

Téma:

**SZAKPOLITIKAI TANULMÁNY –  
Grúzia monitor**

Időszak:

*2013. június*

Dátum:

*2013. június 20.*



**SZÁZADVÉG**  
ALLOTTVÁNY



**SZÁZADVÉG**  
gazdaságkutató zrt.



**STRATEGOPOLIS**  
KÖZMŰVELÉSI, TANULÁSI ÉS ÉRTÉKELÉSI KÖZPONT

Az anyag az NFM\_SZERZ/378/1 (2012) számú  
szerződés teljesítésére készült.

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## **1. ARREST OF MEMBERS OF SAKASHVILI'S GOVERNMENT CONTINUES IN GEORGIA**

Prosecution and arrest of ex-officials of the Saakashvili's Government continue in Georgia. This dangerous path chosen by the current Government, many say, puts Georgia's Euro-Atlantic future under the risk.

The most recent arrest of Vano Merabishvili who served as a Prime Minister for a short time in 2012 but had been a very powerful Minister of Interior for around seven years sparked international criticism once again.

Vano Merabishvili who is currently Secretary General of the United National Movement (President Saakashvili's party) was arrested on May 21, 2013. Former Ambassador of Georgia to the Council of Europe and a short-time Minister of Health, Labor and Social Affairs Zurab Chiaberashvili was also arrested under the same charges on the same day.<sup>1</sup> After the 2012 Parliamentary elections, Chiaberashvili was appointed by the President Saakashvili as Governor of Kakheti region. He has been an active critic of the current Government.

According to the Prosecution, Merabishvili and Chiaberashvili are accused for misspending of public funds of 5.2 million GEL on the United National Movement activists during the recent pre-election campaign.<sup>2</sup> Merabishvili is further alleged to have used public funds of 158.000 GEL (around 100,000 USD) for private purposes in 2009 when he was Minister of Interior.<sup>3</sup>

According to the press-release published on the website of the Office of Chief Prosecutor of Georgia, the Prosecutor's Office has been undertaking "thorough and comprehensive investigation into alleged wrongdoings committed by Vano Merabishvili over the years."<sup>4</sup> As a result of the months-long investigation, the prosecutors have sufficient evidence to implicate Merabishvili for the two episodes of misspending and misappropriation of public funds.<sup>5</sup>

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<sup>1</sup> Ex-PM Merabishvili, Ex-Healthcare Minister Chiaberashvili arrested, May 21, 2013, CIVIL Georgia, available at <http://www.civil.ge/eng/article.php?id=26090&search=> .

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Press release of the Office of Chief prosecutor of Georgia in relation to the arrests of Ivane (Vano) Merabishvili and Zurab Chiaberashvili, May 21, 2013, available at [http://pog.gov.ge/geo/news?info\\_id=113#](http://pog.gov.ge/geo/news?info_id=113#) (only in Georgian).

<sup>5</sup> *Ibid.*

The Office of Chief Prosecutor announced about the possibility of bringing additional charges against Vano Merabishvili. On May 28, the charges against Merabishvili were aggravated as another episode of abuse of power in relation to the break-up of the protest rally on May 26, 2011 was added.<sup>6</sup>

As mentioned above, Vano Merabishvili and Zurab Chiaberashvili are alleged to have spent public funds for the UNM activists. More specifically, in July 2012, Prime Minister Merabishvili announced about the registration of unemployed citizens with a purpose to create detailed database of unemployed person to then help them with training and employment. Social Service Agency at the Ministry of Health, Labor and Social Affairs was in charge of compiling the database. In order to complete the registration process, the government hired about 3000 persons, so-called “employment agents.”<sup>7</sup>

The May 21 press release claims that 21,837 persons were hired by the Social Services Agency under Ministry of Health, Labor and Social Affairs who have not received any instruction about their work, no trainings have been carried out and no questionnaires to be filled in as part of the program.<sup>8</sup> Total of GEL 5.24 million (around 3 million USD) was allocated from the state budget to cover registrants’ salaries.<sup>9</sup> These people, according to the prosecutor’s office they were actually paid for performing various campaign activities for the United National Movement, including participation in campaign rallies of the President, handing out UNM leaflets and party agitation.<sup>10</sup>

The new Government terminated the program and alleged that it was abused by Vano Merabishvili and his cabinet in order to finance the party activists for the October 2012 elections.<sup>11</sup>

This episode became a basis for the charges of misspending of public funds.

Another episode of misspending of public funds by Merabishvili is about refurbishment of a house in seaside resort of Kvartati in Adjara with Interior Ministry’s funds (GEL 158,000, which is around 100,000 USD) in May 2009, when he served as interior

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<sup>6</sup> Additional Charges Filed against Merabishvili, May 28, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26123&search=> .

<sup>7</sup> Government Plans Registration of Unemployed Citizens, July 10, 2012, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=24988> .

<sup>8</sup> Press release of the Office of Chief prosecutor of Georgia in relation to the arrests of Ivane (Vano) Merabishvili and Zurab Chiaberashvili, May 21, 2013, available at [http://pog.gov.ge/geo/news?info\\_id=113#](http://pog.gov.ge/geo/news?info_id=113#) (only in Georgian).

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Prosecutors Summon Merabishvili and Ex-Healthcare Minister for Questioning, February 12, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=25748&search=> .



minister.<sup>12</sup>

Office of Chief Prosecutor claims that the charges against Merabishvili will be further aggravated. In particular, Prosecution claims that Merabishvili abused his power through undue influence over the investigation of a murder of Sandro Girgvliani in 2006.<sup>13</sup> Despite the allegations, no charges in relation to Girgvliani's murder case has been added yet.

