

# **GEORGIA: WHAT NOW?**

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## GEORGIA: WHAT NOW?

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

Georgia's political crisis, which climaxed in the forced resignation of President Eduard Shevardnadze on 23 November 2003, is not over yet and could still lead to violence and the country's disintegration. Georgia, in other words, is still pre-conflict, not post-conflict, and exceptional international action is required to contain the potential for chaos. Washington, which quietly supported what U.S. media called the "Rose Revolution", has promised aid for organisation of the presidential election on 4 January 2004, as has the European Union; other donors should follow suit, and the international community should maintain this support through the equally important and potentially more contentious legislative elections in the spring.

The immediate cause of the crisis was the massive rigging of the 2 November 2003 parliamentary elections, which caused a deep reservoir of broad popular discontent to bubble over. The electoral abuse took place despite concerted international pressure on the Shevardnadze government to observe democratic standards. While significant progress was made in electoral laws, they were simply not implemented on the ground. Some parties accepted the government-declared results, but others, led by outgoing speaker of parliament Nino Burjanadze and opposition party chieftains Mikheil Saakashvili and Zurab Zhvania, refused and launched street protests that demanded official recognition of their victory.

In less than a week, these protests were transformed into a revolt. President Shevardnadze, who had displayed supreme self-assurance until the opening of parliament on 22 November, was overnight forced to resign: the crowd occupied his office, the security forces did not intervene, and Washington, and especially Moscow (with a flying visit by Foreign Minister Ivanov), played an important part in

concentrating his mind. The Supreme Court invalidated the fraudulent election, thus keeping the old parliament alive. Now that the regime has collapsed, Georgia has to find a way through a risky transition period, in which the interim president, Burjanadze, and the full term president to be elected in January must work with that body until new legislative elections can take place.

In the next days, finding temporary compromises with the former ruling elite will be a top priority for the new authorities, in order to ensure state continuity. Any deep purge in the administration at this stage should be avoided. The viability of the state is at stake. Georgia, which already lost the Abkhazia and South Ossetia regions, apparently permanently, in the early independence years, is now in danger of losing the autonomous region of Ajara. Negotiations and compromise with these regions are essential, as is a Western effort to persuade Russia to cooperate constructively in supporting Georgia's territorial integrity – not Moscow's highest priority in the past.

The next challenge for the interim leadership is to ensure that the coming presidential and parliamentary elections are free and fair. For that to happen, it will need strong support from the international community. Donors should cooperate with the Georgians to set up an Emergency Elections Task Force (EETF), under the aegis of the Organisation for Security and Cooperation in Europe (OSCE), to supervise those elections, especially the parliamentary vote, which is likely to be the occasion when all political forces will be most tempted to pull out every stop to ensure their position in the new constellation. All external powers should be involved, including the Russian Federation.

Georgia needs a strong and genuinely popular government to deal with the country's difficult economic and social situation and to re-establish its territorial integrity. A stable Georgia is in the interests of all, including Russia and other neighbours, and the EU and the U.S. The opportunity now on offer must not be missed.

## **RECOMMENDATIONS**

### **To International Donors and the OSCE:**

1. Dedicate substantial emergency aid for the presidential and parliamentary electoral processes.
2. Establish an OSCE mandate and obtain the agreement of the Georgian authorities to set up and fund an Emergency Elections Task Force (EETF) chaired by the OSCE/ODIHR to assist with management of the 2004 presidential and parliamentary elections, composed of the acting minister or deputy minister of interior, the Central Elections Commission (CEC), the prolonged International Technical Working Group on the 2003 November elections (including the Russian Federation), and the Council of Europe.
3. Ensure that Russian staff are included in the OSCE personnel assigned to the Task Force so that the Russian Federation can play a constructive role in international efforts to assist the electoral processes.

### **To the Georgian Government:**

4. Establish a specific budget line in the budget to fund the Task Force and the elections administration and strictly respect all deadlines set by the Task Force.

