

# THE SIGNIFICANCE OF PARLIAMENTARY OVERSIGHT OF THE SECURITY SECTOR AND ONGOING CHALLENGES

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## INTRODUCTION

Effective, democratic oversight of the security sector is proportional to democracy in the country. Parliaments, especially in parliamentary republics, are the strongest institutions to keep the security institutions in check. The umbrella term “security sector,” presupposes all structures, institutions and personnel, who are charged with providing security, management and supervision, both at the national and local levels.<sup>1</sup>

The Democracy Research Institute has prepared this report based on the results of observation on how parliamentary control is performed over the State Security Service of Georgia, the Ministry of Defense and the Ministry of Internal Affairs. The report covers the period from 2020 to December 1, 2022.

The report analyzes: publicly available, proactively published and the public information requested by the organization, regulatory legislative framework of parliamentary oversight, as well as results of interviews with the members of the Parliament of Georgia. Based on this, the existing mechanisms of parliamentary oversight of the security sector are critically evaluated. The report also features an assessment of the legislative changes implemented regarding the parliamentary supervision as they were conducted within the 12-Point Plan of the European Union.

## METHODOLOGY

This report discusses the parliamentary supervision mechanisms on the activities of the security sector of Georgia (Ministry of Defense of Georgia, State Security Service of Georgia, Ministry of Internal Affairs of Georgia, Legal Entity of Public Law (LEPL) - Operative - Technical Agency of Georgia). In particular,

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<sup>1</sup> nato-pa.int (website), Parliamentary Access to Classified Information, November 2018, Geneva, available at: [https://www.nato-pa.int/download-file?filename=/sites/default/files/2019-06/DCAF%20NATO%20PA%20Survey%20Report%20Revised%20NYS2611\\_FINAL%20%28002%29.pdf](https://www.nato-pa.int/download-file?filename=/sites/default/files/2019-06/DCAF%20NATO%20PA%20Survey%20Report%20Revised%20NYS2611_FINAL%20%28002%29.pdf)



- does the Georgian Parliament implements proper control on the security sector?
- Does it use this mandate at its full capacity?
- What concrete shortcomings are there in the legislation?
- Do the security sector agencies bear accountability before the legislative body?
- What gaps have been observed both at the legislative level and in terms of the practical application of legislative norms?

The report is based on the information the Democracy Research Institute acquired via public information requests, studies of the existing security sector supervision / control legislation available, data posted on the websites of the public bodies and the interviews the organization conducted with the members of the Parliament of Georgia.

Considering the goals and tasks of the project, the report was drafted utilising the following methodology:

*Data Processing and analysis* – at the research’s initial stage we defined normative acts that needed to be studied and worked on the data we received from public bodies in response to our requests.

*Desk research* - we gathered and analyzed the data that administrative bodies have proactively published and incorporated it during the research process.

*Interviews* - We interviewed with representatives of various parliamentary political factions/groups to identify the main practical obstacles to implementing parliamentary oversight on the security sector’s work. We also asked them what they viewed as gaps in Georgian legislation in this regard.

## 1. THE MECHANISMS OF PARLIAMENTARY OVERSIGHT

Parliament is the most important body which oversees agencies included in the security sector. Parliament, through law-making, ensures the adoption, change of the legal framework related to the security services and, granting, changing and/or taking certain powers away from them.

The parliamentary control mechanisms are enshrined in the Constitution, may be one of the most important guarantees of control over the security sector.<sup>2</sup> It is through law-making, that the Parliament constrains itself to what degree it should impose oversight on agencies included in the security sector. In 2018, with the adoption of new regulations by the Parliament of Georgia, the parliamentary control mechanisms were refined.

The Parliament of Georgia oversees the Ministry of Defense of Georgia ("Ministry of Defense"), the Ministry of Internal Affairs of Georgia ("Ministry of Internal Affairs" or "Ministry of Internal Affairs"), the State Security Service of Georgia ("SUS" or "State Security Service") and Legal Entity under Public Law (LEPL) - Operative - Technical Agency of Georgia (the "Agency") through the Defense and Security Committee of the Parliament, the Trust Group and other sectoral specialized committees.<sup>3</sup> Supervision may be performed at the committee, faction and parliamentary political group levels, as well as at the level of an individual deputy. **At the very beginning, it should be noted that the ability of the opposition to control the accountable agencies in the parliament is minimal.**

## 1.1. PARLIAMENTARY REGULATIONS ON THE SUPERVISION MECHANISMS OF THE SECURITY SECTOR

### Control Mechanisms Available to the members of the Parliament

An MP can address questions to the Ministry of Internal Affairs, the Ministry of Defense, the SUS. All agencies are obliged, within 10 days (the deadline can be extended by 10 days in agreement with the sponsor of the question<sup>4</sup>) to provide a full answer.

- An MP can take part in the dismissal of the Head of the State Security Service.

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<sup>2</sup> Parliamentary Control Over the Security Sector: Principles, Mechanisms and Practices, p.75, available at [https://www.files.ethz.ch/isn/129147/ipu\\_hb\\_georgian.pdf](https://www.files.ethz.ch/isn/129147/ipu_hb_georgian.pdf)

<sup>3</sup> Regulations of the Parliament of Georgia, Article 156.

<sup>4</sup> Ibid., Article 148. The term was reduced from 15 to 10 days in 2022 as part of the legislative changes adopted in order to fulfill the 12 Recommendations of the European Union.

## Control Mechanisms Available to the Defense and Security Committee of the Parliament

- The majority of the members of the Committee can request (in writing) the head of the SUS to attend the meeting of the committee. Here, attendance at the meeting of the committee of the head of the SUS is mandatory.<sup>5</sup>
- Ministers of Defense and Internal Affairs of Georgia must attend the meeting of the Committee in the manner established by the regulations when requested by most of those present at the meeting of the committee, and to answer the questions asked at the meeting and to report of the activities performed.<sup>6</sup>
- Once a year, the Committee is informed about the information provided by the Ministry of Defense, the Ministry of Internal Affairs, the Ministry of Defense and the Agency about the ongoing and past, non-secret, procurements.<sup>7</sup>
- Has access to the documents reflecting the policy priorities and strategy adopted by the government and other relevant agencies in defense and security sector of Georgia within 2 weeks of their adoption.<sup>8</sup>
- Supervises that the deficiencies specified in the Resolution of the Parliament of Georgia on the evaluation of the activities of the State Security Service are eliminated, and the recommendations and proposals issued by the Parliament regarding the improvement of the activities are implemented.<sup>9</sup>
- Drafts a report on the premature termination of the authority of the head of the SUS if the head of the SUS cannot discharge their duties for 2 consecutive months or holds another position incompatible with the position or performs incompatible activities, as well as the suspension of the authority of the head of the SUS by the Government of Georgia and if the Government is asking the Parliament to consider such early termination requests.<sup>10</sup>
- Can form a working group with the involvement of field experts.<sup>11</sup>
- Can form a scientific-advisory council from competent the leading experts in the field.<sup>12</sup>

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<sup>5</sup> Regulations of the Parliament of Georgia, Article 40, Clause 3.

<sup>6</sup> Ibid., Article 40, paragraphs 1 and 2.

<sup>7</sup> Ibid., Article 159, paragraph 6.

<sup>8</sup> Ibid., paragraph 8.

<sup>9</sup> Ibid., Article 171.

<sup>10</sup> Law of Georgia "On the State Security Service of Georgia", Article 10.

<sup>11</sup> Regulations of the Parliament of Georgia, Article 46.

<sup>12</sup> Ibid., Article 47.

## Control Mechanisms Available to the Trust Group

Under the rules established by the legislation of Georgia, the Trust Group is in charge of supervision of secret activities and special programs in defense and security sector of Georgia, except for the clandestine/covert forms and methods of activity.<sup>13</sup>

At the Trust Group meetings, decision is adopted via majority votes of the members of the group.<sup>14</sup>

The meeting of the Trust Group is called by its chair. The meeting of the Trust Group can be convened at the proposal of any member of the Trust Group, if the majority of the members of the Trust Group support it.<sup>15</sup> According to the decision of the Trust Group, its session may be attended by invited representatives of various agencies from the defense and security sector of Georgia.

State Security Service, Ministries of Defense and Internal Affairs:<sup>16</sup>

- Must submit to the Trust Group, upon request, all the information necessary for the smooth implementation of its powers, except for the cases stipulated by the legislation of Georgia.
- The Trust Group is to be provided with detailed information about the secret state procurement to be implemented, if the estimated value of the goods or services to be purchased exceeds 2,000,000 (two million) GEL, and the estimated value of the construction work to be purchased - exceeds 4,000,000 (four million) GEL.
- At least once a year, the Trust Group is presented with information about the ongoing and completed secret state procurements.
- Once a year, no later than April 15, the Trust Group receives a report on the secret activities and special programs implemented in the previous year, and Legal Entity under Public Law (LEPL) - Operative - Technical Agency of Georgia will submit a statistical and generalized report of its activities.
- Heads of agencies or persons authorized by them (with a prior agreement with the Trust Group) are authorized, and when the Trust Group requests it, must attend the meetings of the Trust Group, answer their questions, present the relevant materials and report on their respective activities.

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<sup>13</sup> Ibid., Article 159.

<sup>14</sup> Ibid., Article 158, paragraph 1.

<sup>15</sup> Ibid., Clause 2.

