

Crime and Corruption Before and After the Georgian Presidential Election of 2013

Alexandre Kukhianidze*

In 1990s, organized crime existed mainly as a nexus between political-criminal clans, gangs, and law enforcement agencies, all of which have been involved in various types of crime such as smuggling in narcotics, illegal arms trade, human trafficking, kidnapping foreign and local businessmen or their relatives for ransom. By 2003, corruption penetrated all sectors of Georgian society. Reform of the law enforcement system and the crackdown on organized crime and corruption was carried out after the Rose Revolution but the level of political corruption remained high. The parliamentary elections of 2012 and the presidential elections of 2013 improved the situation, though it is still not clear whether Georgia has gained a democratic government or a Mafiosi-style one.



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The Georgian law enforcement agencies have always been one of the most corrupt elements of the Soviet political system, and in the 1990s they were completely demoralized as a result of the armed conflicts, the coup d'état against the former president Zviad Gamsakhurdia and the subsequent turmoil in the country, rampant corruption and penetration of organized crime into governmental institutions. Police officers received symbolic wages and behaved like gangsters; frequently it was difficult to distinguish between the police force and criminals. Organized crime existed mainly in the form of a nexus between political-criminal clans, gangs, and law enforcement agencies, all of which were involved in different forms of crime, such as smuggling in narcotics, illegal arms trade, human trafficking, kidnapping foreign and local businessmen or their relatives for ransom, assassinations and other grave crimes. Police and state security officers extorted money from drivers and traders, participated in smuggling networks through Abkhazia and South Ossetia, and benefited from the drug smuggling, racketeering and kidnapping.¹ As a result, mistrust between the police and citizens was deep. Ordinary people frequently turned to the criminal bosses (thieves in law) for help and security rather than the police. By 2003, corruption and organized crime had penetrated all sectors of Georgian society.

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On the one hand, these practices became an integral part of the way of life for certain groups of corrupt officials and criminals; on the other hand, they seriously threatened the everyday life of the majority of population as well as national security.

Aslan Abashidze, the head of Adjara Autonomous Republic, enjoyed special support from the Kremlin, and his family clan established illegal control of the customs border check point 'Sarpi', which is located on the Georgian-Turkish border, the Batumi port, and local businesses.² For the protection of his clan, he created military units, armed them with the help of the local Russian military base, and took control of the Ministry of Internal Affairs and Ministry of State Security of Adjara (previously controlled by the national authorities of Georgia). On May 6 2004 Aslan Abashidze's regime was overthrown during the so-called 'Palm' revolution, and Abashidze escaped to Moscow.

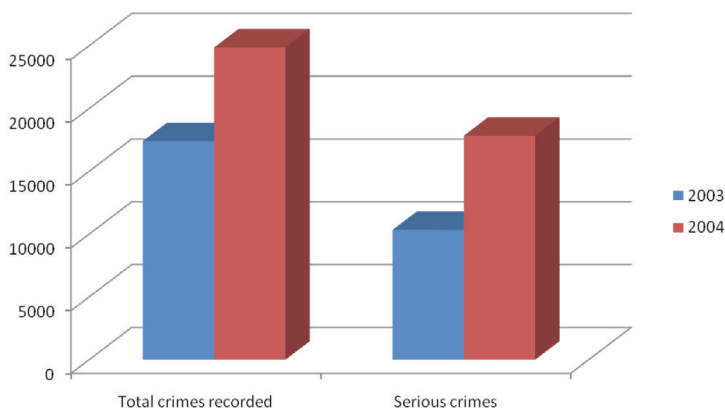
1 See: Alexandre Kukhianidze, Alexander Kapatadze and Roman Gotsiridze, Smuggling in Abkhazia and the Tskhinvali Region in 2003-2004. In: *Organized Crime and Corruption in Georgia*. Edited by Louise Shelley, Erick Scott, and Antony Latta. London and New York: Routledge, 2007, pp. 69-92; Ex-chief of Anti-Terrorist Center Arrested, *Civil Georgia. Daily News Online*. 29 April 2004, available at <http://www.civil.ge/eng/article.php?id=6801>