On May 22, 2013, Kutaisi City Court, upon the Prosecution motion, ordered pre-trial detention of Merabishvili while released Chiaberashvili on 20,000 GEL bail.<sup>14</sup>

President Saakashvili and members of the United National Movement heavily criticized the government for the arrests calling it politically motivated persecution.<sup>15</sup> President Saakashvili compared the situation to the arrest of former Ukrainian Prime Minister Yulia Tymoshenko and warned the Government about the Georgia's Euro-Atlantic future.<sup>16</sup>

Secretary of National Security Council and President Saakashvili's close ally Giga Bokeria criticized the arrests and said to the press that "the situation [in Georgia] is very dangerous. We are now talking against the background of violence, economic fall and political persecution in Georgia."<sup>17</sup>

On May 22, 2013, the President of the European People's Party, Wilfred Martens issued a statement on the arrest of Vano Merabishvili and Zurab Chiaberashvili. In his statement Martens expressed his "astonishment and concern" over the arrests.<sup>18</sup> "These arrests are a very serious setback for Georgian democracy since former Prime Minister Merabishvili, as Secretary General of the UNM and leader of the main opposition party is a potential

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<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> Court Rules Pre-Trial Detention for Merabishvili, Bail for Chiaberashvili, May 22, 2013, Tabula Magazine, available at <http://www.tabula.ge/en/story/71410-court-rules-pretrial-detention-for-merabishvili-bail-for-chiaberashvili>, See also Two Opposition Groups Rally in Kutaisi over the recent Arrests, May 22, 2013, Tabula Magazine, available at <http://www.tabula.ge/en/story/71397-two-opposite-groups-rally-in-kutaisi-over-recent-arrest>.

<sup>15</sup> Saakashvili Comments on Legal Proceedings against Ex-PM, May 22, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26098>; David Sakvarelidze: Court Made Decision under the Pressure, May 22, 2013, Tabula Magazine, available at <http://www.tabula.ge/ge/story/71411-davit-sakvarelidze-sasamartlom-ganachen-i-zetsolis-pirobebsi-gamoitana> (only in Georgian); Giga Bokeria: Situation is Very Dangerous, May 22, 2013, Tabula Magazine, available at <http://www.tabula.ge/ge/story/71382-giga-bokeria-situacia-dzalian-saxifatoa>.

<sup>16</sup> President on Arrests of Merabishvili and Chiaberashvili, May 21, 2013, Tabula Magazine, available at <http://www.tabula.ge/en/story/71375-president-on-arrest-of-merabishvili-and-chiaberashvili>.

<sup>17</sup> Giga Bokeria: Situation is Very Dangerous, May 22, 2013, Tabula Magazine, available at <http://www.tabula.ge/ge/story/71382-giga-bokeria-situacia-dzalian-saxifatoa>.

<sup>18</sup> Georgia:EPP President Deeply Concerned at the Arrest of Former Prime Minister and Former Health Minister, May 22, 2013, available at [http://www.epp.eu/sites/default/files/content/press\\_releases/pdf/Georgia%20-%20EPP%20President%20deeply%20concerned%20at%20the%20arrest%20of%20former%20Prime%20Minister%20and%20of%20former%20Health%20Minister\\_0.pdf](http://www.epp.eu/sites/default/files/content/press_releases/pdf/Georgia%20-%20EPP%20President%20deeply%20concerned%20at%20the%20arrest%20of%20former%20Prime%20Minister%20and%20of%20former%20Health%20Minister_0.pdf).

candidate for the upcoming presidential elections which will take place in October” sais Martens in his statement.<sup>19</sup> EPP’s President called upon European Union to closely monitor the judicial proceedings and expressed concern that “the constant public accusations and blackmails made by representatives of the Georgian Dream government – and the fact that the Prime Minister Bidzina Ivanishvili has publicly admitted that there is connection between the ongoing cases against the UNM leaders and the level of criticism expressed by the opposition – lead me to believe that yesterday's arrests are only a new stage in the government's ambition to eliminate the opposition.”<sup>20</sup>

A statement made on May 22, 2013 by spokesperson of EU foreign policy chief Catherine Ashton and Commissioner for Enlargement and European Neighborhood Policy Štefan Füle says that the EU closely monitors the legal proceedings against former Prime Minister Merabishvili and Healthcare Minister Chiaberashvili.<sup>21</sup> Prime Minister Ivanishvili welcomed the EU interest in the legal proceedings and promised full transparency and cooperation.<sup>22</sup>

A statement was also issued by the OSCE Parliamentary Assembly’s Special Representative on South Caucasus Joao Soares on May 23, 2013, in connection to the legal proceedings against PM Vano Merabishvili and ex-healthcare minister Zurab Tchiaberashvili. According to the Statement, Soares spoke via phone with Georgian Parliamentary Chairman Davit Usupashvili on May 22 and told him that “putting your political opponents behind bars will not help solve any problems, on the contrary, it will create new ones.”<sup>23</sup>

Along with European Politicians, the US Senators and other officials expressed concern and warned Georgian authorities about political retribution against former government officials who are in opposition now.

According to acting deputy spokesperson of the United States Department of State Patrick Ventrell, the United States “have stressed to the Georgian Government the importance of conducting such investigations and prosecutions with full respect for due process and avoiding the perception or reality of political retribution.”<sup>24</sup>

On May 23, the US Embassy in Georgia issued a press release expressing concern about

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<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> EU’s Reaction on Arrests of Ex PM and Ex Healthcare Minister, May 22, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26095&search=> .

<sup>22</sup> Statement of the Prime Minister of Georgia, May 22, 2013, available at [http://www.government.gov.ge/files/269\\_37007\\_894219\\_ბ ლ ნ კ ი - პ რ ე მ ი ე რ ი \(21.05.2013\).pdf](http://www.government.gov.ge/files/269_37007_894219_ბ ლ ნ კ ი - პ რ ე მ ი ე რ ი (21.05.2013).pdf) (only in Georgian).