<sup>16</sup> Ibid., Article 159.



The member/members of the Trust Group is/are authorized, with the approval of the Chair of the Trust Group, to visit the relevant agencies on the matters that fall within the competence of the Trust Group.

The Trust Group may decide on the inspection of Legal Entity under Public Law (LEPL) - Operative - Technical Agency of Georgia and to inspect (but not more than twice a year). To check the activities of this Agency, the member/members of the Trust Group will be selected by the Trust Group in the manner established by the regulations.

The Trust Group may submit recommendations to the agencies included in the defense and security sector of Georgia.

### Supervision Mechanisms Available to the Parliamentary Faction

- If the faction has a member in the Committee, the faction can summon the Ministers of Internal Affairs and Defense of Georgia at the committee meeting.<sup>17</sup>
- To start the draft resolution of the Parliament on the creation of a temporary investigative commission.<sup>18</sup>
- To start the creation of a temporary commission.<sup>19</sup>
- Using the interpellation procedure, address questions to the SUS, the Agency, the Ministries of Defense and Internal Affairs and the Ministers themselves.<sup>20</sup>
- To demand the invitation of representatives of the security sector (Ministers of Internal Affairs and Defense, Head of SUS) to the plenary session.<sup>21</sup>

According to the Regulations of the Parliament, until the powers of the Parliament elected in the 2024 elections have been recognized, a parliamentary political group enjoys the same rights as the faction, except for the rights defined for a faction by the Constitution of Georgia.<sup>22</sup> Today a parliamentary political group has the same authority to exercise parliamentary control as a parliamentary faction (except for the use of the interpellation mechanism).

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<sup>17</sup> Ibid., Article 40, paragraph 2.

<sup>18</sup> Ibid., Article 62.

<sup>19</sup> Ibid., Article 72.

<sup>20</sup> Ibid., Article 149, paragraph 1.

<sup>21</sup> Ibid., Article 152, paragraph 1.

<sup>22</sup> Ibid., Article 228.<sup>1</sup>

## Other Security Sector Supervision Mechanisms

- A group of no less than seven members of the Parliament may address questions to the SUS, the Agency, the Ministries of Defense and Internal Affairs and the Ministers via the interpellation procedure.<sup>23</sup>
- At least one-fifth of the members of the Parliament may initiate the creation of a temporary investigative commission.<sup>24</sup>
- With the decision of the majority of those present at the plenary session, but not less than one-third of the full membership of the Parliament, can invite the representatives of the security sector to the plenary session (ministers of the Ministry of Internal Affairs and Defense, the head of the Security Service).<sup>25</sup>
- After hearing the report of the Head of the SUS, at least 1/3 of the full composition of the members of the Parliament can put the issue of their dismissal to the vote on the plenary session. The decision is adopted via a secret vote, by the majority of the full composition of the Parliament.<sup>26</sup>
- At least one-third of the full body of the Parliament may start dismissal procedures of the Ministers of Defense and Internal Affairs. A majority of the full composition of the Parliament is required for dismissal.<sup>27</sup>

## 1.2. THE EUROPEAN COMMISSION'S RECOMMENDATIONS ON PARLIAMENTARY SUPERVISION AND RELEVANT LEGISLATIVE AMENDMENTS

To get the status of the candidacy for EU membership, the European Union's granting of the European Perspective to Georgia is accompanied by 12 recommendations of the European Commission. Among them is: the strengthening of the independence of state institutions and their democratic supervision.<sup>28</sup> The "Georgian Dream" designated the Committee on Procedural

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<sup>23</sup> Ibid., 149.

<sup>24</sup> Ibid., Article 62, paragraph 1.

<sup>25</sup> Ibid., Article 152, paragraph 1.

<sup>26</sup> Ibid., Article 183.

<sup>27</sup> Ibid., Article 178, Article 180. paragraph 2.

<sup>28</sup> civil.ge (webpage), 2022, European Commission Report Card: Recommendations for Georgia, available at: <https://civil.ge/ka/archives/496671>

Issues and Rules of the Parliament of Georgia as the key body responsible for implementing the 2nd recommendation of the Commission.

To support the process of implementation of the recommendations of the European Commission, the Democracy Research Institute has been involved in the work of the working group created with the Committee on Procedural Issues and Rules. The organization attended a total of 4 meetings of the working group. However, after the parliamentary majority suspended the International Society for Fair Elections and Democracy (ISFED) from the electoral issues working group, most civil society organizations, including the Democracy Research Institute, ceased taking part in the work process.<sup>29</sup> We still presented our opinions on parliamentary supervision to the Committee on Procedural Issues and Rules of the Parliament of Georgia.<sup>30</sup>

The recommendations of the Democracy Research Institute foresaw the implementation of several key changes in the regulations of the Parliament of Georgia.

**Abolition of/reforming the Trust Group** - in case of abolition of the Trust Group, to transfer its powers to the Defense and Security Committee of the Parliament. Transferring this mandate to the Committee would add more legitimacy to the process of oversight, as well as to allow all political groups to be more actively involved in this process.

In case of keeping the Trust Group in place, we proposed to the Parliament, to increase the efficiency of its activities, to formulate Article 157, Clause 2 of the Parliament's Regulations as follows: "The Trust Group consists of 5 members, one of whom is the Chair of the Defense and Security Committee of the Parliament, two - of the faction in the parliamentary majority / member of the factions, and two - members of the political group/ faction/ factions included in the parliamentary opposition." This change would have put an end to the procedural debate over whether political groups can have a representative in a Trust Group, and would have allowed a single faction to have multiple representatives in a group.

The initiative also referred to paragraph 2 of Article 158 of the Parliament's Regulations, which we proposed to the Parliament, as follows: "The meetings of the Trust Group are held at least once a month." The meeting of the Trust Group is convened and chaired by the chair of the Trust Group. The meeting of the Trust Group can be convened at the proposal of any member

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<sup>29</sup>democracyresearch.org (website), 20.08. 2022, the ruling party should ensure the involvement of ISFED in the working group working on electoral issues. Available at: <https://www.democracyresearch.org/geo/1058/>

<sup>30</sup>democracyresearch.org (website), 11.08.2022, the Democracy Research Institute presented its views on strengthening parliamentary control of the legislature. Available at: <https://www.democracyresearch.org/geo/1056/>

of the Trust Group." This change would ensure the inclusiveness of the activities of the Trust Group and would give the representatives of the parliamentary opposition the opportunity to put issues of interest to them on the Trust Group's agenda.

It would be an important change to grant the Trust Group member/members the authority to pay a visit to the relevant agencies without having to first informing them of the pending visits. This would apply to visits regarding the matters that fall under the competence of the Trust Group. An unannounced visit to the agency has a positive impact on the effectiveness of the supervision process and it will enable the Trust Group to be more vigilant of various security sector agencies.

The Democracy Research Institute of the Committee on Procedural Issues and Rules also proposed the formulation of Article 159, Paragraph 3 of the Parliament's Regulations, as follows: "Relevant agencies may refuse to provide the Trust Group with only such information that relates to the covert forms and methods of operation." The wording in effect today leaves the relevant agencies with a wide range of options to determine what kind of information to provide to the Trust Group. For effective supervision, we felt it necessary to specify the grounds when an agency can refuse to provide information to the Trust Group.

To ensure the accountability of the Trust Group and the transparency of its activities, an article should be added to the Parliament's Regulations, where the obligation of the Trust Group to submit an annual or semi-annual report of the Trust Group's activities to the Parliament, with proper safeguards for confidential information.

**Parliamentary Committees** - According to the Democracy Research Institute, paragraph 3 of Article 40 of the Regulation, which sets a different standard for officials accountable to the Parliament than paragraph 2, is problematic. According to this standard, parliamentary factions and groups do not have the right to invite the head of the State Security Service to the meeting of the committee. According to the same paragraph, the head of the SSC will attend the meeting at the written request of the majority of the list of committee members, which should contain comprehensive information about the issue/issues to be discussed with the person invited to attend the committee meeting. The Democracy Research Institute recommended eliminating Article 40, Paragraph 3 of the Parliament's Regulations or make a similar change in it, which would amend the differential treatment of summoning the head of the State Security Service to the committee session.

**Resolution on the report of the accountable agency** – As it stands today, after hearing the reports of the accountable agencies, the relevant resolutions adopted by the Parliament of Georgia are formal. The text of the resolution does not include the commentary made after hearing the report, and the opinions of the Parliament, and therefore, the recommendations given to the agencies do not find their way in the document. In order for the report submission/hearing process to become a part of true democratic accountability, it is necessary for the Parliament, as a democratic oversight body, to present specific opinions/remarks on the report of the respective accountable agency.

It is also noteworthy that the Rules and Procedures Committee, and subsequently the Parliament as a whole, shared two amendments lobbied for by the Democracy Research Institute. These changes also affect the Parliament's effective supervision of the security sector. One of these changes regards the reduction of response time to the question submitted by a member of parliament to an agency: from 15 to 10 days. This should have a positive impact on timely supervision of these agencies. Next, according to the second amendment, the head of the SUS is now expected to personally show up to present the Agency's annual report before the Parliament. According to the previous wording of the regulation, the Deputy Head of SUS also had the authority to present the report to the Parliament.

Despite these positive changes, the allotted to implementing the recommendations of the European Commission could have been used more fruitfully towards ensuring more effective democratic control.