2 Sign of Cracks in Truce. *Civil Georgia. Daily News Online*. 23 March 2004, available at <http://www.civil.ge/eng/article.php?id=6499>

Another form of organized crime came in the form of the guerrilla groups that controlled smuggling of fuel, cigarettes and other goods transported across the ceasefire line for the Georgian-Abkhaz conflict. Officially, these groups were meant to perform military-political functions - to fight the Abkhaz separatists - but instead they cooperated with them in the smuggling business. Various Georgian-Ossetian criminal groups also existed on the separatist territory of South Ossetia and its neighboring districts under the Georgian jurisdiction. After the *Rose Revolution*, in 2004 and 2005, all these forms of organized crime were effectively eradicated. Guerrilla units in the zone of the Georgian-Abkhaz conflict were disarmed and disbanded, and the Georgian-Ossetian criminal groups have been detained and dissolved, except of those operating in the territories of Abkhazia and South Ossetia.

According to Georgian police, in March 2004 they eliminated a large criminal group headed by Omehi Aprasidze and his two sons in the Svaneti region of Georgia. During the raid, police killed the group's leaders, and the group was under siege in the village Etseri in the Mestia district.³ This operation involved approximately 200 commandos and around 10 helicopters. According to Giorgi Baramidze, the former Minister of Internal Affairs of Georgia, the whole village was built as a fortress. Police detained more than 40 members of a group which had been terrorizing the inhabitants of Svaneti for over 10 years – they robbed tourists, did not obey the current government, and lived under their own, criminal legal regime.⁴

Chart 1. Crime statistics in 2003-2004.⁵



4 Ibid.

5 See: Criminal Justice Statistics. National Statistics Office of Georgia, available at http://www.geostat.ge/index.php?action=page&p_id=602&lang=eng

However, in 2003-2004, official Georgian statistics still indicated an increase in crime, some of which are classified as serious.

In 2003 and 2004 the traffic police remained one of the most corrupt departments of the police. The department was almost entirely 'self-financing', extorting money from local and foreign transit drivers, mainly from Turkey, Azerbaijan, Armenia, Russia and European countries. Naturally, the free movement of people and goods, efficient economic development and indeed the national security of Georgia were impossible to maintain without radical and comprehensive anti-corruption and anti-criminal reforms across the entire governmental system.

Anti-Corruption and Anti-Criminal Reforms after the *Rose Revolution*

Reforming the law enforcement system was a central focus in the optimization of state government management. Reforms affected all structures: Public Prosecutor's Office, Police, Courts, and Penitentiary system. The reform inspired a new legislative base, structural reorganization, changes in human resources management, and a logistics overhaul. The U.S. and the EU provided substantial technical assistance through training projects, drafting new legislation, institutional reforms, and development of infrastructure and logistics.

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Among the post-Soviet countries, the reformed Georgian law enforcement system has been the most successful in combating organized crime and administrative corruption. The Georgian Mafia, which was the most powerful and influential organized crime group in the former Soviet Union, was efficiently eliminated. Its bosses have been imprisoned, or have fled the country and had their property confiscated.

The wave of arrests of the most corrupt government officials was followed by reforms, carried out through newly adopted legislative amendments, plea bargaining and confiscation of property – hundreds of millions of U.S. dollars were transferred to the State budget. The authorities used tactics pioneered by the U.S. and Italy in their respective struggles against the Mafia and Cosa Nostra. The philosophy of this approach is that it is better to strip organized crime bosses and corrupt officials of all their financial and other resources, rather than having them run their criminal activities from prison. As a result, corruption and orga-