<sup>23</sup> Special Representative Soares’s Statement on the Arrests of Former Officials in Georgia, May 23, 2013, available at <http://www.oscepa.org> .

<sup>24</sup> U.S. „Followes Closely” Legal Proceedings Against Georgian Ex –PM, May 23, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26100> .

the arrest of the former Prime Minister Merabishvili, urging Georgian Government to ensure maximum transparency of the proceedings and tipping that the pre-trial detention shall not be used unless it meets the requirements of the Georgian law and the European standards.<sup>25</sup>

Senator Marco Rubio (R-FL), a member of the Senate Foreign Relations Committee, called the arrest of Vano Merabishvili as apparently politically motivated action of the Government and pressed that the Georgian authorities should avoid resorting to the tactics or arrest and other efforts of intimidation of the opposition in the run-up to the Presidential elections in October 2013.<sup>26</sup> Senator Rubio further states that “these actions, if continued, call into question the Georgian government’s commitment to the kind of democratic standards that have become the hallmark of the Trans-Atlantic community of democratic nations.”<sup>27</sup>

The statements were also released by Senators Mike Turner, Chairman of the U.S. Delegation to the NATO Parliamentary Assembly, Jeanne Shaheen (D-New Hampshire), Jim Risch (R-Idaho), Mark Kirk (R-Illinois).<sup>28</sup>

On June, NATO Secretary General said after the meeting with Georgian Defense Minister Irakli Alasania in Brussels that the “even the perception” of politically motivated persecutions should be avoided while pursuing legal proceedings against former officials and that the organization is “following the recent developments with great concern.”<sup>29</sup>

Despite the international outcry and interest, Georgian Government seems to be vigilant to keep Vano Merabishvili in detention and continue the legal proceedings against him.

The investigation into the alleged misspending of public funds through the employment project has been completed a few months ago. Though, the decision on arrest was made in the midst of the domestic crisis. Last two months have been particularly challenging for the new Government of Georgia. In the beginning of May, EBRD and Georgian National Bank announced economic down-turn that threatens budget stability; later, First Deputy Minister of Interior was arrested for the serious infringement of privacy;<sup>30</sup> on May 17, anti-homophobia parade was attacked by orthodox priests and their radical

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<sup>25</sup> US Statement on Arrest and Detention of Former Senior Government Officials, May 23, 2013, available at [http://georgia.usembassy.gov/latest-news/statements2013/statement\\_on\\_detention.html](http://georgia.usembassy.gov/latest-news/statements2013/statement_on_detention.html).

<sup>26</sup> Senator Rubio Expresses Concern About the Arrests of Former Georgian Prime Minister, available at <http://www.rubio.senate.gov/public/index.cfm/press-releases?ID=3a0664ea-be65-4004-9ead-d5a8842d126a>.

<sup>27</sup> *Ibid.*

<sup>28</sup> These statements are not available online, they were sent to the Government of Georgia.

<sup>29</sup> NATO Secretary General on Arrest of Merabishvili, June 5, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26150>.

<sup>30</sup> First Deputy Interior Minister was arrested and released shortly; for the details see First Deputy Interior Minister Arrested over the Leaked Sex Videos, May 12, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26049&search=>; Court Orders the Release of Ex-Deputy Interior Minister of Bail, May 15, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26059&search=>.

supporters (see the details bellow in GEORGIAN ORTHODOX CHURCH CLAIMS AUTHORITY OVER THE GOVERNMENT). The Government found itself under significant public pressure to address economic issues, corruption and crime inside the Government as well as tackle the increasing risk of theocracy.

The high profile arrests of Vano Merabishvili who was a potential presidential candidate of the UNM, shall be viewed in light of the internal political crisis in Georgia. The Government considered necessary to divert public attention from economic and other problems to the “wrongdoings” of the high-ranking officials from Saakashvili’s Government.

Such measures can only have short term appeasing effects for the Government; but cannot solve the problems in a long run. Georgia’s aspiration to secure signature of the Association Agreement with the European Union in the upcoming Vilnius Summit could be endangered.

## **2. GEORGIAN ORTHODOX CHURCH CLAIMS AUTHORITY OVER THE GOVERNMENT**

Since its independence in 1991, Georgian state has had bittersweet relationship with the country’ Orthodox Church. The Church and its leader Ilia II enjoy tremendous public support and do not hesitate to intervene in politics. Unfortunately, the Church often agitated against the West as the source of sin. There has been, from time to time, flexing of muscles both from the State and the Church. The recent events described bellow show that the Orthodox Church is engaged in the power struggle in Georgia.

On May 17, 2013, civil society representatives, journalists and ordinary citizens of Georgia organized a small parade against homophobia and transphobia. A day before, Georgian Orthodox Church requested the Government not to allow the parade. The written statement issued by the Patriarch Ilia II, described homosexuality as “anomaly and disease” and said that holding of such rally would be “a violation of majority’s right” and “an insult” of Georgian traditions.<sup>31</sup> Couple of days earlier, in his monthly press conference, Prime Minister Bidzina Ivanishvili announced that the law-enforcement would do everything to allow the parade participants to express their views without impediment.<sup>32</sup> Prime Minister further asserted that the “sexual minorities are the same citizens as we are... The society will gradually get used to it.”<sup>33</sup>

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<sup>31</sup> Patriarch’s written statement reprinted by CIVIL GEORGIA in Georgian Church Calls for Gay Rights Parade Ban, May 16, 2013, available at <http://www.civil.ge/eng/article.php?id=26062&search=> .

<sup>32</sup> PM Comments on Planned Gay Rights Rally, CIVIL GEORGIA, May 14, 2013, available at <http://www.civil.ge/eng/article.php?id=26055> .