## 2. PRACTICAL IMPEDIMENTS OF THE SUPERVISION OF THE SECURITY SECTOR

In tandem with the development of mechanisms of parliamentary control over the security sector, it is necessary to apply them proactively. During the interviews with the members of the Parliament, the representatives of the parliamentary opposition noted that the existing legal framework, as well as the superficial and dishonest attitude of the representatives of the security sector towards the existing mechanisms of parliamentary control, cannot ensure effective parliamentary control over the security sector.

## 2.1. ASSESSMENT OF THE TRUST GROUP'S WORK - LEGISLATIVE AND PRACTICAL SHORTCOMINGS

In 2018, the Law on the Trust Group was declared null, and the respective provisions were transplanted into Parliament's Regulations. While the purpose of the amendments was to strengthen parliamentary control over the security sector, in reality, the increased authority of the Trust Group has not truly materialized.

### 2.1.1 LEGISLATION GAPS

The activities of the agencies included in the security sector are characterized by high secrecy. The Trust Group created under the Defense and Security Committee of the Parliament has the highest authority to control the agencies included in the security sector. However, the mandate of the group is also limited. For example, the members of the Trust Group cannot supervise the activities of the accountable agencies if these activities are related to the hidden forms and methods of operation.<sup>31</sup>

On the face, the Parliamentary Regulation equips the Trust Group with sufficient powers to apply proper oversight of the security sector, however, the oversight mechanisms are imperfect. They give security sector agencies ample room to maneuver to avoid accountability. For example, the agencies accountable to the Trust Group can refuse to provide this or that information to the Trust Group, on the grounds of protecting national/public security and state interests,<sup>32</sup> which must be justified.<sup>33</sup> However, the regulation does not contain a sign of what happens if a member of the Trust Group considers that the refusal to provide information is not well-founded and properly justified. This entry in the regulation affords the agencies in the security sector complete freedom of action - they can decide for themselves what information to provide to the Trust Group.

According to the regulations, the Trust Group member/members are authorized, *with the consent of the Trust Group Chair*, to perform relevant visits to the agencies included in the

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<sup>31</sup> Regulations of the Parliament of Georgia, Article 159, paragraphs 1, 3.

<sup>32</sup> Ibid., paragraph 3.

<sup>33</sup> Ibid., paragraph 4.

security sector. Within the framework of the visit, the member of the Trust Group may speak to the employees of the agency and get acquainted with the information related to the issues belonging to the competence of the Trust Group.<sup>34</sup> However, the effectiveness of the inspection is reduced because, according to the legislation, *the relevant agency is informed about the visit in advance*.<sup>35</sup>

The mentioned provision is problematic in two ways: 1. The member of the Trust Group cannot visit the relevant agency independently, without the approval of the Chair; 2. The obligation of prior notification gives the relevant agencies the opportunity to prepare "properly." However, the regulation also does not list details on what is amount of information can be accessed with the "right of inspection," nor it define the procedures for viewing this information.

The current legislation does not oblige the Trust Group to prepare and submit to the Parliament a public report of its activities, where the secret information related to state security will be properly redacted. During the meeting with the Democracy Research Institute, several MPs representing the parliamentary opposition drew attention to the need to prepare a report from the Trust Group.

Considering the existing shortcomings, in the working group created with the Committee on Procedural Affairs and Rules of the Parliament, the Democracy Research Institute proposed demanding the abolition of the Trust Group. However, if the decision is made to maintain the Group, the following initiatives were submitted to the Parliament of Georgia to increase the effectiveness of the Trust Group's work:

- To ensure the accountability of the Trust Group and the transparency of its activities, Parliament's Regulations should reflect the obligation of the Trust Group to submit the report of the Trust Group's activities to the Parliament of Georgia every year or semi-annually.
- To the entry of the Regulations, which determines the composition of the Trust Group, another entry should be added, which will specify the right to nominate a member of the Trust Group not only to one opposition faction but also to political groups/factions/factions included in the parliamentary opposition.
- Meetings of the Trust Group should be held at least once a month. Any member of the Trust Group will be allowed to call the meeting, which will give the parliamentary opposition the

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<sup>34</sup> Regulations of the Parliament of Georgia, Article 159, paragraph 11.

<sup>35</sup> Ibid.

opportunity to exercise parliamentary supervision over the security sector independently of the governing party.

- The current version of the Regulations does not allow members of the Trust Group to visit accountable institutions independently of the Chair of the Trust Group and without informing the head of the institution to be visited. According to the Democracy Research Institute, this record gives the Chair of the Trust Group the opportunity to determine, at their discretion, whether to allow a member of the Trust Group to visit the relevant agency. And it gives the agency the opportunity to "properly prepare" for the visit. The visits of the Trust Group should be performed without the prior notification of the relevant agencies and the approval of the Chair.
- The relevant agencies should be able to only refuse<sup>36</sup> to provide information that relates to the covert forms and methods of their operation.

The Parliament of Georgia did not share the opinions of the Democracy Research Institute on increasing the effectiveness of the Trust Group's work. According to the Members of the Parliamentary Majority, the Parliament of Georgia may return to this issue in the future, although, for the foreseeable future the legislative gaps in the Trust Group's work remain unresolved.

### 2.1.2 COMPOSITION OF THE TRUST GROUP – IMBALANCE OF POLITICAL POWERS

According to the Regulations, three of the five members of the Trust Group represent the governing political power.<sup>37</sup> At the meeting of the Trust Group, the decision is made by the majority of votes, which means that the decision-making depends only on the will of the members of the governing party. While it is true, according to the Regulations, that a member of the Trust Group may call a meeting of the Trust Group, however, they must be supported by the majority of the members of the Trust Group.<sup>38</sup> Considering that the majority in the Trust Group is held by the representatives of the parliamentary majority, this power in the hands of an individual member of the Trust Group is not a real leverage.

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<sup>36</sup> [www.democracyresearch.org](http://www.democracyresearch.org) (website), 19.10.2022, DRI Recommendations to Strengthen Parliamentary Oversight of the Security Sector. Available at: <https://www.democracyresearch.org/geo/1077/>

<sup>37</sup> Regulations of the Parliament of Georgia, Article 157, paragraph 2.

<sup>38</sup> Ibid., Article 158.



The record related to the recruitment of the Trust Group is also problematic. According to the regulations, the Trust Group is made up of 5 members, one of whom is the Chair of the Defense and Security Committee of the Parliament, two are members of the faction/factions from the Parliamentary Majority, and two are members of the factions from the Parliamentary Opposition.<sup>39</sup>

The Democracy Research Institute addressed the Parliament and requested information related to the composition of the group.<sup>40</sup> According to the answer received from the parliament,<sup>41</sup> today the Trust Group has 4 members, of which only one is a representative of the opposition.

According to the Members of the Parliament in the Parliamentary Opposition, the governing political party benefits from this entry of the Regulation. According to the literal interpretation of the entry, two members **of the factions in the Parliamentary Opposition are members of the Trust Group**. At this stage,<sup>42</sup> there is only one opposition faction in the Parliament - "United National Movement," which has already appointed a representative to the Group. According to the letter received from the Parliament, initially, the incomplete recruitment was caused by the opposition's refusal to take part in the activities of the 10th Parliament of Georgia. After that, the reason for the absence was the termination of the status of the Members of the Parliament for the nominated candidates (Mamuka Khazaradze and Badri Japaridze).<sup>43</sup>

As it was communicated to us during the interviews, today the governing political party is delaying the appointment of the 5<sup>th</sup> member in the Trust Group from the Parliamentary Minority quota, citing various procedural reasons.

According to the Transitional Provisions of the Parliament's Regulations, until the 2024 Parliament is elected and recognized in 2024 elections, at least 2 members of the Parliament can create a parliamentary political group that enjoys the same rights as a faction, except for the rights defined for the faction by the Constitution of Georgia.<sup>44</sup> According to the Constitution of Georgia, the powers of the faction are: the right of legislative initiative and the right to address questions to the body accountable to the Parliament via the interpellation procedure.<sup>45</sup>

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<sup>39</sup> Ibid., Article 157, paragraph 2.

<sup>40</sup> Letter from the Democracy Research Institute, No. 20220903/315, 09/03/2022.

<sup>41</sup> Letter of the Parliament of Georgia 2641/2-7/22, 22/03/2022.

<sup>42</sup> As of February 10, 2023.

<sup>43</sup> Letter of the Parliament of Georgia N2641/2-7/22, 22-03-2022.

<sup>44</sup> Regulations of the Parliament of Georgia, Article 228<sup>1</sup>, paragraph 1, 3.

<sup>45</sup> Constitution of Georgia, Article 43, Clause 2; Article 45, paragraph 1.

Since appointing a member to the Trust Group is not an exclusive purview of a faction, a transitional provision of the Parliament's Procedures allows a political group to nominate a candidate for membership of the Trust Group.

The incomplete operation of the Trust Group after the 2,5 years of the initial assembly of the 10<sup>th</sup> Parliament of Georgia violates the Parliament's Regulations.

### 2.1.3. SHORTCOMINGS IDENTIFIED IN PRACTICE

The flawed nature of the Regulation affects the effectiveness of practical work. The analysis of the public information requested by us shows that the members of the Trust Group are unable to properly apply the mandate given to them by the Regulation. The representatives of the Parliamentary Opposition explain this by the lack of political will.

