>14</sup> Transparency International (2018) Strengthening Parliamentary Control in Georgia <https://www.transparency.ge/en/post/strengthening-parliamentary-control-georgia> (accessed on May 27, 2018)

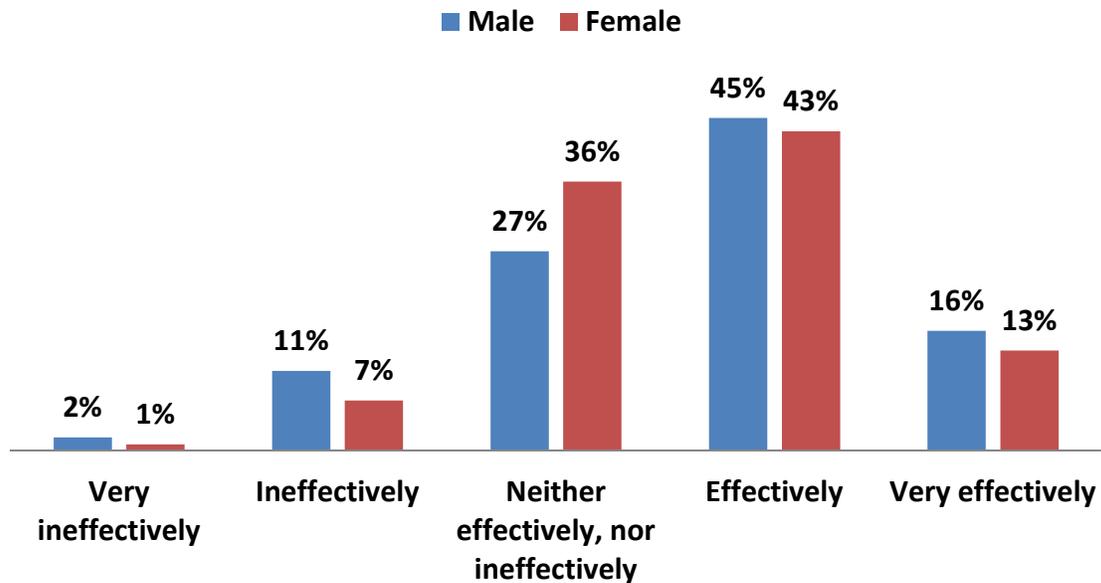
Figure 2: How effectively does the Parliament of Georgia oversee the Executive Branch



As with Figure 2, Figure 3 also shows no major difference between male and female staff members overall, this time on the parliamentary function of developing the state budget. However, there is a significant difference between staff members and MPs. The average score to this question was 3.62 by staff members and 3.08 by MPs. The

Parliamentary staff appears more positive in assessing the function of developing the state budget of Georgia.

Figure 3: How effectively is the Parliament of Georgia involved in developing the state budget?



### ***Recent achievements and improvements***

The session participants were generally in agreement that collaboration with the Executive branch has improved compared to previous years, but much remains to be done.

The new draft RoP which is set to be adopted by the end of 2018 provides significantly improved mechanisms for Executive oversight. These include summoning a Minister to Sector Committee hearings, instituting the ‘Minister hour’ and ‘interpellation’ functions, and providing more possibilities for ‘committee inquiry’ mechanisms. In addition, the functions and weight of the Gender Equality Council and the Open Governance Council are expected to increase.

### ***Challenges***

MPs listed many challenges related to the Executive oversight function of Parliament. Areas of discussion predominantly addressed the lack of staff expertise and insufficient oversight tools, although new tools will become available after the new RoP are adopted. The challenges involved in overseeing the budget were also widely discussed by participants.

Committees can feel overwhelmed by legislative work, and greater support is needed to exercise their oversight function. This can include research and analysis and more staff who can perform such tasks.

'Parliament's work thus far has focused mainly on legislation, rather than the Executive oversight function. However, since the oversight function has become more relevant now, the staff must provide support for both functions, which is very difficult.' (MP)

'One of the components of oversight is, for example, reviewing citizens' letters. Often, these letters are forwarded to administrative bodies for further action without due research or legal analysis. If we provided analyses and recommendations to the relevant bodies, then oversight over the Executive would be more effective.' (staff member)

Workshop participants also agreed that this is a practical issue, of applying regulations that already exist:

'While some oversight functions might be well detailed in the RoP, the practical reality is often different. MPs prefer to make a phone call to the government people they personally know, rather than rely on procedural mechanisms.' (MP)

Participants from the opposition highlighted the fact that during the last six years, investigative commissions were requested 23 times, but only one was formed, in the wake of public protests. The new RoP, if adopted as proposed, will significantly simplify the establishment of investigative commissions.

Some participants noted that overseeing the budgetary process is not effective. On one hand, MPs often lack financial expertise, and on the other hand the process doesn't allow for a detailed analysis of specific programs. Many workshop participants also pointed out that Parliament is not sufficiently involved in budgetary processes.

'We have problems here. More frequent communication is needed, not just listening to the reports. Teamwork, joint planning and thinking is necessary to address the problem.' (MP)

'[Parliament] is not effectively involved. Parliament always supports the budget proposal from the government. A thorough analysis of the government projects does not take place.' (staff member)

'[Parliament] is not sufficiently involved. When it can't change the budget without the permission of the Executive, how can we talk about effectiveness? What is happening in our Parliament is mere disrespect using the 'power of the purse' principles.' (MP)

'It is desirable for Parliament to be involved at all levels of the budget development process and to have real lobbying for implementation of the election promises of the ruling party... also, it is important to perfect the reform on mechanisms of supervision over the implementation of the budget.' (MP)

## **Recommendations**

- Establish a strong monitoring and evaluation mechanism to ensure effective implementation of on-going reforms.
- Strengthen staff capacity in Parliament to perform oversight functions. This includes better research and analytical support for the budget process.
- Designate specific qualified staff to provide assistance in oversight tasks (as opposed to staff who deal with all functions of Parliament like at present). Oversight tasks would include following up with the Executive on pending issues.
- Establish processes to facilitate more structured requests (such as MP questions) and follow-up information from the Executive.
- Promote oversight by the Gender Equality Council on implementation of gender-related legislation.

## **Parliament's legislative capacity**

### ***Overview of the theme***

The objective of the session was to assess Parliament's legislative capacity, including the procedures for ensuring full and open debate on draft legislation, committee procedures, consultation mechanisms, analyses of potential impact, and rules and practices promoting gender equality.

The practice in most democratic countries is that the Executive rather than the Parliament is the main author of bills initiated by Parliament. In the Fall session of 2016 and the Spring session of 2017, Parliament initiated 83 out of 186 bills (45%).<sup>15</sup> This is a high ratio for a Parliament and the TI Report points out that some existing practices within the legislative process need to be improved.

