

THE RULES OF PROCEDURE LEGITIMIZE THE DETERIORATION OF PARLIAMENTARY CONTROL AND OPENNESS

The Parliament is considering the initiative submitted by MPs of the parliamentary majority on amendments to the Parliament's Rules of Procedure. **The bill's adoption will deteriorate parliamentary control mechanisms, the legal review proceedings, and the parliamentary transparency.** At the plenary sitting, there will be no obligation to discuss reports from key agencies, such as the annual report of the Special Investigation Service and the annual report of the Anti-Corruption Bureau. The procedure for voting on a bill will also be simplified. Bills within the legislative package will no longer be individually subjected to a vote; instead, MPs will express their support for the whole legislative package. A committee sitting will no longer be broadcast. **The outcome of these amendments will not contribute to improving the efficiency of the Parliament but will instead focus on providing greater comfort for the MPs.**

We call on the Parliament of Georgia not to pass the proposed bill.

1 BILL, INITIATOR

Bill: [On the Amendments to the Rules of Procedure of the Parliament of Georgia and related bills](#)
Initiated by *Shalva Papuashvili, Irakli Kadagishvili, Irakli Shatakishvili, Guram Macharashvili, Genrieta Tsitsava, Levan Mgaloblishvili, Salome Jinjolava (Members of the Parliament)*

1 SUMMARY OF THE BILL

The bill amends the following key issues pertaining to parliamentary activity:

- The balloting for elected officials by the Parliament will be open instead of secret;
- The voting on the impeachment of officials will be open instead of secret;
- At the plenary sitting, there will be no obligation to hear the reports from significant agencies, such as the annual reports of the Special Investigation Service, the Personal Data Protection Service and the Anti-Corruption Bureau. These reports will only be considered during the plenary sittings if specifically requested by the leading committee, faction, or bureau.
- The committee sittings will no longer be broadcast;
- A new rule for passing the legislative package is introduced. Bills within the legislative package will no longer be individually subjected to a vote; instead, MPs will vote for the whole legislative package;
- Upon the initiative of the committee chairperson and the decision of the majority of those present at the committee sitting, it is possible to establish the order in which MPs speak and set the duration of their speeches;
- The expedited procedure for consideration and adoption of bills will be simplified.

SECRET BALLOTING FOR ELECTING OFFICIALS WILL BE ABOLISHED

CURRENT VERSION	PROPOSED AMENDMENT
The voting is secret for the election of the following officials: <ul style="list-style-type: none"> • A member of the Constitutional Court • Head of the State Security Service • Prosecutor General • Members of the High Council of Justice • Express confidence in the government • Giving approval to the Prime Minister for the appointment of a member of the Board of the National Statistics Office • 2 members of the Disciplinary Collegium of the Common Courts 	Decisions regarding the election and dismissal of officials by the Parliament will now be determined through open voting . Secret voting will be retained solely during the election of the Chairperson of the Parliament.

SECRET VOTING DURING THE IMPEACHMENT WILL BE REVOKED

CURRENT VERSION	PROPOSED AMENDMENT
During impeachment proceedings, the vote is conducted through a secret ballot. The following individuals can be removed from office by the Parliament under the impeachment procedure: <ul style="list-style-type: none"> • President • Judge of the Supreme Court • A member of the Government • Auditor General • Prosecutor General • A board member of the National Bank 	During impeachment proceedings, officials will be removed through open voting .