The Democracy Research Institute requested public information from the Parliament of Georgia regarding the activities of the Trust Group. According to the answer received, "because of the pandemic caused by the New Coronavirus in 2020, the Trust Group of the Parliament of Georgia could not function fully and properly," which is why only one session of the group was held. In 2020, there were also no supervisory visits to agencies in the defense and security sector, and no inspection of the Operative - Technical Agency, which means that in 2020, the Trust Group was practically completely paralyzed and non-functional.<sup>46</sup>

Unlike 2020, 16 meetings of the Trust Group were held in 2021. However, because of the boycott of parliamentary activities by the opposition, the Trust Group had only 3 members. Only the representatives of the governing political force attended the meetings of the Trust Group (Chair of the Trust Group, Irakli Beraia and members - Anri Okhanashvili and Aleksandre Tabatadze). In the absence of the opposition force, it is impossible to talk about effective parliamentary control.

In 2022, the Trust Group held 11 meetings. The Trust Group already had four members, including Teimuraz Janashia, who was nominated by the National Movement.<sup>47</sup> According to the answer received from the Parliament, at least part of the sessions was attended only by

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<sup>46</sup> Letter of the Parliament of Georgia N2643/2-7/22, 22-03-2022.

<sup>47</sup> Letter of the Parliament of Georgia N2641/2-7/22, 22-03-2022

members of the governing political force. For example, only Irakli Beraia, Anri Okhanashvili and Aleksandre Tabatadze attended the meeting held on May 25, 2022, where the representatives of the Ministry of Defense and the Ministry of Justice of Georgia were invited.

The Parliament of Georgia did not provide us with information about the issues discussed at the session, which makes it difficult to assess the quality of the supervision performed by the Parliament.

The Trust Group did not think it was attention-worthy to react to the materials, disseminated in September, 2021, prior to the elections. It showed the allegedly illegal secret eavesdropping and surveillance.<sup>48</sup> The Trust Group has not issued a public statement on this issue, although the Trust Group has the mandate to supervise the activities of the Operative-Technical Agency. Following the release of the secret wiretapping files (September 12, 2021), a meeting of the Trust Group was held on October 15, 2021. The Head of the Operative-Technical Agency was not present at this session (nor at any other sessions held in 2021).<sup>49</sup> It is most likely that this issue was not even discussed at the meeting. It should be noted that despite our request for such information, the Parliament of Georgia did not provide us with the agendas of the Trust Group meetings.

According to the statistics published by the Parliament of Georgia, the defense and security sector submitted 15 reports to the Trust Group of the 10<sup>th</sup> Parliament of Georgia.<sup>50</sup> In addition, special reports were submitted to the Trust Group on secret government procurements, with the Ministry of Defense being active, with 23 reports submitted on procurements.<sup>51</sup>

Under Article 159, Clause 9 of the Parliament's Regulations, in 2021, the Ministry of Internal Affairs, the Ministry of Defense and the SUS, each submitted a report to the Trust Group of the Parliament of Georgia about the implemented covert activities and special programs. These officials attended the meetings of the Trust Group.<sup>52</sup> However, it is difficult to assess the effectiveness of this control mechanism, especially because in 2021 the Trust Group was composed only of members of the governing political force. In the absence of a public report

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<sup>48</sup> Democracyresearch.org (website), 14.09.2021, DRI: Illegal Eavesdropping and Surveillance Pose a Serious Threat to the Country's Development, available at: <https://www.democracyresearch.org/geo/722/>

<sup>49</sup> Letter of the Parliament of Georgia N2643/2-7/22, 22-03-2022

<sup>50</sup> parliament.ge (website), statistical data of the activity of the Trust Group of the Parliament of Georgia provided for in the 2021-2022 action plan of the "Open Parliament," available at: <https://parliament.ge/supervision/security-defense-sector/trust-groups> (30.12. 2022)

<sup>51</sup> *ibid.*

<sup>52</sup> Letter of the Parliament of Georgia N 2643/2-7/22, 22-03-2022.

on the activities of the Trust Group, the rest of the Parliament Members and the public are unaware of what was discussed at the sessions.

According to the answer received from the Parliament, in 2020 and 2021, the LEPL Operative-Technical Agency submitted statistical and generalized reports of the activities performed to the Trust Group of the Parliament of Georgia. In addition, in 2021, the Trust Group inspected the agency twice. Due to the mandate of the Operative-Technical Agency and many other factors (including media reports of widespread wiretapping, issues related to the independence of the courts, the actual absence of other mechanisms of supervision over the Agency), only the review of the generalized and statistical report of the Agency cannot ensure the receipt of appropriate information and, therefore, effective implementation of supervision. In addition, the inspection of the Operative-Technical Agency is limited to just receiving general information and glossing over technical requirements.

### 3. ANALYSIS OF THE QUESTIONS ASKED BY THE MEMBERS OF THE PARLIAMENT AND RECEIVED ANSWERS

Submitting a written question by a Member of the Parliament of Georgia to an agency accountable to the parliament is one mechanism of supervision of the security sector. According to the Regulations of the Parliament, it is mandatory for the addressee of the question to provide give a timely and complete answer to the question. The question must be in writing. The content of the question should be limited to the subject that falls within the purview of the addressee.<sup>53</sup>

According to the public information requested by the Democracy Research Institute from the Parliament of Georgia:

- In 2020 - 1, in 2021 - 11, and according to the data of 11 months of 2022 - 27 written questions were submitted to the State Security Service by the members of the Parliament of Georgia.

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<sup>53</sup> Regulations of the Parliament of Georgia, Article 148, paragraphs 1, 2.

- In 2020 - 8, in 2021 - 34, and according to the data of 11 months of 2022 - 95 written questions were submitted to the Ministry of Internal Affairs.
- In 2020 - 3, and in 2021 - 23, as of 11 months of 2022 - 33 written questions were submitted to the Ministry of Defense.
- According to the data of the 11 months of 2021 and 2022, the Members of Parliament submitted 1 questions per year to the Operational-Technical Agency.
- According to the Parliament Regulations, the question is handed over to the Parliament's office, which registers it and immediately publishes it on the Parliament's website. The Office of the Parliament shall deliver the question to the addressee no later than 1 day after it was submitted to the Office. The answer to the question is communicated by the Parliament's Office to the author of the question and is published on the website of the Parliament, except for confidential information. In case of exceeding the deadline set for answering the question, a notice shall be published alongside the information.<sup>54</sup>

### 3.1. THE STATE SECURITY SERVICE OF GEORGIA

All questions sent to the State Security Service are published on the website of the Parliament of Georgia. As a positive trend, it should be pointed out that, in contrast to 2020, the number of written questions increased considerably (from 1 to 27) in 2022. It should also be noted that representatives of the ruling party used this mechanism for the first time in 2021 (five questions) and, as of November 2022, the ruling political party submitted 14 out of the 27 written questions. *However, all written questions have been sent by only one Member of the Parliament – Vladimer Chachibaia.*

Answers to five written questions have not been published on the website of the Parliament of Georgia, seemingly to protect secret information. However, *judging by the content of the questions, the requested information should not have been deemed confidential.* It is noteworthy that *a member of Georgian Dream submitted four of these questions.* In order to enhance external oversight and increase public trust in the agency's activities, it is necessary to publish those answers that do not constitute secret information. In those cases, where information is confidential, it should be indicated that the Member of Parliament received the answer personally to protect secret information.

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<sup>54</sup> Ibid., Article 148.

The Law of Georgia on State Secrets determines the types of information that can be classified as a state secret.<sup>55</sup>

Limiting access to the information supplied by the State Security Service for confidentiality reasons is a negative practice. The content of the questions submitted by members of parliament demonstrates that the requested information could not be classified as secret. It gives rise to a suspicion that the State Security Service uses confidentiality of information as a pretext to weaken external oversight.

For example, the *answers to the following questions are not published* on the website of the Parliament of Georgia:

- *“This year, as of today, how many of our citizens have been illegally sentenced to imprisonment in the occupied regions?”*<sup>56</sup> the Democracy Research Institute considers that an answer to this question should not be deemed secret.
- *“This year, as of today, how many of our citizens have been illegally sentenced to imprisonment in the occupied regions?” What is the security situation in the occupied Abkhazia and Tskhinvali region?”;*<sup>57</sup> *“At what stage is the process of updating the chemical, biological, radiological and nuclear (CBRN) security strategy and action plan?”*<sup>58</sup> It is an opinion of the Democracy Research Institute that the number of citizens of Georgia sentenced to imprisonment in Abkhazia and Tskhinvali region and general information about the security situation in these regions should not be deemed a state secret and should be published on the website of the Parliament of Georgia. Information on the process of up-dating the chemical, biological, radiological and nuclear (CBRN) security strategy and action plan cannot be considered a state secret.

In those cases, where a person does not have access to secret information, the State Security Service should make a disclaimer accordingly. This clause should be published as well.

In some cases, the State Security Service *does not fully answer the questions of members of parliament and provides only partial information.*

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<sup>55</sup> The Law of Georgia on State Secrets, Article 6.d).

<sup>56</sup> Question no. 4153/3-2/21, submitted by MP Teona Akubardia, dated 06/05/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/10026>.

<sup>57</sup> Question no. 2379/4-8/21, submitted by Irakli Beraia MP, dated 18/03/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9897>.