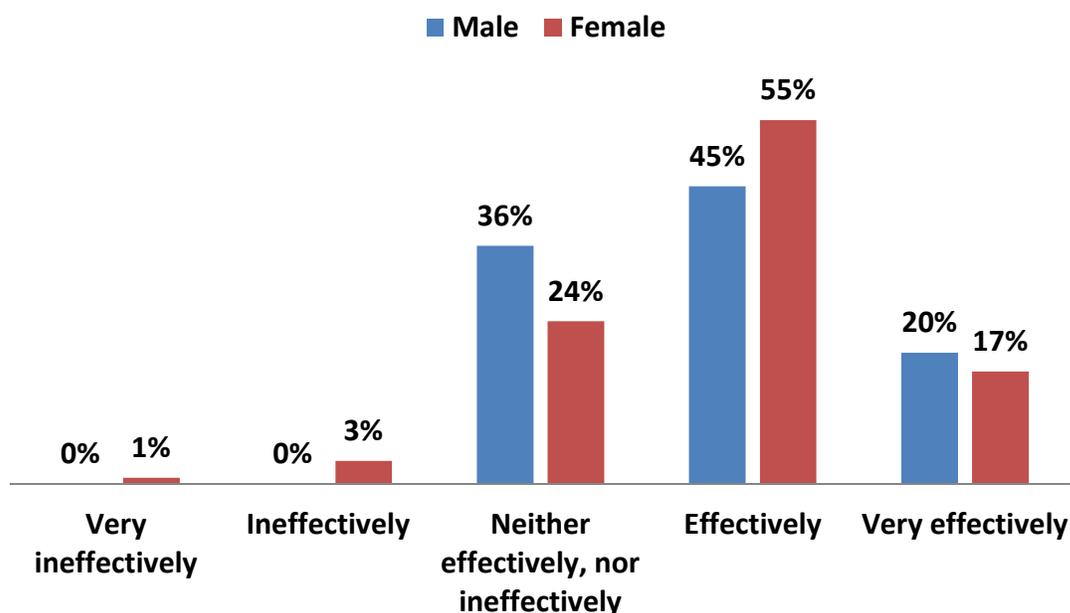
For example, between 2012 and 2016 Parliament applied the rule of "expedited procedure" for bills a total of 437 times.<sup>16</sup> That raises concerns that there is not enough time for MPs to scrutinise all the bills thoroughly and consult the public. Furthermore, Parliament also postponed the enactment of several important laws such as regulations on the jury system. Postponing the enactment of laws is often justified by citing unpreparedness of executing agencies, however the TI Report assesses such justifications as dubious.

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<sup>15</sup> GYLA (2017) Report on the Monitoring of the Activity of the Parliament of Georgia: Assessment of Legislative and Oversight Activities <https://gyla.ge/ge/post/saiam-parlamentis-sakanonmdeblo-dasazedamkhedvelo-saqmianoba-sheafasa#sthash.iKnuTLZU.cbmHHAXv.dpbs> (accessed May 28, 2018)

<sup>16</sup> Transparency International (2017) Performance of the Parliament's 8th convocation <https://www.transparency.ge/en/post/report/performance-Parliament-s-8th-convocation> (accessed May 28, 2018)

Figure 4: How effectively does the Parliament of Georgia implement legislative activities?



None of the male staff members said that the Parliament is ineffective or very ineffective in implementing legislative activities. There is no significant difference between the Parliamentary staff and MPs: the average score to this question was 3.83 by staff members and 3.67 by MPs.

### ***Recent achievements and improvements***

There are several notable improvements in the legislative capacity of Parliament. Some workshop participants noted that compared to previous years Parliament now engages with the Executive more systematically and is better informed about the upcoming bills. Several committees have managed to develop strategic and annual action plans in cooperation with the Executive branch, which now submits bi-annual legislative plans to the Parliament. This is a significant step forward in the legislative process.

The participants agreed that one of the important achievements for the legislative process is that of taking steps to institutionalize the Regulatory Impact Assessment (RIA).

'I consider it a major achievement that in the last year, with tremendous efforts from some committees and support from partner international organisations, including GGI, several RIA projects were piloted. This ensures the establishment of good practices in Parliament.' (MP)

There are certain areas in which the Parliament, as a political body, has unanimously agreed to take action, such as violence against women. Last year, the Istanbul Convention was ratified and Georgian national legislation regarding violence against women was amended with the complete support of the Parliament and without any resistance.

Going forward, the proposed RoP will significantly strengthen the legislative capacity of the Parliament as they will allow more time for law-making and reduce the number of instances when the expedited procedure for bills can be applied. The new RoP will also give committees more time to review bills.

### **Challenges**

The workshop participants noted that key issues with legislative competence are related to the lack of analytical competencies in Parliament and insufficient time for due consideration of bills. There were also discussions around the difficulties in adopting important legislation, such as the anti-discrimination law.

One of the main challenges highlighted by the participants is the lack of analytical competencies in Parliament. Explanatory notes that accompany the bills are often cursory and lack information about the possible impact of the regulation, including fiscal implications. Bills are rarely based on evidence and analysis. This, in turn, leads to either low-quality legislation or lost time and resources to amend already-adopted laws. Participants referred to the institutionalization of the Regulatory Impact Assessment (RIA) and mentioned instances of developing RIA reports by Executive agencies or even Parliament.

‘As an example, we can bring numerous amendments related to the institution of the Personal Data Protection Inspector. It would be better to do a complete and comprehensive analysis of the amendments and to develop a perfect option rather than to spend resources and to draw out an important human rights-related amendment. Numerous amendments related to this institution leave the impression that what is done every time is an insufficient analysis of the draft laws that are to be adopted.’ (MP)

The law-makers also face challenges reviewing the Executive initiatives. While the government submits biannual legislative plans, it is often the case that during a session many ad-hoc legislative initiatives are also submitted with an intention to adopt them quickly. In such circumstances, MPs cannot allocate enough time to plan for and prepare various government bills.

For staff members, in order to provide analytical support to MPs, it is often challenging to obtain information from other government agencies:

‘It is easier for me to find information on Canada, for example, than to obtain similar information within our own country.’ (staff member)

Adopting bills too quickly negatively affects the quality of legislation.