<sup>33</sup> *Ibid.*

Despite the Prime Minister's assurances, Georgia experienced unprecedented activism and violence of the Georgian Orthodox Church. In order to prevent the rally, a small group of Orthodox activists and priest kept all-night vigil outside the former parliament building in central part of Tbilisi not to allow the "propaganda of homosexuality."<sup>34</sup>

Before the parade on May 17, it was already clear that the Government and the Church were exchanging the arguments and the Church, otherwise increasingly powerful in the country, was trying to demonstrate its superiority over the state institutions.

In light of the tensed situation, the Ministry of Interior failed to allocate sufficient number of police forces prepared to ensure freedom of assembly for everyone.

Due to the limited police presence, the orthodox groups managed to break the police cordon and attacked the participants of the anti homophobia rally. After the Orthodox activists broke through police cordon, several buses were immediately deployed and the participants were evacuated from the scene. However, the busses carrying anti-homophobia rally participants were attacked and its windows smashed by the priests and their supporters; stones were also thrown and several persons, including one journalist and a policeman, sustained injuries.<sup>35</sup> As a result of the violence, 27 people were injured 14 of them, including one journalist, were hospitalized.<sup>36</sup>

For the credit of the Government of Georgia, it should be mentioned that many politician from the parliament and the Cabinet condemned the violence. The Prime Minister admitted at the meeting with diplomatic corps in Georgia that the Government failed to ensure the right of assembly for everyone. "Unfortunately, the police and the new government were not able to do so in an ideal manner. 17 May events were disgrace for our society. However, in given situation I would assess police actions as adequate. Law enforcers tried to do their best," Ivanishvili said.<sup>37</sup>

The ruling Georgian Dream Coalition member Republican Party MP Tina Khidasheli strongly condemned the violence and said that defending 20-century-old Orthodox Christianity equipped with nettles, standing next to a defrocked priest, with a

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<sup>34</sup> Planned Gay Rights Rally Faces Large Counter Demonstration, CIVIL GEORGIA, May 17, 2013, available at <http://www.civil.ge/eng/article.php?id=26064&search=>.

<sup>35</sup> Chaotic Scenes as Orthodox Groups Thwart Gay Rights Rally, CIVIL GEORGIA, May 17, 2013, available at <http://www.civil.ge/eng/article.php?id=26065&search=>.

<sup>36</sup> Healthcare Minister: 28 People Injured in Violence, CIVIL GEORGIA, May 17, 2013, available at <http://www.civil.ge/eng/article.php?id=26068&search=>

<sup>37</sup> PM: Govt's Handling of Sexual Minorities' Security not Ideal, May 24, 2013, Tabula Magazine, available at <http://www.tabula.ge/en/story/71467-pm-govts-handling-of-sexual-minorities-security-not-ideal>.



sharpened sword is cynicism and pharisaism.<sup>38</sup>

Despite the promising statements made by some politicians in the Georgian Dream Coalition, the Government showed caution in its relationship with the Church.

It was clear for everyone in Georgia that the counter protest was organized by the Orthodox Church. After the rally, one of the most influential bishops, Jacob, made a long televised statement about the events. The statement was mostly addressed to the Government who was warned against losing the Church's support in the upcoming Presidential elections in October 2013.<sup>39</sup> No doubt, the Georgian Orthodox Church flexed muscles and scored against the new government.

Despite the obvious power struggle, the Georgian authorities failed to take adequate measures against the violent priests. After a week of the protests and violence, 4 young activists were arrested for minor hooliganism.<sup>40</sup> The youngsters were fined with 100 GEL (60 USD) and released on the same day.<sup>41</sup> Imposition of the disproportionately light sentences on the young activists, who were just following the orders of the priests, was heavily criticized by liberal groups in Georgia.<sup>42</sup> It was also reported that the political fractions in the Georgian Dream Coalition were unhappy with the Government's leniency towards the Church. In light of the general dissatisfaction with the Government's reaction, Prime Minister Ivanishvili met civil society representatives and promised no immunity for the perpetrators. "Being a member of the clergy cannot be an alibi for anyone and those, who committed a crime and exceeded the law, those, who were calling for violence and those who resorted to violence, will be punished,"<sup>43</sup> Prime Minister said.

In response to the Prime Minister's statement of May 21, 2013, the Patriarch of Georgia Ilia II, who has had the highest approval rate of 98% in the country for the last few years, expressed his regrets for the impolite actions of the clergy.<sup>44</sup> Certainly, the clergy's actions went far than impolite behavior and showed obvious elements of crime, but the apology from the Patriarch was a sign that he was unwilling to continue exchange of arguments on this matter, at least publicly.

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<sup>38</sup> Verbatim of Tina Khidasheli's statement available in Tabula Magazine at <http://www.tabula.ge/en/verbatim/71220-tina-khidasheli>.

<sup>39</sup> Archbishop Jacob: Everyone Should Know that We will Not Obey Anyone, May 19, 2013, Tabula Magazine, available at <http://www.tabula.ge/ge/story/71285-meufe-iakobi-kvelam-kargad-icodes-tavs-aravis-davachagvrinebt> (in Georgian).

<sup>40</sup> Four Persons Fined for petty Hooliganism in May 17 Events, May 21, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26092&search=>.

<sup>41</sup> *Ibid.*

<sup>42</sup> Citizens' Campaign For Prosecution of May 17 Violence Perpetrators, May 22, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26094&search=>.

<sup>43</sup> PM Woes Perpetrators of May 17 Violence will be Prosecuted, May 21, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26093>.

<sup>44</sup> Patriarch Regrets the Clergy's Impolite Actions in the May 17 Events, May 23, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26099&search=>.

Despite the attempts of appeasement, the Government charged two priests in relation to the violence for illegally impeding right to assembly and demonstration with use of force or threat of force.<sup>45</sup> No one was arrested in relation to the charges.