<sup>58</sup> Question no. 2454/3-106/21, submitted by Vladimer Chachibaia MP, dated 19/03/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9902>.

Teona Akubardia MP requested information about the gender-segregated percentage of persons employed in the agency and the percentage of decision-makers by gender in the agency.<sup>59</sup> However, the State Security Service sent the MP only the general segregated data about employed persons and did not provide information about the distribution of decision-making positions based on gender.<sup>60</sup>

It is problematic that, by *citing a formulaic reason, the State Security Service escapes providing the information requested by a member of parliament.*

Levan Bezhashvili MP applied twice to the State Security Service requesting statistical information about covert investigative actions.<sup>61</sup> Initially, the agency, indicating that it was not responsible for collecting such statistical information, refused to provide the requested information to the member of parliament.<sup>62</sup> In response to an additional question, the State Security Service informed the member of parliament about the agencies that are in charge of deciding about conducting covert investigative actions.<sup>63</sup>

The question of the member of parliament included the issues that are within the competence of the State Security Service as an agency conducting covert investigative actions, and information about these issues should be at the disposal of this agency, for example:

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<sup>59</sup> Question no. 10861/3-2/22, submitted by MP Teona Akubardia, dated 11/11/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/20648>.

<sup>60</sup> Letter no. SSG 0 22 00234758 of the State Security Service, dated 30/11/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/21017>.

<sup>61</sup> Question no. 6876/3-6/22, submitted by Levan Bezhashvili MP, dated 28/07/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18044>. See also Question no. 7394/36/22, submitted by Levan Bezhashvili MP, dated 17/08/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18283>.

<sup>62</sup> Letter no. SSG 02200146585 of the State Security Service, dated 25/08/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18242>.

<sup>63</sup> Letter no. SSG 4 22 00163625 of the State Security Service, dated 05/09/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18813>.

- “In how many cases were urgent covert investigative actions conducted by the investigators of the Investigative Department of the State Security Service of Georgia, based on a prosecutor’s reasoned resolution?”
- “Within the scope of the investigation conducted by the department, how many persons were informed about the content of the material obtained as a result of the covert investigative actions conducted against them and about the destruction of this material in accordance with the procedure established by the legislation of Georgia?”

It is important that such an approach must not be established as a practice and, in future, the State Security Service should not avoid, citing formulaic reasons, the provision of the information that it has at its disposal and can process.

### 3.2. MINISTRY OF DEFENCE OF GEORGIA

During the reporting period, members of parliament submitted 59 questions to the Ministry of Defence. Only three questions were submitted in 2020, 23 questions in 2021 and 33 in 2022. In the case of the Ministry of Defence as well, an increase in the number of questions submitted by members of parliament over the years is evident and is commendable. However, in 2022, Vladimer Chachibaia was the only member of the parliamentary majority who addressed the Ministry of Defence with a question. This confirms the little interest of the parliamentary majority in using a mechanism of parliamentary oversight with regard to the security sector.

Six written questions submitted in 2020-2021 remain unanswered. In four of these cases, the authors of the questions were the representatives of the parliamentary opposition, viz., Koba Nakopia, Irakli Abesadze, Tamar Kordzaia and Roman Gotsiridze. Two questions by a member of the parliamentary majority, Alexander Tabatadze, remained unanswered. All questions submitted in 2022 have been answered.

Both the question by a member of parliament and the answer received from the relevant agency are published on the website of the Parliament of Georgia. However, in some cases, the answer given by the agency does not have a corresponding attachment. In such cases, it is impossible to assess how complete and appropriate the answer to the MP's question was. For



example, this is a question asked by Ana Natsvlishvili MP<sup>64</sup> about the steps taken by the Ministry of Defence of Georgia regarding the integration into European and Euro-Atlantic institutions. The attachment containing the answer to this question is not available on the website of the parliament.<sup>65</sup>

The topic of questions left *unanswered* by the Ministry of Defence of Georgia is also noteworthy. Koba Nakopia, Tamar Kordzaia, Irakli Abesadze and Roman Gotsiridze requested the ministry to provide them with certain financial information. In particular, the questions were about social security of military personnel. The question submitted by Koba Nakopia<sup>66</sup> was related to the official salary and allowances of the persons employed in the Ministry of Defence in various positions as well as the travel and representation expenses incurred by the ministry. Roman Gotsiridze<sup>67</sup> also requested similar information from the ministry, namely, information about the salary of military personnel, the number of employees and the salary fund. Irakli Abesadze requested information about the provision of apartments to military personnel.<sup>68</sup> The Ministry of Defence did not answer these questions.

The question by Vladimer Chachibaia, a member of the parliamentary majority, concerned the information on the steps taken in 2013-2020 in terms of improving the social security of the service members of the Defence Forces of Georgia (including medical insurance, housing, salaries, etc.).<sup>69</sup> While Vladimer Chachibaia's question incorporated the content of the questions submitted by Koba Nakopia and Irakli Abesadze, unlike the questions of the parliamentary opposition, the Ministry of Defence of Georgia answered Chachibaia's question in detail.<sup>70</sup>

Another question submitted by a member of the parliamentary opposition, Tamar Kordzaia, was about documentation and funds spent by the ministry in sponsoring various social media

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<sup>64</sup> Question no. 12047/3-81/21, submitted by Ana Natsvlishvili MP, dated 10/12/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/14967>.

<sup>65</sup> See at: <https://parliament.ge/supervision/deputy-question>.

<sup>66</sup> Question no. 5760/3-79/20, submitted by Koba Nakopia MP, dated 03/07/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/8769>.

<sup>67</sup> Question no. 8741/3-17/21, submitted by Roman Gotsiridze MP, dated 18/08/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/12847>.

<sup>68</sup> Question no. 9085/3-1/20, submitted by Irakli Abesadze MP, dated 05/10/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9539>.

<sup>69</sup> Question no. 3242/3-106/21, submitted by Vladimer Chachibaia MP, dated 09/04/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/10028>.

<sup>70</sup> Letter no. MOD 1 21 00413060 of the Ministry of Defence of Georgia.

pages and cooperation with the media outlets.<sup>71</sup> *The ministry did not answer this question either.* The Ministry of Defence also left unanswered the questions submitted by a member of the parliamentary majority, Alexander Tabatadze: 1) about the cooperation between Georgia and NATO, the steps taken and progress in these regards;<sup>72</sup> and 2) about the steps taken to strengthen “defence capacity” in 2019-2020.<sup>73</sup>

Another example of discrepancy in the answers provided by the Ministry of Defence to questions with the same content but submitted by representatives of the parliamentary majority and the opposition is the number of persons called up in the reserve. Both Teona Akubardia<sup>74</sup> and Eka Sepashvili<sup>75</sup> submitted questions to the Ministry of Defence regarding this issue. The Ministry of Defence’s answer<sup>76</sup> to Teona Akubardia was that, as a person with no access to state secrets, she had limited access to this information.<sup>77</sup> The ministry supplied this information to Eka Sepashvili in accordance with the law of Georgia on State Secrets.<sup>78</sup> However, the ministry answered<sup>79</sup> the question of the representative of the parliamentary opposition,<sup>80</sup> regarding statistics of the employees who left the Ministry of Defence of their own accord.

It is noteworthy that *the Ministry of Defence processed and supplied the information to the Member of Parliament that the State Security Service and the Ministry of Internal Affairs refused to impart.*

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<sup>71</sup> Question no. 5996/3-53/21, submitted by Tamar Kordzaia MP, dated 15/06/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/10689>.

<sup>72</sup> Question no. 3457/3-94/21, submitted by Alexander Tabatadze MP, dated 14/04/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/9950>.

<sup>73</sup> Question no. 3458/3-94/21, submitted by Alexander Tabatadze MP, dated 14/04/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/9951>.

<sup>74</sup> Question no. 5096/3-2/21, submitted by Teona Akubardia MP, dated 28/05/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/10296>.

<sup>75</sup> Question no. 3192/3-92/21, submitted by Eka Sepashvili MP, dated 07/04/2022, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/9961>.

<sup>76</sup> Letter no. MOD 1 21 00524256 of the Ministry of Defence of Georgia, dated 07/06/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/10473>.

<sup>77</sup> Teona Akubardia’s request to be granted access to the state secret was only upheld after she posted regarding this issue on Facebook.

<sup>78</sup> Letter no MOD 1 21 00361149 of the Ministry of Defence of Georgia, dated 19/04/2021, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/9962>.

<sup>79</sup> Letter no. MOD 7 22 01194563, dated 13.10.2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/19998>.

<sup>80</sup> Question no. 9375/3-62/22, submitted by Paata Manjgaladze MP, dated 03/10/2022, available at:

<https://info.parliament.ge/file/1/MpQuestionContent/19729>.