‘As a young democracy, we are forced to quickly adopt many bills. But I think the priority now has to shift towards improving the quality of the bills being considered.’ (MP)

‘The bills are reviewed haphazardly; interest from parliamentarians and their competencies are not high, and there is also no broad dialogue with the population and the groups concerned.’ (MP)

The workshop participants also noted that it is more difficult to agree on issues such as mandatory gender quotas. Some Parliamentary staff members stressed that that the Parliament of Georgia is no exception and every country has difficulties while making decisions on gender quotas. Legislative amendments related to discrimination (not only against women) seem to be especially challenging. Anti-discrimination legislation in Georgia is "demonized" by society, since it is considered as an initiative directed against national values. The contents of the laws are not correctly interpreted, which leads to discrepancies in practice. Consequently, Parliament is afraid to touch anti-discrimination legislation. It was also emphasized that it is necessary to regulate the issue of sexual harassment at the legislative level, as ‘many cases have been reported, but neither women nor men are aware of how to protect themselves, or they cannot do it because of fear of publicity.’ (staff member)

### ***Recommendations***

- Strengthen Parliament’s human resources and analytical capacities, for example by including experts’ opinions.
- Expand the practice of the Regulatory Impact Assessment for better legislation.
- Limit the application of the “rule of the expedited consideration of bills”.
- From the Executive side, provide more information for legislative work and share the agenda for legislation that the government plans to introduce in a given year; this will also strengthen Parliament’s legislative capacities.
- Control the potential for conflict of interest by introducing a Code of Ethics.
- Raise awareness within society and for MPs on gender-based discrimination/crime issues, including sexual harassment.
- Ensure greater contact between Parliament and ministries to improve information on expected legislation.
- Address the issue of overburdening a single committee during the draft legislation process.
- Increase the involvement of the public, including the private sector, in the legislative processes.

## **Transparency, accessibility and accountability of Parliament**

### ***Overview of the theme***

Within the framework of the Open Parliament Action Plan, the Parliament has embarked upon a number of important commitments that will increase important aspects of its transparency, accessibility and accountability. The Transparency International Monitoring Report of 2017 “Open Parliament Action Plan” indicates which of the commitments have already been completed, which are in progress, and which are delayed. Some important commitments include:

- 1.4. Elaboration of rules and forms for conducting public consultations during law-making processes
- 1.5. Adaptation of the parliamentary building to the needs of people with disabilities and accessibility of services provided to them by Parliament
- 1.7. Simplification of procedures for citizens to enter the Parliament Building
- 2.1. Expansion of the list of public information to be proactively published on the Parliament website
- 3.1. Institutionalization of annual meetings between the Parliament of Georgia and civil society organizations
- 4.1. Augmentation of the transparency of investigative and other temporary parliamentary commissions
- 4.3. Elaboration of a Code of Ethics for Members of Parliament

Figure 5: How well does the Parliament of Georgia ensure the public is informed about its activities?

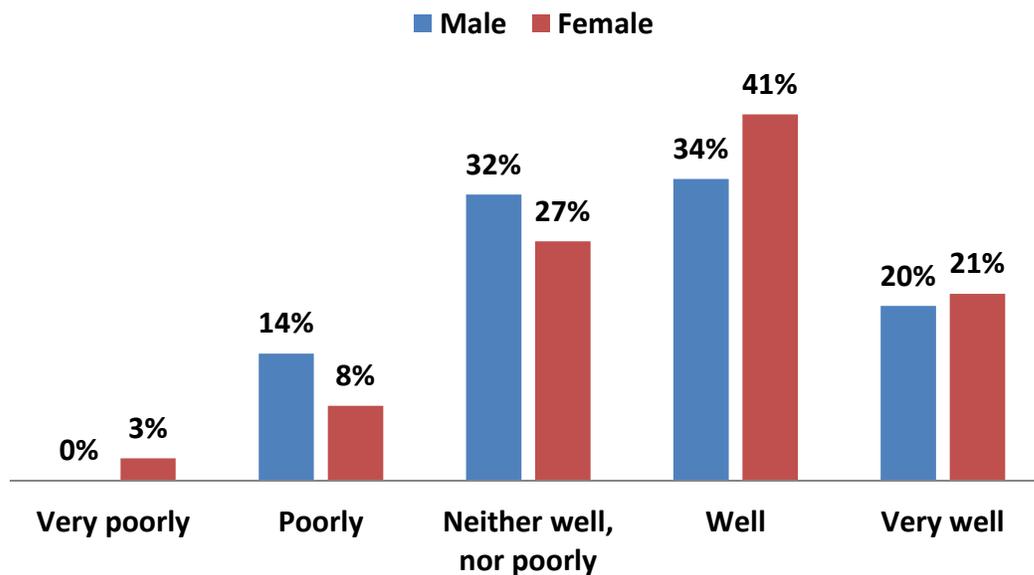
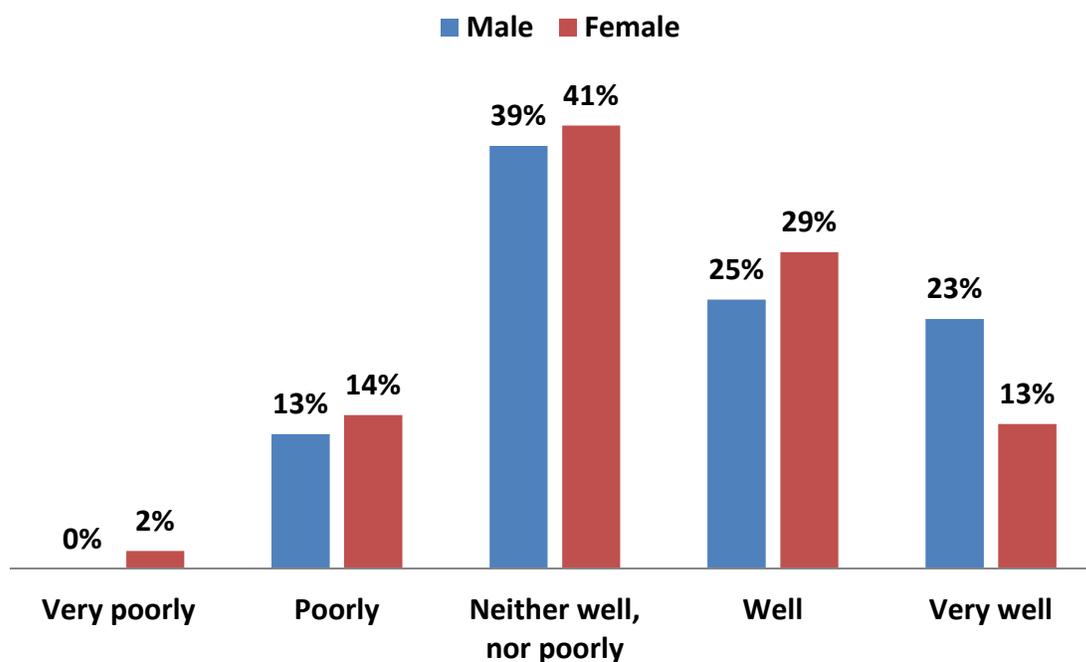


Figure 5 shows that 62% of female staff members think Parliament ensures the public is informed about its activities well or very well. Only 54% of male staff thinks the same. The average overall score is 3.65 by staff members and 3.00 by MPs.