nized crime decreased, as it became a much more risky business. Combating corruption and organized crime was made sustainable through other components of the reform strategy – creating new institutions with professional cultures whereby people are motivated to do their jobs with honesty and integrity. In this sphere, Georgia has already seen some real achievements. For example, the traffic police - previously was the most corrupt structure in Georgia’s police system - was closed in the summer of 2004, and up to 2700 traffic police officers were dismissed. Instead a Western-type patrol police was created and new police officers were selected on a competitive basis, mostly young people with a high percentage of women and salaries up to ten times higher. They were trained in the Police Academy with the participation of U.S. and EU experts and police officers. Special attention was paid to logistics, repairing police stations, new police vehicles, installation of a modern communication system, new uniforms, and weapons. While the traffic police had been responsible only for automobile traffic, the patrol police have a much broader scope of responsibility. They are responsible for traffic, street crime, neighborhood policing, and providing assistance to citizens in emergencies. All these steps, in combination with strict control through internal police inspection procedures, have given rise to extremely positive results. According to polls conducted by the International Republican Institute (U.S.) in 2011, the three most trusted institutions in Georgia are the church (93 percent), the army (89 percent), and the police (87 percent).⁶

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But despite these impressive successes in the fight against lower level organized crime and corruption, political corruption still was flourishing in Georgia. Leaders of the political opposition and civil society organizations frequently made statements about the limited nature of this success – targeted only lower and mid-level corruption, and leaving the highest level activity untouched. The reason for this is that soon after the 2003 *Rose Revolution*, contrary to the fundamental democratic principle of the balance of three branches of power, the United National Movement’s (UNM) parliamentary majority voted for constitutional amendments which essentially increased presidential power at the expense of the legislative and the judicial branches. This came about due to the high level of legitimacy and standing enjoyed by the newly elected

6 See: *IRI Releases Expanded Nationwide Survey of Georgian Public Opinion*, 5 January 2012, available at <http://www.iri.org/news-events-press-center/news/iri-releases-expanded-nationwide-survey-georgian-public-opinion>

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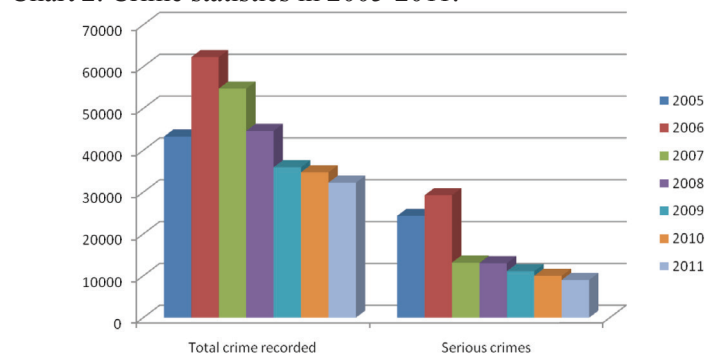
The concentration of power in the hands of the executive became a barrier to investigations of possible illegal activities by the leadership. Under these circumstances, police investigators did not open criminal cases, and judges did not rule against top politicians or UNM government officials.

authorities in the post-revolutionary euphoria. The main justification at that time was the need for a stronger executive power to push through the rapid implementation of radical reforms, which always are painful for part of the population. As a result, Georgia had strong presidential but weak legislative and judiciary powers. The concentration of power in the hands of the executive became a barrier to investigations of possible illegal activities by the leadership. Under these circumstances, police investigators did not open criminal cases, and judges did not rule against top politicians or UNM government officials. As a result, there were no cases of national law enforcement investigations on political corruption in Georgia. Accusations of corruption made by the political opposition remained essentially tools in their struggle for political power. There were several proven cases of serious political corruption in Georgia, but none of them was revealed as the result of a Georgian police investigation or court decision: the detention of Irakli Okruashvili, the former Minister of Defense of Georgia in 2007; the assassination of Girgvliani, a young employee of a Georgian banks in 2005 by high ranking police officers; and the detention of Cartu Bank's cash-in-transit vehicle with six employees by police while it was transporting 2 million USD and 1 million Euros in cash from the Bank of Georgia's headquarters in Tbilisi. Cartu Bank belonged to the then opposition leader Bidzina Ivanishvili who was accused of money laundering. Okruashvili, the former Defense Minister, was granted political asylum in France. The European Court of Human Rights ruled that during the investigation of Girgvliani's case, evidence had been falsified. It found violations of Article 2 of the European Convention of Human Rights (the right to life) and Article 38 (obligation of the state to cooperate with the courts in establishing the truth), and obliged the government to pay 50,000 Euros in compensation to his family within three months. After the outbreak of political scandal, Cartu Bank's vehicle, the detainees, and the confiscated money were returned to Cartu Bank, and the investigation was stopped. This was seen by the Georgian public as an attempt to intimidate political opponents.