Unlike the State Security Service and the Ministry of Internal Affairs, the Ministry of Defence did not ignore the letter from the member of Parliament of Georgia Levan Bezhashvili about the statistical information concerning the covert investigative actions conducted by the relevant department of the agency,<sup>81</sup> processed the available information and supplied it to the MP.<sup>82</sup>

However, it should be noted that questions by representatives of the parliamentary majority and the opposition are significantly different in terms of substance. Representatives of the parliamentary opposition are mostly interested in the expenses incurred by the ministry, their purpose, the dynamics of changes in these expenses and similar issues, or the general policy of the agency (for example, a question about the steps taken to join European organisations or gender-segregated information about persons employed in the agency). The questions by members of the parliamentary majority are relatively specific and refer to specific programmes and projects regarding various aspects of the agency's activities.<sup>83</sup> This difference may be due to the fact that the activities of the Ministry of Defence are relatively more familiar to the few representatives of the members of the parliamentary majority who ask questions (for example, Vladimer Chachibaia had held the position of the commander of the Georgian Defence Forces). Among the opposition, Teona Akubardia MP, who, due to her past work experience, has more information about the activities of this agency and requests more specific and detailed information from the Ministry of Defence.<sup>84</sup> Against this background, the need to have a group of qualified specialists with the specialised committee of the parliament that would advise and assist MPs to expand the substantive aspect of the oversight task, is demonstrated once again.

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<sup>81</sup> Question no. 6873/3-6/22, submitted by Levan Bezhashvili MP, dated 28/07/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18041>.

<sup>82</sup> Letter no. MOD 4 22 00943730 of the Ministry of Defence of Georgia, dated 16.08.2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18253>.

<sup>83</sup> For example, question no. 3089/4-8/21, submitted by Irakli Beraia MP, dated 06/04/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9936>, and question no. 3178/3-123/21, submitted by MP Giorgi Khelashvili, dated 07/04/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9945>.

<sup>84</sup> Question no. 5096/3-2/21, submitted by Teona Akubardia MP, dated 28/05/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/10296>, and question no. 11095/3-2/21, submitted by Teona Akubardia MP, dated 11/11/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/14268>.

### 3.3. THE MINISTRY OF INTERNAL AFFAIRS

It is noteworthy that, unlike the Ministry of Defence and the State Security Service, in the case of the Ministry of Internal Affairs, parliamentary oversight using the written question mechanism is more effective. This is mainly manifested by the number of questions sent, their content, the small number of unanswered questions (8 out of 137 questions are unanswered) and the detailed answers received. In most cases, the authors of the unanswered questions are members of the parliamentary opposition (Ana Natsvlishvili, Tamar Kordzaia and Iago Khvichia).

There are, however, cases where *answers are not detailed or comprehensive*.

In one case, Iago Khvichia MP requested information on the total number of traffic accidents from 2000 to 2021 and a further break-up of these cases by the number of cases involving driving under the influence of illicit drugs, driving under the influence of alcohol and driving under the influence of cannabis.<sup>85</sup> In the official response, the Ministry of Internal Affairs supplied a link to a website imparting statistical information on traffic accidents. Regardless of the public availability of any information, the Ministry of Internal Affairs is obliged to provide an MP with comprehensive information. Furthermore, there is no statistical data on the causes of traffic accidents on the website indicated by the Ministry of Internal Affairs and the statistical data is available since 2015.<sup>86</sup>

The Ministry of Internal Affairs provided incomplete information to MP Koba Nakopia as well.<sup>87</sup> In addition to the information given in the answer, the MP also requested information about the amount of official salary given to both administrative and labour contract employees (separately), category allowance, salary allowance and the amount of monthly monetary bonus.<sup>88</sup> The Ministry of Internal Affairs did not process the requested data in detail and only provided the MP with information about the total amounts

Another answer received from the Ministry of Internal Affairs, similar to the answers received from the Ministry of Defence, is incomplete. According to the answer to the question submitted

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<sup>85</sup> Question no. 6317/3-125/21, submitted by Iago Khvichia MP, dated 23/06/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/10818>.

<sup>86</sup> See at: <https://info.police.ge/page?id=105>.

<sup>87</sup> Answer submitted by the Ministry of Internal Affairs of Georgia, available at: <https://info.parliament.ge/file/1/MpQuestionContent/9136>.

<sup>88</sup> Question no. 5751/3-79/20, submitted by Koba Nakopia MP, dated 03/07/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/8760>.

by MP Tamar Kordzaia, the statistical information about the incidents of refusing entry to Ukrainian citizens at the border crossing points of Georgia was presented in the attachment. However, the attachment is not published on the website.<sup>89</sup> This fact may be due to a technical error but it obstructs effective external oversight.

Taking into account the consequences of Russia's invasion of Ukraine, more than one parliamentarian<sup>90</sup> was interested in statistical information about the facts of Russian citizens crossing into Georgia. The Ministry provided each of them with statistical data for the respective months.

The Ministry of Internal Affairs *gave different answers to representatives of the ruling party and the opposition who had submitted practically identical questions.*

The Ministry of Internal Affairs gave a comprehensive answer<sup>91</sup> to the written question of Giga Bukia, an MP of Georgian Dream, in which he had requested statistical data on the incidents of suicide by year and the age and gender of the deceased as well as how many suicide attempts were fatal.<sup>92</sup>

Two months earlier, Roman Gotsiridze, a representative of the parliamentary opposition had requested information on the number of suicides in January-April 2020 (number of suicides per month). The Ministry of Internal Affairs answered that the MP could obtain information on the number of incidents of suicides in January-April 2020 on the website of the Ministry of Internal Affairs. The ministry refused to supply this information for months on the ground that “data retrieval/processing is performed on the basis of information requested from the territorial divisions of the ministry and is as of six months and a full calendar year.”<sup>93</sup>

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<sup>89</sup> Answer no. MIA 6 21 03369674, submitted by the Ministry of Internal Affairs of Georgia, dated 23/12/2021.

<sup>90</sup> Question no. 7563/3-62/22, submitted by Paata Manjgaladze MP, dated 22/08/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18361>. See also Question no. 7340/3-53/22, submitted by Tamar Kordzaia MP, dated 16/08/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/18247> and Question no. 4260/3-113/22, submitted by Ana Tsitlidze MP, dated 13/05/2022, available at: <https://info.parliament.ge/file/1/MpQuestionContent/17011>

<sup>91</sup> Answer no MIA 9 20 01593590, submitted by the Ministry of Internal Affairs of Georgia, dated 14/07/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/8927>.

<sup>92</sup> Question no. 5938/3-14/20, submitted by Giga Bukia MP, dated 08/07/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/8834>.

<sup>93</sup> Answer no. MIA 7 20 00992325, submitted by the Ministry of Internal Affairs of Georgia, dated 06/05/2020, available at: <https://info.parliament.ge/file/1/MpQuestionContent/8236>.

Furthermore, it should also be noted to what extent members of parliament themselves use the written question mechanism for the very purposes of parliamentary oversight. In one of the written questions, a member of parliament addresses the Ministry of Internal Affairs with the *request*: “Please check again: is the former police captain to be blamed? He categorically denies his involvement in drugs. If [...a person’s name and surname are indicated] guilt is not proven, maybe it will be possible to reinstate him in the internal affairs agencies or at least in non-operational units on probation.”<sup>94</sup> The letter further states that the answer should be communicated to the family of the above-mentioned person.

As a positive trend, it should be noted that the dynamics of using the written question mechanism has improved compared to the past years. Furthermore, unlike the previous years, 2021 is marked by members of the parliamentary majority becoming more active. The recipients of the question, in many cases, use a different approach, depending on whether the author of the question represents the government or a parliamentary opposition party, which is manifested in the following: the agencies accountable to the parliament do not answer or answer incompletely and vaguely the questions submitted by representatives of the parliamentary opposition.

## 4. OFFICIALS’ MANDATORY ATTENDANCE AT A COMMITTEE SESSION

One of the important mechanisms of parliamentary oversight of the security sector is the mandatory attendance of officials at committee sessions. The Ministers of Defence and Internal Affairs of Georgia are entitled and, in case of a request, they are obliged to attend a committee session in accordance with the rules established by the Rules of Parliament to answer questions posed at the session and present a report of the activities performed. They will be heard by the committee upon request.<sup>95</sup> Attendance at a committee session is mandatory for the Minister of Defence and the Minister of Internal Affairs based on the request of the majority of the

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<sup>94</sup> Question no. 6993/3-112/21, submitted by Bezhan Tsakadze MP, dated 08/07/2021, available at: <https://info.parliament.ge/file/1/MpQuestionContent/11015>.

<sup>95</sup> The Rules of Parliament, Article 40.1.

attendees or the request of a parliamentary faction.<sup>96</sup> An exception in the security sector in this regard is the Head of the State Security Service, whose attendance at a committee session is mandatory if there is a written request from the majority of the list of committee members and the written request must contain full information about the issue/issues to be discussed with the persons invited to the committee session.<sup>97</sup>

In 2022, the provision regulating mandatory attendance at the committee session was amended to implement the recommendations of the European Commission.<sup>98</sup> The amendments are aimed at ensuring more transparency of the mechanism of mandatory attendance at committee sessions and should be noted as a positive step towards ensuring effective parliamentary oversight.

The Democracy Research Institute has requested information from the Parliament of Georgia about the number of initiatives and details of initiators to summon the Minister of Defence of Georgia, the Minister of Internal Affairs and the Head of the State Security Service to a parliamentary committee's session (indicating the respective committee) in accordance with Article 40.2 of the Rules of Parliament, from the date the authority of the 10<sup>th</sup> Parliament was recognised to 29 November 2022, how many times the relevant officials showed up at the committee session on their own initiative and how many times their attendance was requested by an opposition group.