Despite some reactions from the Government, liberal groups in Tbilisi viewed the action of the Church as a threat to Georgia's democracy and secularism and thus demanded more action from the authorities. In support of their position, NGOs and activists organized another rally "no to theocracy" to challenge Georgian Orthodox Church's claim on supremacy over the state. At that occasion, the police managed to ensure freedom of assembly and freedom of expression of the secular groups.<sup>46</sup>

Although Prime Minister Ivanishvili continued the rhetoric on separation of the state and the Church, some of his influential Ministers, including Minister of Justice Thea Tsulukiani, who is de jure responsible for the prosecution service and who worked at the European Court of Human Rights in Strasbourg for almost ten years, stated that the authorities are duty-bound to enforce the law and guarantee human right for everyone but in discharging these duties, the authorities should always remember that "there is a light in Georgia's Patriarchy, the Patriarch, who is at certain age and we should respect this."<sup>47</sup> The similar statements were made by the Chief Prosecutor and the Chairwoman of the Human Rights Committee in the parliament of Georgia.

It is noteworthy that absolute majority of the Georgian population, even those who condemned May 17 violence, believe that the Georgian Orthodox Church should have important role in the country's politics; The Patriarch of Georgia and the clergy enjoy with the highest trust from the public.

It is undoubted that the Georgian Orthodox Church has gained tremendous power and influence in the country, mostly due to the insufficiently clear position of the politicians on the separation of the state and the church. The process started in early 2000s when the Concordat, the Constitutional Agreement between the state of Georgia and the Orthodox Church of Georgia was signed. According to the Constitution of Georgia, the Concordat has supremacy over other laws of the country and is the second in the legal hierarchy after the Constitution. The Concordat granted significant privileges, including tax and other financial privileges, and immunities to the Church. At the same time, the Church and the Patriarch himself has often plaid important role in the Georgian politics. This was tolerated and sometimes encouraged by the politicians from the ruling and opposition parties. The Church plaid important, if not decisive role in Ivanishvili's victory in the 2012 Parliamentary elections. Priests delivered warships against

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<sup>45</sup> Statement of the Ministry of Interior, May 23, 2013, available at <http://police.ge/ge/news-archive4893/4893> (only in Georgian).

<sup>46</sup> „No to Theocracy” Amid Counter Demo, May 24, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26109&search=>.

<sup>47</sup> I will Say what I have not yet Said – Thea Thulukiani about the Patriarch, June 5, 2013, available at <http://timer.ge/8994-rasac-akhla-vityvi-arasodes-mithgvams-thea-tsulukiani-patriargze.html#>.

Saakashvili and his team and even threatened the followers with non-communion if they voted for the Saakashvili's United National Movement.

Unhealthy relationships between the state and the Church in Georgia is one of the most important problems for the government. The crisis has not started now, but the current government inherited the bittersweet relationships. However, what we see now is an attempt of the Orthodox Church to finally establish its standing and dictate the policies. Saakashvili's government has strong institutions and established redlines that the Church was unwilling to cross in the expectation of harsh reaction from the Government. The new Government has a declared policy of weaker state; it is natural that when the state institutions get weaker, other actors, the Orthodox Church in this case, try to fill the vacuum.

The future of the state-church relationships will be determinant of Georgia's future, both in terms of internal and foreign policy.

### **3. TENSIONS NEAR THE OCCUPATION LINE CONINUE WHILE THE GOVERNMENT OF GEORGIA MAINTAINS ITS APEASEMENT POLICY WITH RUSSIA**

The new Government of Georgia under the Prime Minister Bidzina Ivanishvili has a declared goal of normalization of relationships with the Russian Federation. Prime Minister himself even blamed President Saakashvili and his team for the deterioration of the relationships with the northern neighbor.<sup>48</sup> He pledged to the Georgian people and international community that he would restore the friendship between the two countries.<sup>49</sup> Soon after coming to the power, Ivanishvili appointed former Georgian Ambassador to Russia Zurab Abashidze as his personal representative to Russia.<sup>50</sup> He also voiced his willingness to restore railway connection between Russia and Armenia through the Georgian occupied region of Abkhazia, something that was fiercely opposed by President Saakashvili and his Government.<sup>51</sup>

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<sup>48</sup> Ivanishvili on August War Probe, April 10, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=25940>.

<sup>49</sup> Georgian Prime Minister Bidzina Ivanishvili's address to the Council of Europe Parliamentary Assembly, video version, available at <http://www.youtube.com/watch?v=164HlclYndU>.

<sup>50</sup> Ivanishvili Appoints Russia Relations Envoy, November 1, 2012, DFWATCH, available at <http://dfwatch.net/ivanishvili-appoints-russia-relations-envoy-57658>.

<sup>51</sup> Ivanishvili Speaks in Favor of Rail Link via Abkhazia, September 22, 2012, CIVIL GEORGIA, <http://www.civil.ge/eng/article.php?id=25245>.



Russian authorities have been careful in responding to the proactive steps taken by the Georgian authorities.

It would be naïve to believe that the reasons of tensed relationships between Georgia and Russia were exclusively personal. This became clear to the Georgian government in late May, when the Russian FCB troops moved the occupation line in Tskhinvali Region/South Ossetia inwards to the Georgian controlled territories. Fences and wires have been installed that has negative effects on the daily life of the local villagers on the Georgian-controlled areas, as the installations hinder their free movement and agricultural activities.<sup>52</sup>

The changes in boundaries have negative affect on the security in the region as well. The European Union Monitoring Mission to Georgia, EUMM has confirmed the construction of fences near the administrative boundary and warned all sides against the destabilization of the areas.<sup>53</sup> Head of the EUMM Georgia, Ambassador Tyszkiewicz stated that "the installation of fences impedes people's livelihood and divides families and communities. This is unacceptable."<sup>54</sup>

At the beginning, Georgian authorities tried to underestimate the problem and the activities of the FCB in the occupied territories. However, after the appeal from the local population and the EUMM statement, the government had no choice but to react, at least verbally.