The crackdown on organized crime and corruption focused on modernization at the expense of democratization and human rights. In turn this led to more repressive policies and an increase in the prison population. From 2003 to 2009 the proportion of prisoners per 100,000 in Georgia grew by 210 percent and, based

on this indicator, the country appeared ahead of most countries in the world.⁷ Georgia did not improve its performance indicators after the *Rose Revolution*, and remained only a ‘partly free’ country according to Freedom House’s rating, which together with the Russian factor was one reason why it remained outside NATO and the European Union. On the other hand, by 2011 Georgia had low crime rates and was one of the safest countries in Europe.⁸ Since May 2005, the Soviet tradition of improving the criminal statistics through hiding unsuccessful and registering mostly successfully investigated criminal cases was rejected. Amendments were made to the Code of Criminal Procedure, envisaging the abolition of investigatory bodies, and a procedure of starting preliminary investigations immediately, from the crime was discovered.⁹ As a result, the number of registered crimes increased, though the number of criminal incidents did not. Since 2006 the estimated number of recorded crimes reflected the real situation in the country, and between 2007 and 2011 it showed the actual reduction in the number of crimes. One of the main reasons for this drop was the zero tolerance policy, declared by the former president Mikhail Saakashvili during his second annual state of the nation address to Parliament on 14 February 2006. It envisaged ‘banning conditional sentences for house burglary, street robbery, possession of drugs and other petty offenses.’¹⁰

Chart 2. Crime statistics in 2005-2011.¹¹



7 Nikita Mendkovich, *Prestupnost v Gruzii v epokhu Saakashvili*, 16 May 2012, available at <http://www.kavkazoved.info/news/2012/05/16/prestupnost-v-gruzii-v-epokhu-saakashvili.html>

8 See: Jan Van Dijk, 2011, *International trends in crime: The remarkable case of Georgia*, available at http://justice.gov.ge/index.php?lang_id=ENG&sec_id=681

9 See: Criminal Justice Statistics. National Statistics Office of Georgia, available at http://www.geostat.ge/index.php?action=page&p_id=602&lang=eng

10 Annual Presidential Address Highlights Progress, *Civil Georgia*. *Daily News Online*, 14 February 2006, available at <http://www.civil.ge/eng/article.php?id=11810>

11 See: Criminal Justice Statistics. National Statistics Office of Georgia, available at http://www.geostat.ge/index.php?action=page&p_id=602&lang=eng

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Corruption also was reduced. According to Transparency International's Corruption Perceptions Index, in 2003 Georgia was ranked 124th out of 133 countries; by 2010, it was 68th out of 178 countries. In the 2012 Corruption Perceptions Index it was ranked 51st, ahead of Turkey (54) and some EU member states: Check Republic and Latvia (both 54), Romania (66), Italy (72), Bulgaria (75) and Greece (94). For comparison with Caucasian states, Armenia was ranked 105, Russia 133, and Azerbaijan 139.¹² Thanks to the reforms, Georgia was the only state in the Caucasus with a very low level of organized crime and comparatively low level of administrative corruption.

The case of Georgia in the aftermath of the Rose Revolution clearly demonstrates that a ruling team can be Western-oriented yet not very democratic, successfully combat organized crime and administrative corruption but itself remain steeped in political corruption, attract international investments but intimidate local business people to support UNM projects, commit serious crimes and persecute political opponents with impunity.