CONSIDERATION OF SEVERAL REPORTS AT PLENARY SITTINGS WILL NO LONGER BE MANDATORY

CURRENT VERSION	PROPOSED AMENDMENT
The consideration of the following reports is mandatory at the sitting of the Parliament: <ul style="list-style-type: none"> • Report of Prime Minister • Report of Public Defender • Report of the Anti-Corruption Bureau • Report of the State Security Service • Report of the Prosecutor's Office • Report of the Special Investigation Service • Report of the Personal Data Protection Service • Report of the Pension Agency • Report of the Labor Inspection Office • Report of the Legal Aid Service • Report on Employment Policy Planning and Implementation • Report on Realization of the Human Rights and Fundamental Freedoms of Persons with Disabilities • Report on Release of Public Information 	<ul style="list-style-type: none"> • Discussing the activity reports of the <i>Prime Minister, the National Bank, the State Audit Office, the Public Defender, the State Security Service, and the Prosecutor's Office</i> at the plenary sitting remains mandatory. • The following reports will only be considered during the plenary sitting if specifically requested by the leading committee, faction, or bureau: • Annual Report of the Anti-Corruption Bureau • Annual Report of the State Security Service • Annual Report of the Personal Data Protection Service • Annual Report of the Labor Inspection Office • Report of the Pension Agency • Report of the Legal Aid Service • Report on Employment Policy Planning and Implementation • Report on Realization of the Human Rights and Fundamental Freedoms of Persons with Disabilities • Report on Release of Public Information

CONSIDERATION OF THE ANNUAL REPORTS OF THE COMMITTEES AND COUNCILS OF THE PARLIAMENT AT THE PLENARY SITTING WILL NO LONGER BE REQUIRED

CURRENT VERSION	PROPOSED AMENDMENT
Committees shall submit reports on their activities to the Parliament. Reports are discussed at the plenary sitting.	Committee reports shall be submitted to the Bureau and may be presented at the plenary sitting only upon the request of the committee, faction, or bureau .
The reports of all the councils in the Parliament, including the Gender Equality and Rights of the Child councils, shall be presented and considered at the plenary sitting of the Parliament.	The reports of the the Gender Equality and Rights of the Child councils shall be presented at the plenary sitting only upon the request of the committee, faction, or bureau .

THE EXPEDITED PROCEDURE FOR THE CONSIDERATION AND ADOPTION OF BILLS WILL BE SIMPLIFIED

CURRENT VERSION	PROPOSED AMENDMENT
In accordance with the Rules of Procedure, expedited consideration and adoption of a bill entail its passage in all three readings within one week. The decision of the Parliament's Bureau is necessary for the consideration and adoption of a bill in two readings in one day.	The decision of the Bureau will no longer be necessary for the consideration and adoption of a bill in two readings in one day.

THE MAJORITY OF THE SITTING WILL DECIDE THE ORDER IN WHICH MPS SPEAK AND SET THE DURATION OF THEIR SPEECHES

CURRENT VERSION	PROPOSED AMENDMENT
The current rule does not define the duration for the speeches of MPs at the committee sitting.	Upon the initiative of the committee chairperson and the decision of the majority of those present at the committee sitting, it is possible to establish the order in which MPs speak and determine the duration of their speeches.

THE POSSIBILITY OF BROADCASTING A COMMITTEE SITTING WILL BE TERMINATED

CURRENT VERSION	PROPOSED AMENDMENT
Per the Rules of Procedure, broadcasting a committee sitting is allowed.	Journalists will no longer be able to broadcast a committee sitting.

THE NUMBER OF DEPUTY CHAIRPERSONS OF THE PARLIAMENT WILL INCREASE

CURRENT VERSION	PROPOSED AMENDMENT
The Chairperson of the Parliament can have 5 deputies: <ul style="list-style-type: none"> • The first deputy is elected through nomination of the Chairperson of the Parliament • Two deputies are elected by the nomination of the parliamentary majority. • Two more deputies will be elected through the nomination of the two factions within the parliamentary opposition, where more MPs are united than in any other opposition faction. 	The number of deputies of the Chairperson of the Parliament increases from 5 to 7 , namely, instead of 2-2 deputies, 3 deputies from the majority and 3 deputies from the opposition factions can now be elected.

THE PROCEDURE FOR CONSIDERING AND VOTING ON BILLS WILL BE SIMPLIFIED

CURRENT VERSION	PROPOSED AMENDMENT
Each bill included in the package is subjected to an individual vote.	The whole legislative package is put to the vote.
Does not entail	For conducting the voting procedure, the chairperson of the plenary sitting can halt the discussion of the current issue.

★ EVALUATION

With the legislative amendments, **parliamentary openness is deteriorating in every aspect**. The elimination of secret voting is the only positive change.