On May 27, the Interior Ministry said in a statement that installing fences by the Russian troops was "completely illegal" and that its representative would raise the issue during an upcoming Incident Prevention and Response Mechanism meeting in Ergneti on May 31.<sup>55</sup>

Ministry of Foreign Affairs of Georgia made a statement condemning the FCB activities in Georgian controlled villages of Ditsi and Dvani and warned Russia, as an occupying power, about the violation of international law and the ceasefire agreement of August

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<sup>52</sup> Installation of Fences at S.Ossetia Administartive Border, May 27, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26117&search=> .

<sup>53</sup> EUMM:Recent Installation Near Ditsi is unacceptable, May 28, 2013, available at [http://eumm.eu/en/press\\_and\\_public\\_information/press\\_releases/3862/?year=2013&month=5](http://eumm.eu/en/press_and_public_information/press_releases/3862/?year=2013&month=5) .

<sup>54</sup> *Ibid.*

<sup>55</sup> MIA statement on the Incident Prevention and Reaction Meeting, May 31, 2013, available at <http://police.ge/ge/news-archive4926/4926> (in Georgian).

12, 2008.<sup>56</sup> In her interview with the Georgian journalist Foreign Minister Maia Panjikidze said that the issue would be raised at the Geneva talks in later June where Russia, along with the EU and United States participates.<sup>57</sup>

Influential MP from the Georgian Dream Coalition and the chairman of the Foreign Relations Committee, Tedo Japaridze called on the international community to pay “a special attention” to the developments on the ground and to react on “illegality reigning on the Georgian territories occupied by Russia.” Japaridze further called on Russia to comply with the August 12, 2008 ceasefire agreements and “to cease military occupation of the Georgian territories.”<sup>58</sup>

Speaker of the Parliament of Georgia David Usupashvili also condemned Russian activities in the occupied Georgian territories and the vicinities thereto. Trying to remain optimistic about the stabilization of the Russian-Georgian relationships, Usupashvili told the journalists that “it [installation of fences] might be an attempt by certain forces in the Russian authorities to hinder those first steps which are taking place in bilateral dialogue between Russia and Georgia; these steps are on their initial stage, but as it seems even these steps already irritate certain circles in the Kremlin. Shifting administrative border and creating additional problems in this situation seems to serve this purpose as well.”<sup>59</sup> Usupashvili maintained that the Government’s policy in regards to this situation “will be principled, but careful.”<sup>60</sup>

The need not to “go into hysteria” due to the situation was voiced by the Prime Minister Ivanishvili in his TV interview on Kavkasia TV channel. Prime Minister hoped that the actions of the Russian forces were not directed from Kremlin but was a local initiative on spot.<sup>61</sup> Ivanishvili repeated on multiple occasions that the Government should wait and show the restraint. Though, the Prime Minister could not hide his dissatisfaction with the Russian reaction towards his Government’s attempts to appeasement.<sup>62</sup> Minister of Foreign Affairs Maia Panjikidze also shared Ivanishvili’s disappointment and

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<sup>56</sup> Statement of the Ministry of Foreign Affairs of Georgia in reaction to the installation of wire fences by the Russian occupation forces along the occupation line of the Tskhinvali region, May 27, 2013, available at [http://www.mfa.gov.ge/index.php?lang\\_id=ENG&sec\\_id=59&info\\_id=16336](http://www.mfa.gov.ge/index.php?lang_id=ENG&sec_id=59&info_id=16336).

<sup>57</sup> Installation of Fences at S.Ossetia Administrative Border, May 27, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26117&search=>.

<sup>58</sup> Georgia Expresses 'Deep Concern' over Installation of Fences at S.Ossetia Administrative Border, May 28, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26118&search=>.

<sup>59</sup> Usupashvili on Installation of Fences on S.Ossetian Administrative Border, May 28, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26125&search=>

<sup>60</sup> *Ibid.*

<sup>61</sup> Prime Minister Ivanishvili’s TV interview reprinted by CIVIL GEORGIA, Ivanishvili Comments S.Ossetia Administrative Border, May 31, 2013, available at <http://www.civil.ge/eng/article.php?id=26132>.

<sup>62</sup> *Ibid.*

said that she also expected more friendly moves from Russia.<sup>63</sup>

Both Ivanishvili and Panjikidze said that the issue of constructions and move of occupation line into the Georgian controlled villages would be discussed at the meeting between Ivanishvili's personal representative Abashidze and deputy Foreign Minister of Russia Grigori Karasin on June 5, 2013.<sup>64</sup> Karasin refused to confirm that the issue was in the meeting agenda with Abashidze.<sup>65</sup>

After the June 5 meeting, Zurab Abashidze confirmed that the developments in the vicinities of the occupation line were not discussed at the meeting as the Russian deputy Foreign Minister Grigori Karasin was unwilling to discuss the issue.<sup>66</sup> Instead of commenting on the Russian troops' movement into the Georgian controlled territories near Tskhinvali Region/South Ossetia, Karasin made a statement after the meeting about the need to abolish the Law of Georgia on Occupied Territories.<sup>67</sup> The Law on Occupied Territories was adopted after the Russian-Georgian War in August 2008 and it regulates travel, economic and other activities in the occupied Abkhazia and Tskhinvali Region/South Ossetia. Russian authorities claim that the criminal liability for entering to those territories from Russia shall be abolished.<sup>68</sup> In his interview with Russian media, Deputy Foreign Minister Karasin linked the issue of lifting the visa requirement for Georgian citizens by Moscow to the abolishment of the Law on occupied Territories.<sup>69</sup> Georgian Prime Minister Ivanishvili told the MEPs in Strasbourg last month that the Saakashvili's United National Movement, opposition group in the

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<sup>63</sup> Maia Panjikidze: We expected more positive steps from Russia, May 30, 2013, available at <http://geo.ambebi.ge//politika/78896-maia-fanjikidze-chven-velodith-rom-igne-boda-ufro-meti-dadebithi-nabiji-rusethis-mkhridan.html>.