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the political opposition was united in the political coalition 'The Georgian Dream' (GD), around Bidzina Ivanishvili, its political leader and the richest business person in Georgia.

¹² The 2012 Corruption Perceptions Index. *Transparency International*, available at <http://www.transparency.org/cpi2012>

Corruption and Crime after the Georgian Parliamentary Election of 2012 and the Presidential election of 2013

Although the public opinion polls predicted victory for the UNM, the unexpected ‘prison scandal’¹³ served as the spark which exploded public opinion and led the GD to victory in the parliamentary election on 1 October 2012. The GD won 85 and the UNM 75 of the 150 seats in Parliament. Saakashvili recognized his party’s defeat and the Cabinet of Ministers resigned. The newly elected Parliament appointed Bidzina Ivanishvili as Prime Minister, who was authorized to govern the Cabinet of Ministers, including the Ministry of Defense and all law enforcement agencies. As a result, President Saakashvili lost control of his coercive resources. Dual power, the so-called ‘cohabitation’, was established, with a powerless President and an empowered Prime Minister. The presidential election took place on 27 October 2013. Bidzina Ivanishvili, the leader of the GD, nominated the presidential candidate Giorgi Margvelashvili, who received 62.12 percent of the vote. His main competitor was Davit Bakradze, the leader of the UNM, who only won 21.72 percent. The cohabitation period ended after the presidential election and Bidzina Ivanishvili decided to resign from the post of Prime Minister. He nominated a successor – Irakli Gharibashvili, who was the Minister of Internal Affairs at the time. The GD’s parliamentary majority voted for a new Prime Minister and approved his candidature.

As the UNM did following 2003, the GD arrested leaders of the former ruling party after the 2012 parliamentary election, accusing them of corruption, money laundering, economic crimes, intimidation of business people, assassinations, torture of prisoners, intimidation of political opponents and other serious crimes.

Charges and arrests of the UNM leaders

As the UNM did following 2003, the GD arrested leaders of the former ruling party after the 2012 parliamentary election, accusing them of corruption, money laundering, economic crimes, intimidation of business people, assassinations, torture of prisoners, intimidation of political opponents and other serious crimes. Several former government officials and top leaders of the UNM have been arrested, including Bacho Akhalaia, who served variously as head of the penitentiary system (2005-2008), Minister of Defense (August 2009 – July 2012) and Minister of Internal Affairs (July – September 2012); Minister of Energy Alexander Khetaguri; ex-government official and director general of Rustavi 2 TV company Nika Gvaramia; Georgian Prime Minister, Secre-

13 See: Joshua Berlinger, *How A Brutal Prison Abuse Video Could Throw One Of America's Key Eurasian Allies Into Chaos*, 24 September 2012, available at <http://www.businessinsider.com/georgia-prison-scandal-election-chaos-2012-9>

tary General of the United National Movement Vano Merabishvili and the Governor of Kakheti region Zurab Chiaberashvili.

Bacho Akhalaia was charged with illegal deprivation of liberty and physical abuse of soldiers in October 2011, while serving as defense minister. The court found him not guilty but he was convicted in another case regarding a prison riot in 2006; however he was pardoned by outgoing president Mikheil Saakashvili. He remains in pre-trial detention for new charges concerning the murder of Sandro Girgvliani in 2005.¹⁴

Khetaguri and Gvaramia were charged with masterminding a corrupt scheme and forging tax documentation for the misappropriation of one million Georgian Lari, transferred for alleged consultation services by energy companies in Georgia owned by the Russian energy giant Inter RAO UES. The prosecution arrested them on 19 December 2012, but they were released on bail the next day.¹⁵ Both Khetaguri and Gvaramia were found not guilty and cleared of all charges by the Tbilisi court on 14 November 2013.