Figure 6: How well does the Parliament of Georgia ensure public involvement in legislative activities?



In contrast with Figure 5, not even half of the male staff members (48%) in Figure 6 think that the Parliament ensures public engagement in legislative activities well or very well, and only 42% of female staff members think so. The average score for this question was 3.45 by staff members and 3.56 by MPs.

### ***Recent achievements and improvements***

Most of the discussion on the achievements of Parliament in terms of transparency, accessibility and accountability revolved around the Open Governance Partnership and Open Parliament Initiative. Workshop participants noted that Georgia is one of the first countries to establish an Open Governance Permanent Parliamentary Council. In 2015, Parliament signed the Legislative Openness Declaration and adopted its first Annual Action Plan. As a result of the first two action plans there were notable achievements, for example:

- Z allowing public comment on draft legislation through Parliament’s website
- Z creating a mechanism for ensuring public participation in the process of constitutional amendments
- Z making it obligatory for parliamentary committees to develop and publish their annual action plans
- Z developing a concept for Parliament’s new website, which is being developed and will be operational in the first quarter of 2019
- Z developing a system for electronic submissions of petitions and legislation to Parliament, which will become operational with the launch of the new website
- Z launching a mobile telephone app for Parliament
- Z developing and publishing a regularly updated database of parliamentary questions on Parliament’s website

Committee sessions are generally open and broadcast live online. Some committees have established active relationships with civil society groups.

### **Challenges**

Workshop participants mainly focused their discussions on challenges concerning effective communications with citizens through multiple channels, including face-to-face interaction, media and social networks. Expedited procedure for consideration of bills also inhibit the transparency of the legislative process.

One challenge noted by participants was a lack of public awareness about the available instruments and mechanisms. This seemed to be shared by both the ruling party and opposition members. One MP noted:

‘There is political will to make Parliament more open and transparent, but the public and factions within Parliament need to know about available instruments and mechanisms for this. The image of Parliament should be raised.’ (MP)

Most participants also agreed that challenges are particularly apparent in terms of communication with citizens on a local level in the regions. However, there have been some positive steps from several committees in this direction, including the Committee on European Integration, the Regional Policy and Self-Government Committee, the Environmental Protection and Natural Resources Committee, and the Foreign Relations Committee. Open Governance Permanent Parliamentary Council and Gender Equality Councils are also active in communicating with citizens at the local level.

Participants noted that the pace of the legislative process creates problems for citizen engagement.

‘More time needs to be allocated for each phase of the parliamentary process, to ensure greater participation of MPs and the public. Too many laws are being adopted using expedited procedures.’ (MP)

### **Recommendations**

- Increase the awareness of parliamentary life and available instruments for citizen engagement.
- Strengthen involvement and communications at local levels, in addition to the work of majoritarian MPs, who are directly elected by a constituency.
- Provide more opportunities for youth to be introduced to parliamentary work, including active campaigns at schools.
- Adopt a Code of Ethics to increase Parliament’s transparency and accountability.
- Consider outreach practices in other countries and consider adapting them to use in Georgia.
- Share best practices between committees to raise standards. This can include ensuring committee annual plans and reports are on the website. Some committees already do this; however, it is important that all parliamentary committees adopt similar practices.

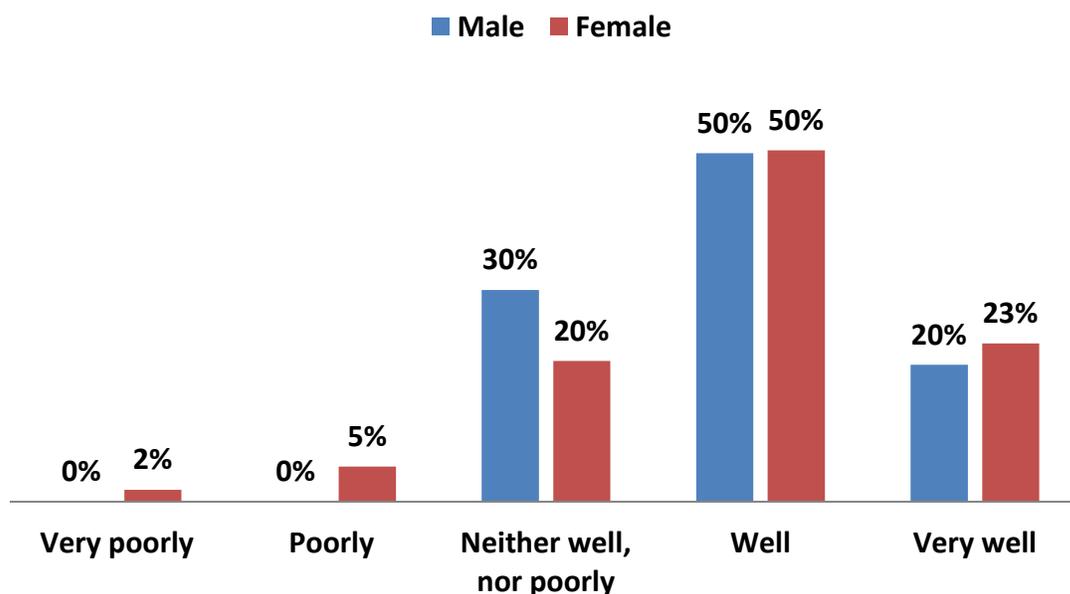
## Parliament's involvement in international policy

### Overview of the theme

The two main priorities of the current Parliament of Georgia in terms of foreign policy are facilitating Georgia's integration into Euro-Atlantic institutions and maintaining the non-recognition policy towards Abkhazia and South Ossetia. Both priorities require tremendous efforts at the international level, and the key actors from the Parliament of Georgia are the Chairman of the Parliament, the Foreign Relations Committee, the Committee on European Integration, and the permanent and ad-hoc parliamentary delegations. The role of the Parliament is also important in overseeing the relevant Executive bodies, and most importantly the Ministry for Foreign Affairs.

The Parliament of Georgia is no longer involved in appointing ambassadors, which affects their ability to influence foreign policy. However, with the EU Association Agreement obligation, Parliament is becoming increasingly active in foreign affairs that concern the EU. Parliament's role is also important in the NATO accession process.

Figure 7: How do you assess the activities of the Parliament of Georgia in terms of foreign policy?



Both male and female staff members assess Parliament's involvement in foreign affairs generally as positive. There is no significant difference between the Parliamentary staff and MPs: the average score to this question was 3.88 by staff members and 3.89 by MPs.

