



Brussels, January 2017

HE Giorgi Margvelashvili, President of Georgia
HE Giorgi Kvirikashvili, Prime Minister of Georgia

Dear Mr Prime Minister
Dear Mr President

We are writing following the recent parliamentary elections in Georgia. We, the undersigned Members of the European Parliament, strongly support the continuation of Georgia's democratic transformation, the granting of a visa free regime by the European Union, and further links between Georgia and the European Union, particularly in terms of diplomatic, economic and security relations.

With this in mind, it is important that the Georgian Government addresses some outstanding issues which have the potential to undermine this progress. In particular:

- We urge the Georgian Government to comply with the final judgment of the Grand Chamber of the European Court of Human Rights regarding the case of the imprisoned Secretary General of the main opposition party and former Prime Minister, Vano Merabishvili. In its landmark judgment of 14th June 2016, the court ruled that when prosecuting Merabishvili, the Georgian authorities pursued a "hidden agenda" and breached Article 18 of the of the European Convention of Human Rights (only the seventh such instance of this in history).¹
- We note that the Constitutional Court of Georgia in its full composition ruled in late 2015 that the extended pre-trial detention of another high-profile opposition figure, the former Mayor of Tbilisi, Gigi Ugulava, was "anti constitutional and illegal".² Following Ugulava's release and re-arrest within one day, the Constitutional Court has since been unable to deliver another judgment on his case, allegedly due to political pressure.³ The Court's justices have also stated that they could not deliver a judgment unless a proper investigation surrounding the political pressure exerted upon them is carried out. The

¹ European Court: Former Georgian Prime Minister's pre-trial detention used to exert pressure on him, <http://ehrac.org.uk/news/european-court-former-georgian-prime-ministers-pre-trial-detention-used-to-exert-pressure-on-him/>

² "Ugulava Released from Pre-trial Detention" *Civil Georgia* 17 September 2015 URL: <http://www.civil.ge/eng/article.php?id=28576>

³ Papuashvili: there's a targeted pressure on Constitutional Court judges, <http://www.tabula.ge/en/story/110073-papuashvili-theres-a-targeted-pressure-on-constitutional-court-judges>

same applies to the so-called “Cable Case” concerning the prosecution and imprisonment of individuals affiliated with the Free Democrats opposition party.⁴

- We note that similar allegations of political pressure on the Constitutional Court have also been stated as a reason for the Court’s inability to rule on an allegedly long since reached decision regarding a case involving Rustavi 2, the only major pro-western media outlet remaining outside of Government control.⁵ Whilst we hope that the Constitutional Court will be able to deliver a judgment soon, we remind the Georgian Government of the importance of respecting and ensuring media freedom and pluralism.
- Finally, we hope that no further prosecutions and detentions are used to curb political activities of the opposition in Georgia. Any such measures should not take place in a country that is committed to democracy and the rule of law.

We reiterate our support for the Georgian people and their aspirations. We hope that the conduct of the Georgian Government, in particular with regards to respect for the activities of the political opposition and compliance with the rule of law, is in line with these aspirations and European standards.

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⁴ "High Profile Cases in the Constitutional Court" *Tabula* 05 August 2016

URL: <http://www.tabula.ge/en/story/110535-high-profile-cases-postponed-in-the-constitutional-court>

⁵ Media’s independence must be respected, OSCE Representative says following court ruling on Rustavi 2 TV in Georgia, <http://www.osce.org/fom/198441>