Merabishvili and Chiaberashvili were arrested on 21 May 2013 and charged with abuse of power, bribery of voters, mispending public funds and property misappropriation. Chiaberashvili was released on bail and Merabishvili was sent to pre-trial detention. After his arrest, as Secretary General of the UNM, Vano Merabishvili was unable to participate in the Georgian presidential election of 2013, and the former Chairman of the Parliament Davit Bakradze was elected Secretary General of the UNM in his place.

On 22 December 2013 Tbilisi Court suspended Gigi Ugulava, mayor of Tbilisi and one of the leaders of the UNM opposition party, from office after he was charged in connection with the alleged mispending of GEL 48.18 million of public funds to cover UNM's various expenses in 2011-2012. Prosecutors requested Ugulava's pre-trial detention and suspension from the office. The court set bail at GEL 50,000.¹⁶ Ugulava said that the

¹⁴ *Bacho Akhalaia acquitted in abuse case, two others convicted*, Democracy & Freedom Watch, 4 December 2013, available at <http://dfwatch.net/bacho-akhalaia-acquitted-in-abuse-case-two-others-convicted-41102>

¹⁵ Court clears Rustavi 2 TV Director, former high official of all charges, *Information Agency Tabula*, 14 November 2013, available at <http://www.tabula.ge/en/story/77008-court-clears-rustavi-2-tv-director-former-high-official-of-all-charges>

¹⁶ Court Suspends Tbilisi Mayor Ugulava from Office, *Civil Georgia*, 22 December 2013, available at <http://www.civil.ge/eng/article.php?id=26814>

court's decision was a result of pressure exerted by the government, and MP Davit Bakradze, leader of the UNM parliamentary minority group said, that the court ruling will have 'very grave consequences for the future of Georgia's democracy.'¹⁷ Similar to the case of Vano Merabishvili before the presidential election of 2013, the UNM perceives the charges against Gigi Ugulava as another attempt of the ruling GD to weaken the UNM before the forthcoming local government election in June 2014, and as an instance of political persecution.¹⁸ In response, Ugulava made a statement alleging that Otar Partskhaladze, the newly appointed Chief Prosecutor of Georgia who was publicly nominated for this position on 8 November 2013, has a fake law degree and was convicted of robbery in Germany in 2001. Partskhaladze said he was convicted following allegations of failing to obey a German police officer. As a result of the political scandal he resigned. The GD politicians have said the 'allegations against Partskhaladze were aimed at countering efforts to investigate former high-profile officials,'¹⁹ though they did not pay attention to his criminal record when he was appointed, and did all they could to defend him during the scandal. According to Vladimir Socor, an analyst at the Jamestown Foundation, comments by government officials reveal that 'Partskhaladze had been tasked to re-energize proceedings against UNM officials - a policy labeled as a 'restoration of justice' by the government.'²⁰

Amnesty

On 13 January 2013, Georgia enacted a law 'On Amnesty', which has affected more than 17,000 criminal cases. As of July 2013, up to 14 000 people had been released from prison.²¹ The president of Georgia criticized the initiative and vetoed part of the bill, on the grounds that it stands to worsen the crime situation, but the Parliament overruled the veto. David Usupashvili, Speaker of the Parliament, signed the Law without the consent of the President Mikheil Saakashvili. Based on this Law, six Georgian Mafia

17 UNM Condemns Suspending Ugulava from Mayoral Office, *Civil Georgia*, 22 December 2013, available at <http://www.civil.ge/eng/article.php?id=26813>

18 Ibid.

19 German Conviction Dooms Georgia's Chief Prosecutor, *Radio Free Europe / Radio Liberty*, 31 December 2013, available at <http://www.rferl.org/content/georgia/25217011.html>

20 Vladimir Socor, Georgia's Discredited Chief Prosecutor Resigns—But Anti-UNM Prosecution Cases Multiply. *Jamestown Foundation. Eurasia Daily Monitor Volume: 11 Issue: 2*, 7 January 2014, available at <http://www.refworld.org/docid/52cfeca44.html>