### Recent achievements and improvements

The current Parliament has adopted important bi-partisan resolutions on matters of foreign policy and national security, thus managing to give more political weight to

Euro-Atlantic aspirations and to their position towards Russia's occupation. The participants also noted active cooperation with other parliaments and helping to maintain non-recognition policy towards Abkhazia and South Ossetia.

The role of Parliament is also important in terms of fulfilling obligations for the Association Agreement with the EU. The Committee on European Integration coordinates Parliament's lawmaking, oversight and public outreach activities with respect to European Integration and implementation of the Association Agreement. Moreover, the Committee communicates Georgia's reforms and EU integration progress to international partners; develops parliamentary partnerships; and enhances cooperation with EU institutions and Member States.

The workshop participants also noted that Parliament is actively working on bringing the legislation into compliance with international obligations regarding gender equality, such as the Istanbul Convention, UN Security Council Resolution 1325. However, the sexual harassment law still needs to be agreed upon and adopted.

Work on Georgia's non-recognition policy has become very intensive as Parliament establishes contacts with international organizations and national parliaments abroad.

### **Challenges**

Parliament's involvement in international policy raises diverse challenges. One of these was highlighted by the participants, who almost unanimously agreed. It concerns the lack of research and analysis. One MP provided a specific example:

'It is good that we have intensive relations with our counterparts abroad. But we also need to know exactly what kind of relations we should have with specific countries. A thorough analysis is needed for this. Analysis should come not only from within the Parliament, but also from outside. Currently, we are in a reactive mode, only able to respond to the problems at hand. We should shift to a proactive mode.' (MP)

More focus on capacity building of the Defence and Security Committee than on the Foreign Relations Committee was cited as a challenge. Foreign Relations Committee needs trainings and support to be able to effectively engage with the Ministry of Foreign Affairs. One participant noted that while the Minister or Deputy Minister of Foreign Affairs might come to the Parliament, there is little opportunity for more systematic, continuous oversight from the Parliament. This is partly because more focus is on other committees, while the Foreign Relations Committee needs to acquire skills and mechanisms to exercise its power over the executive:

'The focus of support of the donors is on the Security and Defence Committee. The Foreign Relations Committee would also greatly benefit from learning the practicalities of its oversight function over the Executive. Besides sending the parliamentary questions and carrying out thematic sessions, there are also practical considerations that would make the oversight more effective.' (MP)

Another challenge was the lack of coordination between various bodies on issues concerning the occupied territories:

‘We [as a government] need to have vision where we see ourselves in, say, 20 years’ time.’ Furthermore, one of the participants said that there is room for Parliament’s involvement in political dialogue with the occupied territories. One such mechanism could be the resolution 1325 as it explicitly calls for the involvement of women in post-conflict situations. Thus, the Gender Equality Council could play a role in leading dialogue.

### ***Recommendations***

- Develop the analytical capacity of Parliament, particularly concerning international relations and foreign affairs.
- Establish active and broad discussions and exchanges to form a common vision and priorities.
- Promote Parliament’s engagement to review and implement the National Action Plan on Resolution 1325.
- Consider how to involve Parliament in the discussions on occupied territories.
- Build on the positive co-operation of Georgia with Moldova and Ukraine in issues of joint concern.

## **Gender equality and the Parliament**

### ***Overview of the theme***

The objective of this session was to assess Parliament’s gender responsiveness, the gaps and challenges and how Parliament perceives the concept of “gender equality” in general. Given the recent vote on the mandatory gender quotas in March 2018, the discussion also focused on identifying the steps that had been taken to improve women’s political participation.

Women account for more than a half of Georgia’s population, while their representation in the Georgian Parliament is only 15%. Some political parties have considered voluntary party quotas for electoral party lists. Georgia ranks 125th among 193 countries in IPU’s worldwide classification of women in national parliaments<sup>17</sup>, outperforming only two or three countries in Europe. Analysis of the parliamentary elections conducted since the time Georgia gained its independence illustrates that at this pace it will take a long time to achieve a minimum gender balance. There are 23 women out of 150 MPs. Two vice-speakers, including the First Vice-Speaker, are women, five out of 15 committee chairs are women, and eight out of 15 committees have female deputy chairpersons.

Parliament is a key stakeholder in the promotion and achievement of gender equality. Parliamentary oversight processes provide an opportunity to ensure that the

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<sup>17</sup> Inter-Parliamentary Union, Women in National Parliaments, available at <http://www.ipu.org/wmn-e/classif.htm> (accessed on June 29, 2018)

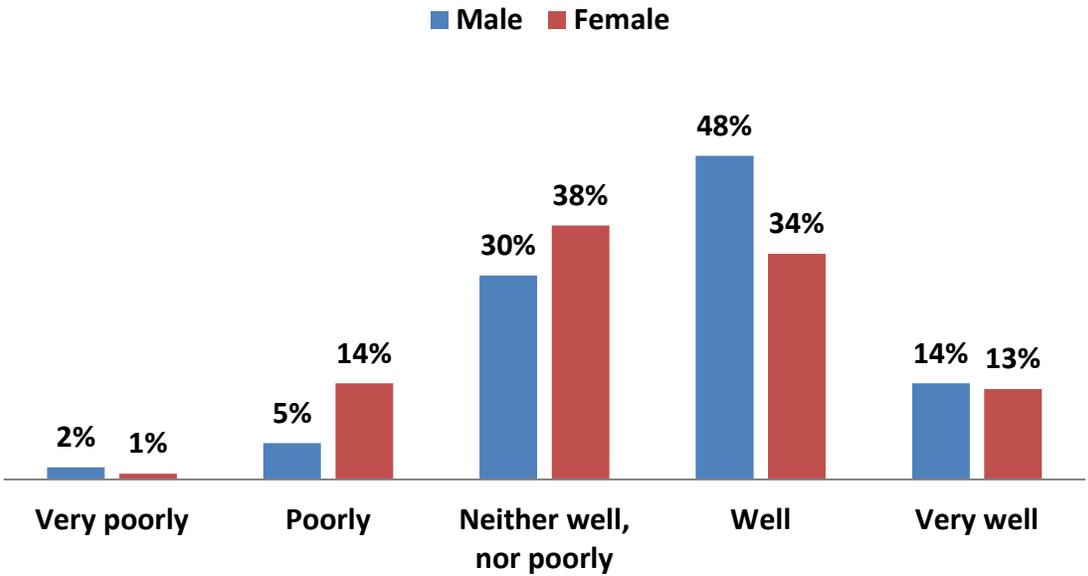
Georgian government maintains commitments to gender equality. To achieve the goal, Parliament established the Gender Equality Council in 2004. Later, after adoption of the Georgian Law on Gender Equality and introduction of respective changes to the Rules of Procedure of the Parliament in 2010, the Gender Equality Council was converted into the Standing Body of the Parliament. A total of 17 MPs are involved in the Gender Equality Council whose main task is to elaborate the gender equality policy of the country, improve gender equality legislation, monitor the issues in the Executive branch, and raise awareness on gender equality issues.