According to the received communication, in accordance with Article 40 of the Rules of Parliament of Georgia, parliamentary faction United National Movement – Strength is in Unity submitted one request to the committee to summon the Minister of Defence of Georgia. Furthermore, officials referred to in Article 40 of the Rules of Parliament of Georgia have not been summoned to the committee's session; the Head of the State Security Service of Georgia, the Minister of Internal Affairs and the Minister of Defence of Georgia did not attend the committee sessions on their own initiative.<sup>99</sup>

The communication received from the parliament did not include information about the written requests of the parliamentary faction Charles Michel's Reform Group, whereby the faction had requested the Human Rights and Civil Integration Committee to ensure the attendance of the

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<sup>96</sup> Ibid., paragraph 2.

<sup>97</sup> Ibid., paragraph 3.

<sup>98</sup> Ibid., Article 40. For more details, see Explanatory Memorandum on Amending the Rules of Parliament of Georgia, available at: <https://info.parliament.ge/file/1/BillReviewContent/307053>.

<sup>99</sup> Letter no. 12666/2-7/22 of the Office of the Parliament of Georgia, dated 13/12/2022.

Minister of Internal Affairs on 18 June 2022,<sup>100</sup> 23 June 2022<sup>101</sup> and 21 July 2022<sup>102</sup>.

In a communication, dated 21 June 2021, the faction expressed its wish to hear information from the Minister of Internal Affairs regarding the extent to which freedom of assembly and expression would be protected on 5 July 2021. According to the information available to us, the committee did not hold sessions regarding this issue.

On 21 July 2021, the faction applied once again to the President of the Human Rights and Civil Integration Committee and requested to ensure the attendance of the Minister of Internal Affairs to answer questions regarding the violence on 5 July 2021.

**The Minister of Internal Affairs has never attended any of the committee sessions.** The Democracy Research Institute has no information on whether the Human Rights and Civil Integration Committee has ever sent such requests to the Minister of Internal Affairs.

The initiative of Teona Akubardia MP was not included either in the letter received from the parliament, by which we requested information about the initiators of the summoning of representatives of the security sector to the committees.

#### **Teona Akubardia's Initiative**

Taking into account the threats arising from Russia's invasion of Ukraine, 17 members of parliament requested the President of the Defence and Security Committee of the Parliament of Georgia to summon the Head of the State Security Service to a session of the Defence and Security Committee.<sup>103</sup> The members of parliament asked the president of the committee to include in the agenda of the next session of the committee the issue of holding a vote for summoning the Head of the State Security Service. Information about the issues to be discussed in the request was covered fully.

**There was no corresponding follow-up to the request of the members of parliament.**<sup>104</sup>

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<sup>100</sup> Letter no. 2-8098/21 of faction Charles Michel's Reform Group to the President of the Human Rights and Civil Integration Committee of the Parliament of Georgia, dated 18/06/2021.

<sup>101</sup> Letter no. 2-8365/21 of faction Charles Michel's Reform Group to the President of the Human Rights and Civil Integration Committee of the Parliament of Georgia, dated 23/06/2021.

<sup>102</sup> Letter no. 2-10066/21 of faction Charles Michel's Reform Group to the President of the Human Rights and Civil Integration Committee of the Parliament of Georgia, dated 21/07/2021.

<sup>103</sup> Letter no. 2-2751/22 to the President of the Defence and Security Committee of the Parliament of Georgia, dated 10/03/2022.

<sup>104</sup> On 8 February 2023, Teona Akubardia MP responded to this issue in a Facebook post: "There's been neither a response to this letter nor a committee session for more than a month. The committee president . . . said about the letter that it was written in violation of the regulations now, after one year."



Based on the above, it can be said that the Mandatory hearing of officials at a session of the Defence and Security Committee that is a mechanism of parliamentary oversight of the security sector is not effective at the moment.

## 5. SUMMONING AN OFFICIAL TO A PLENARY SESSION

Under Article 152 of the Rules of Parliament, based on the request of a committee or a faction, by a majority of the votes of those present at the plenary session but not less than one-third of the full composition of the parliament, the parliament summons the relevant official to the plenary session.<sup>105</sup> This is one of the important mechanisms of parliamentary oversight.

The Democracy Research Institute has requested information from the Parliament of Georgia about the number of summons of the relevant officials of the security agencies to plenary sessions from the date the authority of the 10<sup>th</sup> Parliament was recognised to 29 November 2022. According to the received answer, the committees and political groups of the Parliament of Georgia did not request to summon the Head of the State Security Service or the Ministers of Internal Affairs and Defence to the plenary session of the parliament. Accordingly, the Parliament of Georgia did not request the attendance of the aforementioned officials at the plenary session of the parliament.<sup>106</sup>

Within the framework of the measures carried out to implement the 12 priorities determined by the European Commission, the Procedural Affairs and Rules Committee of the Parliament of Georgia prepared a document on monitoring the implementation of parliamentary oversight mechanisms. It is emphasised in the document that no political entity requested to summon any official to the plenary session.<sup>107</sup>

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<sup>105</sup> The Rules of Parliament, Article 152.1.

<sup>106</sup> Letter no. 12504/2-7/22 of the Office of the Parliament of Georgia, dated 13/12/2022.

<sup>107</sup> The Report of the Procedural Affairs and Rules Committee of the Parliament of Georgia on Monitoring the Implementation of the Provisions Governing Mechanisms of Parliamentary Oversight Envisaged by the Rules of Parliament of Georgia, p. 21.

## 6. INTERPELLATION

The mechanism of interpellation was introduced in 2018 in the Rules of Parliament of Georgia, which was considered an important and positive step as noted even by the representatives of the parliamentary opposition.

Under the Rules of Parliament of Georgia, a group of no fewer than seven MPs, a parliamentary faction is authorised to submit an interpellation to the government, a body accountable to the parliament and a member of the government. In order to answer the question, it is obligatory for its addressee to attend a plenary session and answer questions personally.<sup>108</sup>

For the implementation of the second priority of the European Commission, as a result of the work of the group set up under the Procedural Affairs and Rules Committee of the Parliament of Georgia, the Rules of Parliament were amended and relevant subjects were authorised to resort to the interpellation mechanism more frequently during a session.<sup>109</sup> Under the previous version of the Rules of Parliament, an addressee of an interpellation, as a rule, had to be present before the parliament twice during each session.

According to the document prepared by the Procedural Affairs and Rules Committee, since 16 December 2018, the officials determined by the Rules of Parliament received a question in 18 cases. In most cases, representatives of the opposition used the mechanism. In four cases, the accountable official did not turn up at the plenary session.<sup>110</sup>

Out of 18 cases, where the mechanism of interpellation has been used, authorised entities have never applied to the officials of the security agencies.<sup>111</sup>

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<sup>108</sup> The Rules of Parliament, Article 149.

<sup>109</sup> Regarding Amendment of the Rules of Parliament of Georgia, 20.09.2022, available at: <https://parliament.ge/legislation/24684>.

<sup>110</sup> The Report of the Procedural Affairs and Rules Committee of the Parliament of Georgia on Monitoring the Implementation of the Provisions Governing Mechanisms of Parliamentary Oversight Envisaged by the Rules of Parliament of Georgia, p. 16.

<sup>111</sup> Letter no. 12914/2-7/22 of the Office of the Parliament of Georgia, dated 15/12/2022.

## 7. ASSESSMENT OF THE 2021 REPORT ON THE ACTIVITIES OF THE STATE SECURITY SERVICE

On 15 April 2022, the State Security Service of Georgia submitted a report on its activities carried out in 2021 to the Parliament of Georgia. Despite a number of challenges in terms of internal and external security, the Bureau of the Parliament scheduled the committee review of the State Security Report two months later, on 17 June 2022.

Under the Constitution of Georgia, the State Security Service of Georgia is accountable to the Parliament of Georgia. The latter oversees the agency through various mechanisms, one of them being the review of the annual reports on the activities of the State Security Service of Georgia. The reports of the State Security Service are usually general in nature and less informative. It makes it impossible to ensure effective parliamentary oversight.

The Democracy Research Institute has studied the 2021 report on the activities of the State Security Service. The document is extremely general and does not impart enough information about the activities of the service to enable MPs to form accurate ideas about the activities carried out by the State Security Service and ensure democratic parliamentary oversight of the agency.

The Democracy Research Institute is aware of the extremely complex geopolitical situation in the region that requires the State Security Service to handle sensitive information related to national security in a particular way. Nevertheless, the interests of national security cannot outweigh the interest of parliamentary oversight of a security service vested with extremely broad powers.

Instead of covering the threats from specific sources (what the threats are and where they originate) to a maximum extent, lessons learned from past experiences (what has been done to respond to such threats in the past and how effective have such programmes/actions been), the response of the State Security Service to such threats (activities carried out, financial<sup>112</sup> and human resources used), the report is limited to extremely general phrases such as “corresponding measures were taken”, “a number of meetings were held”, “complex measures were taken”, “interagency coordination was pending,” etc.

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<sup>112</sup> Whenever necessary, the most sensitive information would be redacted.

After having read the report, one gets the impression that the State Security Service considers the opposition political groups, rally participants and, presumably, critical televisions as the sources of the main threat to the country's national security.

The report discusses superficially the reputational damage to the State Security Service caused by the leak of allegedly illegal surveillance files in September 2021. Instead of analysing critically the underlying systemic problems that allowed the state's repressive mechanism to carry out illegal actions against a wide group of citizens (and representatives of diplomatic missions) and instead of informing the parliament about the measures/programmes planned to identify and prevent this type of large-scale criminal acts within the system, the State Security Service blames external actors who “deliberately took the issue out of the legal realm.”<sup>113</sup> However, the State Security Service fails to mention what the agency did to bring this issue back into the legal realm, namely, whether the General Inspection of the State Security Service at least conducted an internal inquiry and whether anyone was disciplined before the ongoing criminal investigation was completed in the Prosecutor's Office.