21 Beslan Kmuzov, Massovaiya amnistia privela k rostu prestupnosti v Gruzii, zaiavili uchastniki akcii pamiati ubitoy 16-letney devushki. *Information Agency Kavkazski Uzel*, 23 July 2013, available at <https://www.kavkaz-uzel.ru/articles/227622/>

bosses ('thieves in law'), were released from prison in the end of January 2013 and within 24 hours they were obliged to leave the country, because they could not stay on the territory of Georgia, or their term of imprisonment would be extended. According to the Article 223 of the Criminal Code of Georgia, creating or participating in illegal armed groups even without committing a crime is a criminal offence, and such criminals cannot officially be on the territory of Georgia, unless they are in jail.

Based on the Law 'On Amnesty,' up to 200 prisoners were declared political prisoners and released after a mass amnesty came into force. Ucha Nanuashvili, the Public Defender of Georgia, said that 'this is a historic day and the 'process of restoring justice continues. People who were detained on political grounds are being set free.'²²

In response to the UNM leaders, who denied the presence of political prisoners in Georgian jails and protested against the amnesty, which to their mind threatened to aggravate the criminal situation in the country, former Interior Minister Irakli Gharibashvili declared that the ministry and police were fully mobilized and would not let the crime situation deteriorate.²³ Beyond combating crime, the Interior Ministry of Georgia carried out reforms aimed at the *depoliticization* of the police force. The problem of the police force under Saakashvili was that in politically sensitive cases, they were used as "political police". The police was deployed to defend the UNM's political interests at the expense of other political parties and movements, and therefore, helped them to maintain political power in the country. But Mr. Gharibashvili also declared that not all of the 190 prisoners qualified as political prisoners and that among those released are spies for the Russian military intelligence – the so called GRU – Main Intelligence Directorate.²⁴

Crime and corruption

Among the many initiatives seeking to restore justice and punish Saakashvili's former government officials, there is an intention to launch a Parliamentary appeal to remove Article 223 from the

²² Georgia releases 190 political prisoners, *Democracy and Freedom Watch*, 13 January 2013, available at <http://dfwatch.net/georgia-releases-190-political-prisoners-13008>

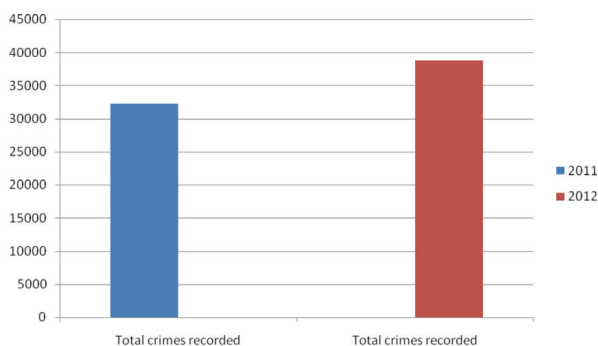
²³ Ibid.

²⁴ Irakli Gharibashvili considers declaring Gevorkyan and Shkrielnikov as political prisoners was a mistake, 11 November 2013, *Information Agency Interpressnews*, available at <http://www.interpressnews.ge/en/politicss/52176-irakli-gharibashvili-considers-declaring-gevorkyan-and-shkrielnikov-as-political-prisoners-was-a-mistake.html?ar=A>

Criminal Code of Georgia. Nana Kakabadze, Head of the Georgian NGO ‘Former Political Prisoners for Human Rights’ and one of the authors of the list of the amnestied prisoners, supports this demand, because she believes that Article 223 violates the freedom of conscience and freedom of expression of prisoners. Even if they hold criminal ideologies, she argues, ‘it is unfair and undemocratic to arrest a person for his world outlook.’²⁵ In December 2013, more than 900 prisoners went on hunger strike in Georgia in support of revoking Article 223. In response, Sozar Subari, the Minister of Penitentiary, Corrections and Legal Assistance, stated: ‘As regards all those who have gone on hunger strike in connection with the establishment of a special commission must know that the government is working on this issue. And as regards all others – I mean Article No. 223-1- their efforts are in vain because the government’s policy will remain unchanged.’²⁶ The government clearly declared its intention not to allow Georgian mafia bosses to restore their influence among organized crime groups in Georgia, maintaining the previous government’s hard line on the criminal underworld. Despite that, Ucha Nanuashvili, the Public Defender of Georgia, believes that criminal bosses have actually increased their influence in Georgian prisons. According to the Georgian statistics, the number of criminal cases increased after the parliamentary election of 2012, though not significantly.