<sup>64</sup> *Ibid.*

<sup>65</sup> Karasin: Russian Border officers Act in Accordance of the Instructions from the Government, May 5, 2013, available at <http://www.iveroni.com.ge/category-1/34568-karasini-rus-mesazghvretha-qmedebethi-khe.html?lang=ka-GE>.

<sup>66</sup> Karasin was Unwilling to Talk about the Move of the Occupation Line, June 5, 2013, NewsPost, available at <http://www.newposts.ge/politika/14159-saokupacio-zolis.html> (in Georgian).

<sup>67</sup> Moscow Demands Abolishment of the Law on Occupied Territories, June 6, 2013, Interpressnews, available at [http://www.interpressnews.ge/ge/politika/242368-moskovi-qokupirebuli-teritoriebis-shesakhebq-kanonis-gauqmebas-ithkhovs.html?fb\\_action\\_ids=10151397209035728&fb\\_action\\_types=og.recommends](http://www.interpressnews.ge/ge/politika/242368-moskovi-qokupirebuli-teritoriebis-shesakhebq-kanonis-gauqmebas-ithkhovs.html?fb_action_ids=10151397209035728&fb_action_types=og.recommends) (in Georgian).

<sup>68</sup> *Ibid.*

<sup>69</sup> See Karasin's statement *Ibid.* The visa regime was introduced by Russian Government against Georgian citizens unilaterally in 2006 as a form of punishment of the Saakashvili's Government for its obvious pro-NATO stance. Remaining residents of Abkhazia and Tskhinvali Region/South Ossetia can travel to Russia without a visa.

Parliament, prevent him from changing the Law on Occupied Territories.<sup>70</sup>

Meanwhile, local journalists in Western Georgian region of Samegrelo, bordering the occupied Abkhazia reported that the Russian troops started fortifications in the Georgian controlled villages.<sup>71</sup>

The provocative and orchestrated nature of the developments near the occupied territories was further confirmed by the statement of Deputy National Security Advisor of President Putin Rashid Nurgaliev. According to Nurgaliev, around 200 cottages will be built around the “South Ossetian border.”<sup>72</sup>

A group of lawmakers from President Saakashvili’s UNM party visited the village on the same day. UNM MP Givi Targamadze, who was in the village, said fencing activities were a result of government’s “unilateral concessions” vis-à-vis Russia.<sup>73</sup> President Saakashvili stated that the provocations from the Russian FCB forces deployed in the occupied Tskhinvali Region aim at “testing” the firmness of the new Government of Georgia.<sup>74</sup> The Government was criticized for not taking the threat of the repeated Russian aggression seriously. It was reported that the Defense Minister Alasania spend the whole week of May 27 on vacation outside Georgia while Interior Minister paid official visits despite the amid tensions in the occupied territories.<sup>75</sup> However, both President Saakashvili and his National Security Advisor Giga Bokeria said that the Government should not be blamed for the FCB actions in the occupied territories, but these actions are demonstration of the Russian policy towards Georgia that has not changed despite the change of the government.<sup>76</sup>

In light of the continuous tensions, President Saakashvili convened National Security

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<sup>70</sup> Georgian Prime Minister Bidzina Ivanishvili’s address to the Council of Europe Parliamentary Assembly, video version, available at <http://www.youtube.com/watch?v=164HlClyndU>  
see also at <http://www.civil.ge/eng/article.php?id=25983&search=>

<sup>71</sup> Occupants make fortifications in the villages in Samegrelo, June 1, 2013, NewPost, available at <http://www.newposts.ge/politika/13867-mujava-rusi-okupantebi-txrilebi-gavleba.html>.

<sup>72</sup> Around 200 Wooden Cottages will be Built in the Vicinities of the so-called South Ossetian Border, May 5, 2013, news agency Pirveli, available at <http://pirveli.com.ge/?menuid=13&id=34658>.

<sup>73</sup> Ivanishvili Commnets S.Ossetia Adminisitrative Border, May 31, 2013, available at <http://www.civil.ge/eng/article.php?id=26132>.

<sup>74</sup> Saakashvili: Russia Tests Georgian Government’s Firmness, May 30, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26137&search=>.

<sup>75</sup> MP Nadirashvili: current situation is a reasult of Alasania’s vacation and Prime Minister’s statements, May 31, 2013, NewPost, available at <http://www.newposts.ge/politika/13791-nadirashvili-alasianas-shvebulebashi-tsasviam-da-premier-ministris-ganckhadebebmamogvca-is-shedegi-rac-dghes-gvavqs.html> (in Georgian).

<sup>76</sup> National Security Advisor Giga Bokeria in a politcal talk show Positsia on Rustavi 2, available at <http://www.iptv.ge/rustavi2-videos/pozicia> (in Georgian).

Council. It was the first session of the NSC after the new Government of Georgia was formed as a result of the October 2012 Parliamentary elections. Despite the critics from the Prime Minister against not having NSC meeting for months, he did not attend the meeting, though his cabinet ministers attended the session chaired by President Saakashvili.<sup>77</sup> It was a first cooperation between the President and the Government on national security matters and the President welcomed the key Ministers participation in the NSC session.<sup>78</sup>

The tension near the occupation line still continues. Georgian Government has been unable to raise the issue with the Russian counterparts. The June meeting in Geneva, in the frameworks of the Geneva talks, gives no optimism that the issue will be resolved. It is undoubted that the Georgian authorities have no choice but to remain calm and cautious but as Russia's true intention are unknown the situation remains dangerous.