### **To the Interim President of Georgia and the President to be Elected in January 2004:**

5. Avoid any political violence and move cautiously with changes in the bureaucracy at least until a new parliament has been elected and seated in order to prevent instability in the country.
6. Ensure that the Central Elections Commission (CEC) responsible for the presidential election in January 2004 and the subsequent parliamentary election fairly reflect all political parties and groups contesting those elections.

7. Ensure that due process of law is observed if members of the Shevardnadze government are charged with abuses relating to their time in power and likewise for any changes in administration in the various regions of the country.
8. Pursue an open dialogue, without inflammatory rhetoric, with the Ajarian authorities in order to prevent the de facto secession of the region.

### **To the Georgian Parliament:**

9. Pass quickly the necessary legislation for parliamentary elections to be held in spring 2004.

### **To the Emergency Elections Task Force (EETF):**

10. Hire a substantial international staff (up to 3,000 personnel) for a sufficient period and with a sufficient range of skills to assist the Georgian authorities in conducting free and fair presidential and parliamentary elections, including by:
  - (a) supervising the operations of the CEC and the various district and precinct electoral commissions;
  - (b) setting deadlines for every step in the election processes, especially publication of voter lists based on the computerised lists prepared for the 2003 parliamentary elections (no later than 15 December 2003 for the presidential election, and updated no later than one month before the parliamentary elections);
  - (c) providing mechanisms and procedures for citizens to ensure they are properly registered until election day and otherwise to voice complaints about the processes and have them considered in a timely manner, for example through a hotline service; and
  - (d) deploying special working groups to particularly difficult districts such as Kvemo Kartli and Ajara to maintain close contacts with the authorities, train voters and civil servants, and otherwise guard against fraud.

### **To the Russian Federation, U.S. and EU:**

11. For Russia, U.S. and EU: issue a common statement (trilateral or jointly sponsored within the OSCE) expressing support for

- restoration of Georgian government authority over the country's full territory, including early peaceful resolution of the differences between Ajara and the central authorities.
12. For Russia and the EU (the latter acting through its special envoy for the Caucasus): offer jointly or severally to facilitate resolution of the differences between the Georgian interim leadership and the Ajarian authorities within the spirit of the above statement of support for the country's territorial integrity.

#### **To the Next Georgian President:**

13. Develop a proposal for constitutional reform, possibly including the creation of the position of prime minister, responsible for forming a government holding the trust of a majority in parliament and for proposing bills on behalf of that government, and present that proposal, including a careful explanation of the division of executive powers between the president and the government, to the parliament to be elected in spring 2004.

**Tbilisi/Brussels, 3 December 2003**



## GEORGIA: WHAT NOW?

### I. INTRODUCTION

Like most of the former Soviet republics, Georgia has faced two main challenges since independence: state building, after centuries of domination by Russia; and political and economic transition towards democracy and market economics. It has experienced particular difficulties, however, and the current existential crisis is the result of a double failure. Georgia has not become a stable nation state, nor has it implemented credible reforms. A huge gap exists between official rhetoric and political, social and economic realities. One astute observer has dubbed Georgia a Potemkin Democracy.<sup>1</sup>

The November 2003 parliamentary elections were an historic opportunity for the country to take significant steps towards Europe. As it turns out, it was too much to expect from a political system that is more like a medieval feudal kingdom than a modern European democracy. Georgia's feuding politicians spent the months leading up to the vote battling for control of the electoral machinery. By early September, it was clear that the election would not be a shining example of good practice. Nevertheless, some significant progress had been made under pressure from the OSCE, the Council of Europe, the EU and the U.S.

Once it became apparent that the government planned to declare and implement a fraudulent election result, the opposition parties mounted an effective civil protest campaign, on the basis of independent estimates showing that they had won. The discontent in the country was so high that the mass demonstrations, led in particular by Mikheil Saakashvili of the National Movement Democratic

Front (NM), quickly escalated to a successful demand for President Shevardnadze's resignation.