During the workshop participants noted that the GEC has become more active compared to previous years. During the workshop, the staff members also noted a positive development is the establishment by the Gender Equality Council of the practice of developing its own action plans, first in 2017 and then for 2018-2020.

The effectiveness of the GEC is also confirmed by the fact that the state concept on gender equality was revised in 2017, for the first time since 2006. Furthermore, the GEC introduced the methodology of gender impact assessment (GIA) for legislation in 2017. GIA is one of the gender mainstreaming tools prescribed by the Gender Equality Law, but it had never been applied before. A pilot assessment was conducted for two draft law/legislative proposals: drug liberalization reform and the Labour Code. The GIA analysis was undertaken by the GEC staff and parliamentary committee staffers, supported by parliamentary assistance projects.

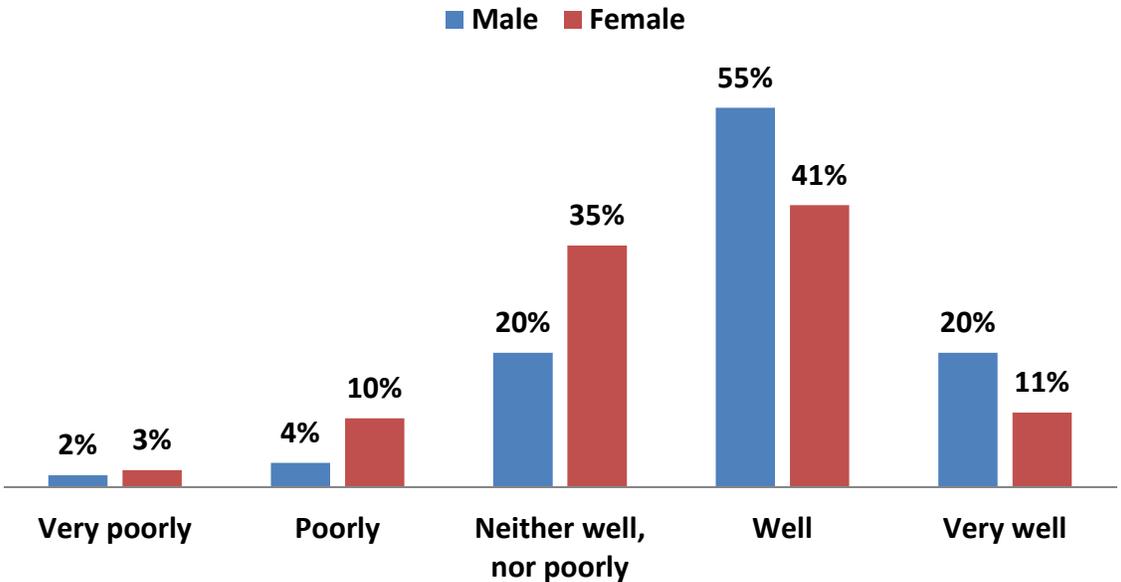
To further strengthen the institutional mechanisms in Parliament, the proposed amendments to the RoP envisage an increased oversight function of the Gender Equality Council and a stronger Council by introducing a stand-alone Secretariat for the GEC. These changes are important for establishing institutional memory and for the efficiency of the work of the GEC. Based on an online survey conducted before the workshop, several issues were identified.

Figure 8: How well does the Parliament of Georgia consider the issues of gender equality in its legislative activities?



Results show that almost half of the male staff members (48%) think that Parliament considers the issues of gender equality in legislative activities well, while only 34% of female staff members do. There is no significant difference between Parliamentary staff and MPs: the average score to this question was 3.53 by staff members and 3.47 by MPs.

Figure 9: How well are the different needs of women and men considered in the organizational culture and infrastructure of the Parliament of Georgia?



As Figure 9 shows, more than half of the male staff members (55%) think that the needs of women and men are considered well in the organizational culture and infrastructure

of the Parliament of Georgia, while only 41% of female staff members think so. There is no significant difference between Parliamentary staff and MPs: the average score to this question was 3.61 by staff members and 3.39 by MPs. Some staff members indicated that they did not understand the question and some also said that there are no different needs.

In the survey some MPs noted that ‘Women’s work schedules can probably be more flexible, based on needs. This should be related to the administration, in my opinion. In any case, I don’t think anyone has thought about this seriously; it is what it is-- and it’s probable that there are no complaints. It would probably be good to conduct a study to get a better understanding of the issue.’

### ***Recent achievements and improvements***

While only 15% of the total composition of Parliament is women, the distribution of the official positions between women and men inside Parliament is more balanced. Two vice-speakers are women, one-third of committees are chaired by women, and eight out of 15 committees have female deputy chairpersons. Consequently, it can be said that women are actively involved in Parliament’s activities. During the workshop it was also pointed out that the majority of the staff of Parliament is women – out of 928 staffers, 516 are women. Out of the 72 leading positions, 37 women hold senior or managerial positions.<sup>18</sup>

During the workshop, staff members noted that the GEC is a strong part of the Parliament and cooperates closely with the gender equality machinery at the Executive level - the Inter-agency Commission on Gender Equality, Violence against Women and Domestic Violence. The GEC was actively involved in the elaboration of several National Action Plans (NAP) in 2018-2020 led by the Commission, including Violence against Women and Domestic Violence; Implementation of the UN Security Council Resolutions on Women, Peace and Security and Gender Equality; and the Women’s Empowerment Chapter of National Action Plan on Human Rights.

In addition to the GEC adopting its operational action plans for 2017 and 2018-2020, thus carrying out a gender impact analysis of legislation for the first time in 2017, it also contributes to evidence-based decision making by commissioning research on all areas of life *vis a vis* international obligations on gender equality. With the support of parliamentary assistance projects, the baseline study on *Gender Equality in Georgia: Barriers and Recommendations* was finalized in 2018. This research has become the basis of the draft state concept on gender equality and will be used as a guiding tool for revising the Gender Equality Law.

### ***Challenges***

During the meeting several problematic issues were detected from the workshop participants. Four main points were identified: 1. Knowledge about gender equality; 2.

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<sup>18</sup> Letter #9372/2-7

Gender-based discrimination; 3. Work-life balance; and 4. Economic empowerment of women.

### **1. Knowledge about gender equality:**

During the workshop, men expressed less interest towards gender equality issues and it was difficult for them to understand that women are in an unequal position. Men have a lack of gender equality awareness and are not sensitive to the needs and issues specific to women. Stereotypical thinking and approaches still prevail. The lack of interest regarding gender equality issues was confirmed by a staff member who noted that 'we organized a competition three times to select staff members for the Secretariat of the Gender Equality Council. During the interviews we tried to select male parliamentary staff members, but unfortunately could not find any man who was qualified on gender related issues'.