The analysis of the report of the State Security Service confirms one more time that the agency's resources are spent inappropriately and the agency's efforts are aimed not at identification of actual threats and ways to deal with them but at surveillance and control of political groups and civil society organisations.

## 7.1. “ATTEMPTS TO DAMAGE AND DESTABILISE THE SECURITY ENVIRONMENT”

This chapter offers the Parliament of Georgia an overview of the internal political situation without further elaboration and reference to any concrete measures carried out by the State Security Service. According to the document, in 2021, “the tendency to activate political forces in various forms with possible connections with destructive external actors” was identified.

According to the report, some of them engaged in propaganda against the pro-Western policy.<sup>114</sup> The report does not specify either the “destructive external actors” who may be

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<sup>113</sup> The 2021 Report on the Activities of the State Security Service of Georgia, p. 22, available at: <https://info.parliament.ge/file/1/BillPackageContent/34501>.

<sup>114</sup> Ibid., p. 20.

interested in stirring up anti-Western sentiments in Georgia or which specific groups are engaged in anti-Western rhetoric. It should be taken into account that this type of heavily abstract wording cannot provide proper information about the external and internal actors from which the danger may come to the Parliament of Georgia, which is tasked with determining the domestic and foreign policy of the country.

In 2021, a media outlet called Alt-Info, which turned into a political formation (Conservative Movement/Alt-Info), actively spread violent anti-Western and anti-liberal messages, against which the state did not take any effective measures. The State Security Service's report does not say anything about the threatening actions of this political group/media platform or the measures taken by the service. In particular, a number of questions remain unanswered in the report, e.g., whether the security service is looking into the connections of these actors with Russia and their role in organising the mass violence on 5 July 2021.

Cursorily, the report mentions that the sources of the funding received by the organisations involved in the information warfare “were being identified continuously”. However, it does not mention the resultant findings or how many organisations are funded by the Russian Federation and to what extent, etc. It is unknown whether prosecution has been instituted for helping in hostile activities an organisation that is collaborating with a foreign country.

According to a separate sub-chapter of the report *Attempts to Destabilise*, criminal investigation into the conspiracy to overthrow the state authorities has been instituted. It is not specified whether anyone had been charged and/or whether a final decision has been made in the case.

The fact that the annual report of the State Security Service discusses demonstrations and performances<sup>115</sup> that were organised by citizens dissatisfied with the performance of this agency, confirms one more time that the agency's resources are spent inappropriately. According to the Democracy Research Institute, the reference by the agency to such topics in its annual report, without substantiating the extent to which such demonstrations posed a threat to state security and, accordingly, to what extent this issue was within its mandate, is an attempt by the State Security Service to avoid criticism and legitimate questions.

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<sup>115</sup> Ibid., p. 23.

## 7.2. ANTI-CORRUPTION AGENCY AND FIGHT AGAINST CORRUPTION<sup>116</sup>

On numerous occasions, we have criticised the fact that a virtually secret agency is vested with broad powers to investigate corruption crimes, especially given the fact that it is unclear which corruption crimes pose a threat to state security.

This part of the State Security Service's report is relatively extensive and detailed compared to other chapters. It specifies the number of individuals charged, the amount of money recovered, the number of investigations instituted into criminal cases, etc. However, the report does not show in which cases the anti-corruption agency instituted an investigation and in which cases the case is referred to other agencies in accordance with the requirements of the investigative jurisdiction.<sup>117</sup> This is especially noteworthy considering that in 2021, according to the report, the State Security Service instituted investigations into 53 criminal cases, including cases of fraud, which **do not fall within the investigative jurisdiction of the State Security Service** and are beyond its mandate.

## 7.3. OCCUPIED TERRITORIES AND THREATS FROM RUSSIA<sup>118</sup>

The report focuses on Russia's aggressive politics and the problems that, in general, were identified in the occupied territories of Georgia in 2021. While this part of the report focuses on both the annexation processes and the illegal activities of the occupying forces, gross violations of human rights, including illegal arrests, the information is general. For example, the so-called borderisation, which, similar to the previous years, remains an important challenge in 2021, is only a small part of the report. While the report mentions the number of cases of borderisation, *it does not specify what part of the territory under the control of central authorities fell on the other side of the illegal "border" and how many villages/households/people were affected because of borderisation*. It is also unknown what concrete steps the State Security Service has taken to solve the problems caused by borderisation.

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<sup>116</sup> Ibid., p. 34.

<sup>117</sup> Ibid., p. 34.

<sup>118</sup> Ibid., p. 6.

## 7.4. OVERSIGHT

According to the report, parliamentary oversight of the State Security Service and the Operational Technical Agency was effective. In particular, according to the document, the Trust Group inspected the Operational Technical Agency twice. According to the information received by the Democracy Research Institute from a member of the Trust Group, this inspection cannot provide oversight of the agency as it is limited to providing only technical information.

The report does not indicate what type of parliamentary oversight of the Operational Technical Agency was carried out by the parliament after allegedly illegal surveillance files had been leaked in September 2021. It should be noted that, in 2021, the Trust Group did not take any measures. Among others, it did not summon the head of the agency to its session. In addition, the report mentions that, during the reporting period, the State Security Service answered a number of questions submitted by MPs. In particular, according to the 2021 report on the activities of the State Security Service, in 2021, the service responded to **32 questions by MPs** (9 of them within the Trust Group). However, according to the communication sent by the Parliament of Georgia to the Democracy Research Institute, **only 11 written questions by MPs had been sent** to the State Security Service of Georgia that year.<sup>119</sup>

Furthermore, according to the report, **seven meetings** were held with the Trust Group in 2021, at which the leadership of the service presented information in accordance with the law on various issues within the competence of the service. However, according to the response received by the Democracy Research Institute from the Parliament of Georgia, including the presentation of the annual report of the State Security Service, the Trust Group held **six meetings** with the participation of the head of the service and/or its representative.<sup>120</sup>

There are several other factual inaccuracies in the report. In particular, according to the report,<sup>121</sup> during the reporting period, the State Security Service participated in the activities of various inter-departmental commissions and councils, including the Anti-Corruption Council and the activities of the Inter-Departmental Coordination Council implementing measures against torture, inhumane, cruel or degrading treatment or punishment. However, according to the information published by Transparency International – Georgia on 24 December 2021, the Anti-Corruption Council held its last meeting in 2019. Furthermore, according to the

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<sup>119</sup> Letter no. 2643/2-7/22 of the Parliament of Georgia, dated 22/03/2022.

<sup>120</sup> Letter no. 2643/2-7/22 of the Parliament of Georgia, dated 22/03/2022.

<sup>121</sup> Ibid., p. 48.

information of the non-governmental organisation that is a member of the Inter-Departmental Coordination Council implementing measures against torture, inhumane, cruel or degrading treatment or punishment, the council did not meet in 2021.

## KEY FINDINGS

- The Trust Group, with its current mandate, composition and level of accountability, cannot exercise actual democratic oversight of the security sector;
- Parliamentary oversight mechanisms are limited for the parliamentary opposition. In many cases, the implementation of oversight mechanisms depends on the approval of the parliamentary majority;
- The parliamentary opposition cannot summon the Head of the State Security Service to a parliamentary committee's sessions. The parliamentary majority does not follow up on the request of the parliamentary opposition to summon the Head of the State Security Service to a committee session;
- Mandatory hearing of officials at a session of the Defence and Security Committee which is a mechanism of parliamentary oversight of the security sector is not effective at the moment;
- The number of questions sent by members of parliament has increased over the last three years;
- The vast majority of the questions sent by the parliamentary majority to the security sector agencies are submitted by few MPs who have previously worked in these agencies;
- Questions submitted by members of the parliamentary opposition mostly concern expenses incurred by the ministry, their purpose, the dynamics of changes in these expenses or the general aspects of the agency's policy;
- Questions submitted by members of the parliamentary majority are relatively specific and refer to specific programmes and projects regarding various aspects of the agency's activities;
- An analysis of the questions submitted by members of parliament demonstrates the need to have a group of qualified specialists working with the respective sectoral committees of



the parliament, who would advise and help members of parliament to expand the substantive area of oversight;

- Among security agencies, most questions are sent to the Ministry of Internal Affairs and the number of questions left unanswered by this agency is proportionally the lowest;
- The Ministry of Internal Affairs sometimes gave different answers to the identical questions of representatives of the parliamentary majority and the parliamentary opposition;
- The State Security Service, sometimes for formulaic reasons, and sometimes broadly interpreting the concept of secret information, avoids answering questions submitted by members of parliament;
- The Ministry of Defence, in contrast to the State Security Service and the Ministry of Internal Affairs, processed and provided a member of parliament with information about covert investigative actions carried out by the agency;
- Authorised entities never submitted interpellations to officials of the security agencies;
- The process of submitting/deliberating the reports of the accountable agencies to the Parliament of Georgia is formulaic in nature; and
- The annual report submitted by the State Security Service omits a number of important issues or mentions them only superficially without conducting concrete analysis or demonstrating outcomes of activities.