The presented initiative also **worsens parliamentary control and simplifies legislative procedures**.

The provision in the bill, granting the chairperson of a committee the authority to decide the duration of speeches of participants at the sitting, poses a risk for the opposition. Its selective application could significantly restrict the proper expression of critical opinions. The proposed amendments represent a notable deterioration of the Parliament's Rules of Procedure adopted in 2019, which were positively regarded at the time.

1. Deterioration of Parliamentary Control and Accountability

To effectively inform citizens about the use of parliamentary control and supervision mechanisms, it is crucial that the consideration of legislative reports does not have a pro forma character. In 2019, the new Rules of Procedure of the Parliament defined the concept of bodies accountable to the Parliament and the procedure for reviewing their reports. This process was positively [evaluated](#) by international and local non-governmental organizations.

With the proposed amendments, the obligation to discuss important reports at the plenary sitting is revoked (e.g. reports of the Anti-Corruption Bureau, Special Investigation Service, Personal Data Protection Service and the Anti-Corruption Bureau). Reports will only be considered during the plenary sittings if specifically requested by the leading committee, faction, or bureau. The consideration of the annual reports of the committees at the plenary sitting is also abolished.

The proposed amendments notably undermine parliamentary control and openness. The purpose of considering reports during the plenary sitting was not to cater to the interests of the MPs but rather to inform the public about the activities of crucial agencies for the country and the exercise of parliamentary supervision over them. Even if the leading committee or faction is not interested in hearing the reports, citizens still have the right to receive information of public interest.

2. Decline of Parliamentary Openness

According to the amendments, reporting from committee sittings is prohibited, marking a regression in parliamentary openness. If the sitting is not closed, the media should have the right to report and provide the public with information about political and legislative events.

3. Limiting the Rights of Opposition MPs

It is inappropriate to regulate the order of speakers and the duration of their speeches during a committee sitting by the initiative of the committee chairperson and the majority of those present. Considering that the chairpersons of all parliamentary committees are members of the majority, this amendment will **hinder the full participation of opposition MPs in committee sitting and is likely to restrict their rights to express their positions/ask questions**. This restriction will also create an obstacle to the expression of opinion of the persons attending committee sitting. This restriction will also impede other persons present at the committee sitting from freely expressing their opinions.

4. Simplification of Legislative Procedures

The amendments **fail to address the crucial challenges currently facing the Parliament of Georgia today and are generally aimed at simplifying procedural issues for the parliamentary majority**. A good example is the new rule for voting on the legislative package and the amendment in a rule for the expedited review of a bill.

As per the proposed new rule, the chairperson of the plenary sitting has the authority to halt the discussion of the current issue to conduct the voting procedure.

The current parliamentary practice shows that the number of MPs during the discussion of issues in the plenary hall is notably low and they are mobilized only for voting. **The new rule will further enhance the convenience for MPs, providing them with the option to attend a sitting at a predetermined time solely for voting**. Considering the best international practices, it is preferable to promote debates and thorough consideration of issues within the legislative body, rather than simplifying procedures solely for the convenience of MPs.

Further simplifying the expedited adoption of laws raises concerns. In parliamentary activities, the expedited consideration of bills has already been a [challenge](#), and with this amendment, the procedure of adopting a law with two readings in one day will become possible without the approval of the Bureau.

5. Increase in Parliament's Expenditures

The increase of number of deputy chairpersons of the Parliament lacks justification. There needs to be more comprehensive reasoning provided for the increase in administrative resources and associated costs.

Conclusion

Contrary to improvement, the Parliament is diminishing the oversight mechanisms over accountable bodies and deteriorating openness and transparency. These amendments will be a continuation of the policy that the Parliament has been pursuing for the last few years, leading to **its transformation into a more closed institution**.

Deterioration of parliamentary control and openness is essential in a parliamentary republic. The deterioration of parliamentary control and openness aimed at achieving procedural simplicity, negatively impacts the democratic development of the country.

We call on the Parliament of Georgia not to endorse the proposed bill.