National unity is at stake with the potential for serious further unrest by no means restricted to Tbilisi. The revolution is considered a coup by the leadership of the autonomous region of Ajara, which has closed its "borders" with the rest of Georgia and declared a state of emergency. There is also cause for concern in the regions of Javakheti and Kvemo Kartli in the southwest and southeast of the country, with Armenian and Azeri minorities, respectively. The leaderships of both regions tended to be loyal to Shevardnadze and now fear a backlash; Interim President Burjanadze appointed new governors for both on 29 November.

The new leadership will need a great deal of outside financial, moral and political support to organise the elections that are crucial for the democratic process. It will have to deal on a day-to-day basis with the former ruling elite, which is still influential in law enforcement and administrative structures and well represented in the old but still sitting parliament. An Emergency Elections Task Force (EETF) should be set up rapidly with broad international support and under the supervision of the OSCE, and the lessons of the abortive 2003 elections taken into account in order to carry to a conclusion what has thus far been a peaceful transition.

This report, the first product of ICG's new Caucasus Project, concentrates on internal aspects of Georgia's situation and spells out what needs to be done in that respect in the aftermath of its bloodless revolution, analysing both the issues demanding immediate attention as well as who's who in a country that remains, in many assessments, the key to regional stability.<sup>2</sup>

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<sup>1</sup> Charles King, "Potemkin Democracy, Four Myths about Post-Soviet Georgia", *The National Interest*, Summer 2001, N° 64, pp. 93-104.

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<sup>2</sup> B. Coppieters (ed.), *Contested Borders in the Caucasus* (Brussels, 1996); B. Coppieters, A. Zverev, and D. Trenin,

## II. BACKGROUND

### A. HISTORY

Georgia gained its independence in 1991. It is a very young state each of whose component regions has a more solid historical and geographical basis than the country as a whole.

It is located on the southern slopes of the Caucasus mountains, at the western end of the neck of land which lies between the Black Sea and the Caspian Sea, with the Russian Federation – including Chechnya – immediately to the north, Turkey and Armenia to the south and Azerbaijan to the east. The Georgian language, spoken by 70 per cent of the population, has a unique alphabet and is related only to a few smaller languages spoken in the Caucasus region; significant minorities speak Armenian, which is distantly related to the Latin, Slavic and Germanic language groups, and Azeri, which is closely related to Turkish. The Georgian principalities became Christian in the fourth century, but remained politically fragmented until the eleventh and twelfth centuries, when King David the Builder united them against the Turks. With his reign, a “Golden Age” began for Georgia. Queen Tamar, his granddaughter, ruled a kingdom dominating most of the southern Caucasus, from the north Caucasus highlands to the southern coast of the Black Sea.

This relative stability was disrupted by the Mongol invasions. Endless wars and economic and cultural stagnation led to further political decomposition. At the end of the fifteenth century, Georgia was divided into three independent kingdoms: Kartli, Kakheti, and Imereti. The latter in turn was further divided into the kingdoms of Imereti, Samegrelo, Abkhazia, and Guria. King Herekle II, convinced that his isolated Christian kingdom could not hold out indefinitely against Muslim enemies, signed an alliance with Catherine the Great’s Russia in 1783. But in January 1801, Tsar Paul I formally annexed eastern Georgia. Shortly afterwards, the other principalities were also abolished and included in Russian provinces.

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*Commonwealth and Independence in Post Soviet Eurasia* (London, 1998); K. Dawisha and B. Parrot, *Conflict, cleavage and change in Central Asia and the Caucasus* (Cambridge, 1997).

On 26 May 1918, a half-year after the Bolshevik Revolution, the National Council of Georgia declared independence. However, this first republic was short lived; the Red Army entered Tbilisi from Baku on 25 February 1921, and Georgia remained in the Soviet Union for 70 years.