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Chart 3. Number of recorded crimes in 2011 and 2012.²⁷



25 Six “thieves in law” released under amnesty in Georgia, *Information Agency Georgia Times*, 3 January 2013, available at <http://www.georgiatimes.info/en/news/86058.html>

26 More than 900 prisoners on hunger strike in Georgia, *Radio the Voice of Russia*, 18 December 2013, available at http://voiceofrussia.com/news/2013_12_18/More-than-900-prisoners-on-hunger-strike-in-Georgia-8982/

27 Sources: National Statistics Office of Georgia. Available at http://www.geostat.ge/?action=page&p_id=602&lang=eng; danashaulis statistika saqartveloshi (ganvitarebis etapebi da qronologia. 2003-2013). *Information-Analytical Department*. Ministry of Internal Affairs of Georgia, p. 6.

Regarding corruption, according to Transparency International's Corruption Perceptions Index 2013, the situation in Georgia has deteriorated, and the country is now ranked 55th among 177 countries.²⁸ One of the main reasons for this change relates to a political struggle before the 2012 parliamentary election, in which the then ruling UNM pursued a policy of intimidation of the political opposition from the GD. Transparency International's 2013 report stated that 'this situation undermined the country's system of checks and balances and increased the risk of abuse of entrusted power at the higher tiers of government. However, the recent elections produced a more diverse and pluralistic parliament, creating new opportunities to address corruption risks.'²⁹ The second key reason behind the increase in corruption is the nepotism under the current government of Georgia. Approximately 70 percent of Georgia's 86,000 public servants are not chosen on the basis of an open job competition, according to the Civil Service Bureau of Georgia.³⁰ The current practice of hiring staff without conducting a competition for a vacant position is a direct way to nepotism and political loyalty of civil servants.

Conclusion

After the parliamentary (2012) and presidential (2013) elections, the criminal situation in Georgia did not significantly deteriorate. The situation worsened slightly in the period between the parliamentary and presidential elections; this was due in part to the amnesty law and the intense political struggle between the GD and UNM during the cohabitation period.

Political corruption flourished during the Saakashvili era, and it improved after the parliamentary election of 2012, through nepotism became a most frequent form of corruption under the new government of Georgia.

Politically motivated prosecutions of the UNM leaders and former government officials remain the most sensitive political issue in Georgia following the presidential election of 2013.

Both the current President and the current Prime Minister of Georgia are nominees of the Georgian tycoon Bidzina Ivanishvili, who has moved to the civil sector, established a new NGO called

28 The 2013 Corruption Perceptions Index, *Transparency International*, available at <http://www.transparency.org/country#GEO>

29 Ibid.

30 Molly Corso, *Georgia: Meritocracy Poised to Make Gain?* EurasiaNet.org, available at <http://www.eurasianet.org/node/67071>

“Citizen”, and formally is no longer responsible for political developments. In 2012 and 2013, Georgia had the most free and fair democratic parliamentary and presidential elections in its history, though it is not clear what kind of government it gained as a result. It remains uncertain whether this new government is a democratic one, with people and the parliament voting for and nominating their candidates, or a Mafiosi one with a Georgian tycoon nominating candidates, who the people and the parliament can only approve. There is one major question that still needs an answer: who controls both the President and the Prime-Minister of Georgia? Is it the people and the parliament, or the country’s richest man, who made his billions in criminal and corrupt Russia during the turbulent 1990s? The answer to this question will probably be clear after the next parliamentary elections in 2016.