#### **4.**

#### **ANTI**

#### **NATO SENTIMENTS IN TBILISI**

On June 6, 2013, 7 Georgian soldiers were killed in Helmand province of Afghanistan and 9 other are reported to be wounded.<sup>79</sup> This is the second casualty in one month and the largest death toll in any single incident since joining ISAF mission in November, 2009. This recent incident brings total death toll of the Georgian soldiers in the ISAF mission to 29.

Less than month ago, three Georgian soldiers were killed after a suicide bomber rammed an explosives-laden truck into their base in the Helmand province.<sup>80</sup>

The June 6 casualties happened on a day when a video footage depicting alleged Jihadists threatening Georgian soldiers with retribution was released on social media. The footage seems to be fake and not related to Taliban or any other radical Islamist

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<sup>77</sup> Saakashvili Holds National Security Council Meeting, June 5, 2013, CIVIL GEORGIA, available at <http://www.civil.ge/eng/article.php?id=26151>.

<sup>78</sup> Saakashvili: We should stand together when it comes to the international reputation of our country, June 5, 2013, NewPost, available at <http://www.newposts.ge/politika/14153-roca-saqme-exeba.html>.

<sup>79</sup> Statement of the Ministry of Defense of Georgia, June 6, 2013, available at <http://www.mod.gov.ge/?newsid=2024&lang=en>.

<sup>80</sup> Three Georgian Servicemen Killed in Afghanistan, Ministry of Defense of Georgia, May 14, 2013, available at <http://www.mod.gov.ge/index.php?newsid=1941>.

groups.<sup>81</sup> However, it has caused substantial controversies in public.

Next day after the deadly attack on Georgian soldiers in Afghanistan the New York Times newspaper published an Article on the incident claiming that one of the reasons of the increased casualties among Georgian soldiers could be lack of caution from their side compared to the troops from other nations stationed in Afghanistan.<sup>82</sup> The authors also mention dislike of Georgian soldiers by local population, despite the satisfaction of the authorities.<sup>83</sup>

The casualties sparked debates in the country about the reasonableness of deployment of the troops in Afghanistan. Last Autumn Georgia has almost doubled its contribution to the ISAF mission to over 1,560 servicemen.

Both the President of Georgia and the Prime Minister expressed condolences to the families and emphasized that the sacrifice made by Georgian soldiers is not only for international peace and security but also for the well-being of our nation.<sup>84</sup> Prime Minister's statement was very promising in light of the increased anti-NATO sentiments in his own team. According to Bidzina Ivanishvili, "far from Georgia, on foreign land, our troops are defending our homeland at the cost of their lives. These guys stand guard for stability of our country and for the security of our future generations; Despite of this horrible tragedy, nothing will break us; no one will make us retreat; We will continue fight for peace in the world, peace in Georgia."<sup>85</sup>

The Speaker of the Parliament David Usupashvili expressed unequivocal support to Georgia's participation in ISAF mission and warned that any decision contrary would make Georgia vulnerable to international threats; Georgia can achieve de-occupation of its territories only with the democratic world and the NATO, otherwise Russia will take

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<sup>81</sup> Statement of the Minister of Interior about the Video Footage, June 7, 2013, reprinted by NewPost, available at <http://www.newposts.ge/politika/14270-thalibanis-mier-gavrcelebuli-video-masalis-shesakheb-shss-ganckhadabas-avrcelebs.html>.

<sup>82</sup> Taliban Attack Kills 7 Georgian Soldiers in Afghanistan, Alissa J. Rubin and Taimoor Shah, June 7, 2013, available at [http://www.nytimes.com/2013/06/08/world/asia/taliban-attack-base-guarded-by-georgians-in-afghanistan.html?ref=asia&\\_r=1&\\_r=1&\\_r=1](http://www.nytimes.com/2013/06/08/world/asia/taliban-attack-base-guarded-by-georgians-in-afghanistan.html?ref=asia&_r=1&_r=1&_r=1).

<sup>83</sup> *Ibid.*

<sup>84</sup> Special Statement of the President of Georgia, June 6, 2013, available at <http://www.president.gov.ge/ge/PressOffice/News/SpeechesAndStatements?p=8308&i=1> (in Georgian); Statement of the Prime Minister of Georgia – Condolences to the Families of the dead Soldiers, June 7, 2013, available at [http://www.government.gov.ge/index.php?lang\\_id=GEO&sec\\_id=269&info\\_id=37156](http://www.government.gov.ge/index.php?lang_id=GEO&sec_id=269&info_id=37156) (in Georgian).

<sup>85</sup> Statement of the Prime Minister of Georgia *Ibid.*

over the whole country, said Usupashvili in the TV Program Main Topic on TV 9.<sup>86</sup>

It is important that both the ruling party and the main opposition party, UNM, are in agreement that Georgia's presence in Afghanistan is important for the country's national security. Though, due to the increased death toll and absence of concrete steps from the NATO, more and more people show unfavorable sentiments to Georgia's sacrifice in Afghanistan.

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<sup>86</sup> Georgia's Role in International Anti-terrorism Missions, Main Topic, TV 9, recording of the program available at [https://www.youtube.com/watch?feature=player\\_embedded&v=OaOKFnmeFuY#!](https://www.youtube.com/watch?feature=player_embedded&v=OaOKFnmeFuY#!) ; See also Usupashvili: If Georgia Say No to NATO, Russia wil Take Over the Country, June 7, 2013, Tabula Magazine, available at <http://www.tabula.ge/ge/story/71914-usufashvili-tu-saqartvelo-uars-itkvis-nato-ze-ruseti-miitvisebs-danarchen-teritorias> .