



GEORGIA ALERT

JOINT WEEKLY NEWSLETTER BY POLITICAL MOVEMENT “DROA”, CIVIL MOVEMENT “DEMOCRACY DEFENDERS”,
AND POLITICAL PARTY “LELO – FOR GEORGIA”

HIGHLIGHT OF THE WEEK:

DESPITE APPEALS FROM THE NGO SECTOR AND THE PUBLIC DEFENDER, PRESIDENT ZURABISHVILI DID NOT VETO THE HEAVILY CRITICIZED BILLS ABOLISHING THE STATE INSPECTOR’S SERVICE AND MAKING CONTROVERSIAL CHANGES TO THE LAW ON GENERAL COURTS.

On January 13th, President Zurabishvili [signed off](#) the bills abolishing the State Inspector’s Service and making controversial amendments to the Law on General Courts. The bills, passed in a fast-tracked process, abolished the State Inspector’s Service, lifted the ban on the re-election of a member of the High Council of Justice, restricted the judges’ ability to express public opinion in the name of “political neutrality”, and reduced the quorum needed to make decisions in the High Council of Justice. The bills have been heavily criticized by Georgia’s international partners, with the US Embassy [warning](#) that they send a message that “independent oversight of the government or dissenting voices, even when prescribed by law, will be answered with retaliation, discipline, and dismissal.” Several judges themselves have also [expressed](#) their criticism on the amendments made to Law on General Courts. Over a dozen [NGO’s](#) and the [Public Defender](#) have appealed to the President to veto the bills.

- The highly controversial bill on the abolishment of the State Inspector’s Service came into force after the institution played an active and meaningful role in the latest developments in Georgia concerning the inhumane and degrading treatment of jailed third President Mikheil Saakashvili that Amnesty International [called](#) “not just selective justice but apparent political revenge”.
- The amendments made to the Law on General Courts is related to, amongst others, the difficulty in reaching consensus amongst the 10 members of the High Council of Justice since 5 non-judge members need to be elected through an agreement between the ruling party and the opposition. Reducing the quorum needed to make decisions and adding principles of “political neutrality” for judges, in turn, is seen as an attempt for the ruling party to keep a tight grip on the justice system.

1. CASES OF STATE CAPTURE

- ⇒ On January 12th, the Tbilisi City Court overturned the State Inspector’s [decision](#) to fine the Ministry of Justice for the unlawful processing and publishing of controversial footages of Saakashvili’s forced and violent transfer to the Gldani prison. The fining of the Ministry of Justice and the Special Penitentiary Service by the State Inspector’s Service was soon followed with the abolishment of institution with a fast-tracked process on December 30th.



2. POLITICALLY MOTIVATED JUSTICE

⇒ Saakashvili's case:

- According to Saakashvili's Ukrainian lawyers, Ukraine has [begun](#) a criminal case investigation against the employees of the State Penitentiary Service of Georgia for the torture of former President Saakashvili. Prior to this, the investigation was ongoing for the violation of Saakashvili's human rights.
- To this day, independent medical group of experts and Saakashvili's personal doctor are not allowed inside the Rustavi prison to assess the former President's health. Saakashvili is not being transferred for an MRI examination, and Saakashvili's lawyers are still unable to talk one-on-one with the President as there continues to be a glass barrier between them.

⇒ Japaridze-Khazaradze-Tsereteli's case:

- The final hearing of the Japaridze-Khazaradze-Tsereteli case was held on January 11th, and the final verdict was given on the next morning. Mamuka Khazaradze and Badri Japaridze were acquitted of money laundering charges. All liens against their properties have been dismissed, all provisional measures vacated. The court convicted them of fraud instead - a predicate crime, which is a statutorily time-barred offense, with no sentence or jail time possible due to statute of limitations. This part of the decision will be appealed by Khazaradze and Japaridze in the courts of higher instances and the ECHR if needed– there has been no investigation into fraud, no evidence presented during the trial, no opportunity for the defendants to be heard during trial on fraud offense, therefore no due process.
- The Khazaradze-Japaridze-Tsereteli case has been going on for over two years, with over a dozen [civil society organizations](#) and the [Public Defender](#) claiming the case to be "politically motivated."

3. ASSESSMENTS MADE BY INTERNATIONAL ACTORS

- ⇒ Human Rights Watch [released](#) its 2021 report on Georgia, where it emphasizes "set-backs" to the human rights in the country. In the report, particular emphasis is made on the lack of accountability for law enforcement abuses, threats and attacks against the media, oppressions based on sexual orientation and gender identity, and violation of children's rights. Specific examples include: over 133 complaints of ill-treatment by prison-staff or police, toughened penalties for "petty hooliganism and police disobedience," storming of UNM headquarters with teargas, leakage of thousands of documents gathered through illegal wiretapping and surveillance, attack on Formula TV journalist Vakho Sanaia, July 5th attack on 53 media workers with police present but "failing to prevent violent incidents," PM "blaming" Tbilisi Pride organizers rather than ensuring their safety.
- ⇒ Amid U.S – Russia security talks this week, US Ambassador in Georgia, Kelly Degnan, [released](#) an address to the Georgian public, in which she pledges the United States' full-pledged support to Georgia's sovereignty and territorial integrity and emphasized that Russia does not get to veto sovereign country's decisions. "The Kremlin has nothing to offer its neighbors but fear, oppression, and disinformation. That is not what Georgia and the United States stand for. The United States continues to believe in a Europe whole, free, and at peace."
 - The opposition [responded](#) to Ambassador Degnan's address to the Georgian public – in a statement published by "Droa," the opposition stressed that Ambassador Degnan's



address proves that Georgia is still considered a potential member of the European Union and NATO, which makes it even more crucial for the Georgian government to proactively mark its historical place and role in the Euro-Atlantic family (especially given the ongoing developments in the international arena.) Instead, Georgia's government keeps distancing itself from the West and bringing the country back to the Russian orbit. The opposition reiterated its commitment to lead the efforts with other civil society organization and actively engage with Georgia's strategic partners to further Georgia's Euro-Atlantic ambitions.