### **2. Gender-based Discrimination:**

During the meeting the issue was raised that female politicians, unlike males, are often subject to more serious insults. Female politicians are bullied, not only in Parliament, but in all of society. Hence, they sometimes refrain from going into politics as there is a high probability of becoming the object of severe attacks, much more than for male politicians. Women frequently feel men's aggressiveness. A male colleague might express the same opinion, but it will not be likely to cause hate speech, aggression and insults like those aimed at women. One MP noted, "There is still a perception that men are smarter than women."

Hence, there is a need to change the culture of Parliament to ensure that more women want to be involved. Another MP noted, "We know that sometimes women become victims of discrimination. When we speak about discrimination towards staff members, we have to speak about Georgian legislation. I mean the Law on the Elimination of All Forms of Discrimination, which gives every person the opportunity to apply to the Public Defender or the court and restore their rights. We know that the legislation needs more changes, but it is not easy, since anti-discrimination legislation in Georgia is "demonized" by society. It is considered as an initiative against national values. Consequently, Parliament is afraid to change anti-discrimination legislation".

Another pointed out that "consequently, women need to be morally stronger to survive, while men are less likely fall victim to such discrimination. As for stereotypes, the confidence in women occupying decision-making positions is increasing but ideas like "women should leave work early to take care of housework" still persist. That's why there is still a glass ceiling that is not clearly expressed but is confirmed by the fact that many women are engaged in election campaigns, but eventually, it's the male representatives who take the seats in Parliament".

In the framework of gender-based discrimination, the issue of sexual harassment was also discussed. Staff members noted that they never felt sexual assault from other staff or MPs but still agreed that sexual harassment must be regulated by law. They explained that, it's still a "taboo" issue, and nobody wants to speak about it, even if they became a victim of sexual harassment. One of the MPs noted that "when we prepared

amendments based on Istanbul Convention, there was no readiness and consensus on the subject of sexual harassment. Later we realized that, this topic is very important and gets more emphasis. Consequently, I hope that the existing gap will be eliminated in a timely manner and we will be able to achieve consensus and adopt legislative amendments in this part together with the majority of the members”.

### **3. Work-life balance:**

A member of the staff noted that gender equality among staff is more or less protected, but there are no conditions provided for childcare services for parliamentary employees. Female MPs also agreed for the need for special places for children and noted that they have irregular working hours, which impacts their personal lives. As one staff member noted: “The problem is that the employees can’t allow the children into the premises of Parliament after school hours. There should be a children's room where the parents can leave a child for a short time. Staff members have very limited time for their children”. Male staff members could not imagine that special places for the children are important for female employees. One MP stated, “It is true we have a lot of hardworking female politicians in Georgia, but this hard work and effort need to be appreciated”. In terms of work-life balance, the latter literally does not exist, as there are no set working hours for MPs.

The lack of regular working hours makes it hard for MPs, both men and women, to have work-life balance. One MP said, “The balance between personal life and work life for MPs and employees, actually doesn’t exist. I think this is part of our political culture rather than Parliament's problem. It should be noted that Parliament is located in another city, that plenary sessions are held in another city, both of which create additional problems. Personally, for me, it was very difficult to be involved in the work process during pregnancy. Any other MP [who was pregnant during the elected term] would confirm that they have experienced the same problem.”

### **4. Women’s Economic Empowerment:**

All participants agreed that women’s economic empowerment plays an important role in achieving gender equality. Women in Georgia are often victims of economic violence, which was also confirmed by the male MPs. One MP noted that “another very problematic issue which should be highlighted is women's economic dependence. According to the results of the public registry analysis, the property owners in Georgia are mostly men. When women do not have economic empowerment, it is impossible to talk about their freedom. Therefore, it would be relevant to speak loudly on such topics and gradually change the public psychology “.

Workshop participants believed that women's economic empowerment is directly related to the mandatory quota. As MPs noted “Men only verbally agree that women's economic empowerment is important. They don’t take this problem seriously. Women become victims of violence because they are not economically independent, and that’s why we need more women in Parliament. They will make quick responses on these issues. I would like to urge my male colleagues to support women’s political participation actively”.

## ***Recommendations***

- ) Enact a code of ethics while ensuring that it duly addresses issues related to gender-based discrimination and sexual harassment in Parliament.
- ) Amend and approve a new code of conduct for the staff, which presently does not address sexual harassment and other gender related issues.
- ) Regulate the issue of sexual harassment at the legislative level.
- ) Promote a culture of solidarity for female MPs who are subject to harassment and discrimination.
- ) Create a special childcare room, where parents (MPs and staff) will be able to leave their children for a short time.
- ) Provide employees with the possibility to enjoy a flexible work schedule, maternity leave, etc.
- ) Conduct awareness raising campaigns for men in Parliament on the issue of paternity leave and encourage them to take the leave when needed.
- ) Conduct trainings on gender equality issues and different gender equality tools for Parliamentary employees (MPs and staff), with the emphasis on men.
- ) Strengthen the capacity and skills of women once elected to Parliament.
- ) Increase women's involvement in political decision making
- ) Maintain gender balance when appointing and promoting staff.
- ) Use the resources of the IPU to promote a gender sensitive Parliament and learn from the experience of other parliaments.
- ) Institutionalize the Gender Impact Assessment.
- ) Conduct gender needs assessments to identify gaps, challenges and needs of the staff and MPs.

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## **Annex 2: List of participants**

NOT FOR DISCLOSURE

## Annex 3: Survey questionnaire

### *Self-assessment questionnaire of the Parliament of Georgia*

Under the latest Open Parliament Action Plan of the Parliament of Georgia, the institution took the commitment to institutionalize a parliamentary self-assessment toolkit designed by the Inter-Parliamentary Union (IPU). This instrument will help the Parliament of Georgia identify the needs for organizational development and setting priorities for the future. As a result, we will create an institutionally stronger Parliament, which will be able to better address the challenges that it faces now.

The following questionnaire is one of the main parts of the self-assessment instrument. It consists of 10 questions and will take about 5-10 minutes to fill in. The survey is anonymous. The results from the survey will be presented and discussed during the Parliamentary self-assessment workshop. Your participation in the survey and honest answers are very important for ensuring quality discussions and setting the right priorities.

Please, complete the survey by June 4, 2018. After this date, the link to the survey will no longer be available.

Thank you for your cooperation!

#### **1 - Gender**

- Male
- Female

#### **2 - How well is your Parliament inclusive in its composition and manner of working for different groups (for example, women, religious, ethnic, political, social and other groups) and their interests?**

5 = Very well

4 = Well

3 = Neither well, nor poorly

2 = Poorly

1 = Very poorly

Please explain if needed

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**3 - How effectively does the Parliament of Georgia implement legislative activities?**

- 5 = Very effectively
- 4 = Effectively
- 3 = Neither effectively, nor ineffectively
- 2 = Ineffectively
- 1 = Very ineffectively

Please explain if needed

**4 - How well does the Parliament of Georgia consider the issues of gender equality in its legislative activities?**

- 5 = Very well
- 4 = Well
- 3 = Neither well, nor poorly
- 2 = Poorly
- 1 = Very poorly

Please explain if needed

**5 - How effectively is the Parliament of Georgia involved in developing the state budget?**

- 5 = Very effectively
- 4 = Effectively
- 3 = Neither effectively, nor ineffectively
- 2 = Ineffectively
- 1 = Very ineffectively

Please explain if needed

**6 - How effectively is the Parliament of Georgia able to oversee the Executive government?**

- 5 = Very effectively
- 4 = Effectively
- 3 = Neither effectively, nor ineffectively
- 2 = Ineffectively
- 1 = Very ineffectively

Please explain if needed

**7 - How well does the Parliament of Georgia inform the public about its activities?**

5 = Very well

4 = Well

3 = Neither well, nor poorly

2 = Poorly

1 = Very poorly

Please explain if needed

**8 - How well does the Parliament of Georgia ensure public engagement in legislative activities?**

5 = Very well

4 = Well

3 = Neither well, nor poorly

2 = Poorly

1 = Very poorly

Please explain if needed

**9 - How do you assess the activities of the Parliament of Georgia in terms of foreign policy?**

5 = Very well

4 = Well

3 = Neither well, nor poorly

2 = Poorly

1 = Very poorly

Please explain if needed

**10 - How well are the different needs of women and men considered in the organizational culture and infrastructure of the Parliament of Georgia?**

5 = Very well

4 = Well

3 = Neither well, nor poorly

2 = Poorly

1 = Very poorly

Please explain if needed

## **Annex 3: Discussion guide for the workshop**

### **The representativeness of Parliament**

How adequately do the composition of Parliament and its various bodies represent the diversity of your country?

- Z How representative of the different political opinions in the country (e.g. as reflected in votes for the respective political parties) is your Parliament and its various bodies?
- Z How representative of women is the composition of Parliament and its various bodies?
- Z How easy is it for a woman to be elected to Parliament?
- Z How representative of marginalized groups and regions is the composition of Parliament and its various bodies?
- Z How representative of minority groups (such as religious or sexual minorities) is the composition of Parliament and its various bodies?
- Z How representative of all age groups, particularly young persons, is the composition of Parliament and its various bodies?

How adequate are arrangements for ensuring that opposition and minority parties or groups and their members can effectively contribute to the work of Parliament?

How effective is Parliament as a forum for debate on questions of public concern?

### **Parliamentary oversight over the Executive**

How rigorous and systematic are the oversight mechanisms at the disposal of MPs?

How effective are committees in carrying out their oversight function?

How well is Parliament able to influence and scrutinize the national budget, including from a gender perspective, through all its stages?

How well is Parliament able to monitor implementation of a legislation in general?

How effectively can Parliament scrutinize appointments to executive posts, and hold their occupants to account?

How adequate are the research, information and other facilities available to all members and their groups?

### **Parliament's legislative capacity**

How satisfactory are the procedures for subjecting draft legislation to full and open debate in Parliament?

How effective are committee procedures for scrutinizing and amending draft legislation?

How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?

How adequately are draft laws supported by evidence, analysis and assessment of the potential impact, including from a gender perspective?

Z How sufficient are the allocated budget and human resources for conducting evidence-based legislative work?

How careful is Parliament in ensuring that legislation enacted is consistent with the constitution, the country's international commitments (such as CEDAW) and human rights?

In comparison with other types of legislation, do gender-related laws (ex.: anti-discrimination law, election code (quotas), gender equality law) face more obstacles during the legislative process?

How effective is Parliament in promoting gender equality?

Z How effective is the Gender Equality Council of Parliament in promoting gender equality within Parliament and in its legislative and oversight functions? [Does the Council have sufficient authority, resources and support to carry out these functions effectively?]

Z How gender-sensitive is the country's constitution? Other laws?

### **The transparency, accessibility and accountability of Parliament**

How effectively is the public aware of the work of Parliament and its members

Z How open and accessible to the media and the public is Parliament?

Z How effective is Parliament in informing the public about its work, through a variety of channels?

Z How extensive and successful are attempts to interest young people in the work of Parliament?

Z How systematic are arrangements for members to report to their constituents about their performance in office?

Z How adequate are the opportunities for citizens to express their views and concerns directly to their representatives, regardless of party affiliation?

What opportunities do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)?

How effectively does Parliament regulate the conduct of its members and staff?

How transparent and robust are the procedures for preventing conflicts of financial and other interests in conducting parliamentary business?

How accessible is Parliament for people with disabilities?

## **Parliament's involvement in international policy**

How effectively is Parliament able to scrutinize and contribute to the government's foreign policy?

How effective is Parliament in ensuring that commitments from the Association Agreement with the EU are implemented at the national level?

How does Parliament ensure that existing and proposed laws comply with international and regional gender equality obligations such as CEDAW, the Istanbul Convention or the implementation of UNSC Resolution 1325?

How active is Parliament in fostering political dialogue for conflict-resolution in the occupied territories?

## **Gender equality and Parliament**

### ***Culture***

Are there discriminatory and derogatory stereotypes about women in Parliament?

### ***Policies and infrastructure***

Does Parliament have policies to ensure that the workplace is free from discrimination, gender-sensitive and family-friendly?

-Is there an anti-harassment and anti-discrimination policy and a mechanism to address complaints of harassment and discrimination, including through anonymous reporting, independent investigation, training sessions, information and awareness-raising programs, and counseling, emotional support or legal advice? If so, do these policies or measures apply to members of Parliament and all staff working in Parliament?

-To what extent does Parliament promote work-life balance for members and staff (e.g. parental leave, childcare facilities, sitting hours, etc.)?

### ***Political parties***

In general terms, can the political parties currently represented in Parliament be considered gender-sensitive?

- [Is gender equality part and parcel of the party manifesto / statutes? Does the party have effective internal arrangements to have women in their ranks and in positions of leadership? Do party meeting arrangements facilitate reconciling work/life balance? Does the party ensure gender balance in appointments to parliamentary committees?]

### ***Staff***

- Is there a gender balance in the number of staff working for the parliamentary administration?-Are men and women represented equally among the senior staff of the administration and elected positions, such as head of departments and heads of committees?
- 
- How does Parliament work to develop equal opportunities for men and women?