Eduard Shevardnadze became First Secretary of the Georgian Communist Party in 1972 after an early career in the interior ministry. He conducted numerous “anti-corruption campaigns”,<sup>3</sup> until Mikhail Gorbachev appointed him Soviet Foreign Minister in 1985, at the dawn of the era of Glasnost and Perestroika.

In that era, while Shevardnadze was making remarkable contributions toward ending the Cold War and reforming the Soviet Union, Georgia’s national liberation movement became a significant force. The turning point was 9 April 1989, when the Soviet army violently dispersed an independence demonstration in front of the government building in Tbilisi. The discredited Communist Party lost most of its influence, as nationalism became the main factor in political life, culminating in a formal declaration of independence on 9 April 1991.

After Zviad Gamsakhurdia, independent Georgia’s first elected president, was overthrown in a military revolt in 1991-1992, Shevardnadze returned to Tbilisi and to power in 1993. At that time, conflicts in the separatist regions of Abkhazia and South Ossetia were tearing the country apart.<sup>4</sup> Thus, he embarked on his reign with a legacy of two regions lost to secessionist forces, several uncontrolled paramilitary groups, rampant crime, and dysfunctional state institutions. He managed to crack down on the paramilitaries, who had assisted in his rise to power,

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<sup>3</sup> Some called them purges. See M. Ledeen, “Eduard Shevardnadze’s Bloody Past”, *Wall Street Journal*, 3 July 1991. <http://www.security-policy.org/papers/1991/91-P59at.html>.

<sup>4</sup> A. Zverev, “Ethnic Conflicts in the Caucasus, 1988-1994”, in B. Coppieters, (ed.), *Contested Borders in the Caucasus*, op. cit., p. 153; P. Binette, La crise en Abkhazie, acteurs et dynamique, *Revue Etudes Internationales*, 1998, 24, 4, pp. 831-865; J. Birch, “Ossetia: A Caucasian Bosnia in microcosm”, *Central Asian Survey*, 1995, 14, 1, 1995, pp. 43-74; J. Birch, “Ossetia: land of uncertain frontiers and manipulative elites”, *Central Asian Survey*, 1999, 18, 4, pp. 501-534; G., Hewitt, “A question of identity and ownership”, *Central Asian Survey*, 1993, 12, 3, pp. 267-323; G. Hewitt, “Abkhazia, Georgia, and the Circassians”, *Central Asian Survey*, 1999, 18, 4, pp. 463-499. D. Lynch, “The conflict in Abkhazia, Dilemmas in Russia’s ‘peacekeeping policy’”, London, 1998, RIIA discussion paper #77, p. 60.

and, by the end of 1995, to consolidate all coercive powers under the interior, security and defence ministries (the “power ministries”). Shevardnadze established a broad-based political party, the Citizens’ Union of Georgia (CUG) in 1993, which facilitated his leadership (with the adoption of a new constitution) and his victory in the presidential and parliamentary elections of 5 November 1995, during which practically no space was left for the opposition.<sup>5</sup>

Although Shevardnadze brought a degree of much desired stability, he had little success in resolving the so-called “frozen conflicts” and restoring territorial integrity. Besides Abkhazia and South Ossetia, the southwestern province of Ajara is virtually self-governing, though it still participates in Georgian state institutions. Another area, which until recently was largely uncontrolled, is the Pankisi Valley – home to several thousand Chechen refugees.<sup>6</sup>

Endemic corruption and basic social problems progressively created massive discontent, and new parties began to compete with the CUG.<sup>7</sup> In the 1998 local government elections, when the issues had shifted from security to economics, the Labour Party did well in Tbilisi.<sup>8</sup> However, pro-presidential forces controlled both national and local election commissions, which made it relatively easy for them

to organise fraud.<sup>9</sup> In 1999, parliamentary election monitors observed massive fraud, organised on a regional basis, notwithstanding Georgia’s new membership in the Council of Europe. President Shevardnadze was re-elected in 2000 with more than 76 per cent of the votes and an official turnout of 76 per cent, though independent observers put both figures lower.<sup>10</sup> The 2002 local elections were limited to local councils and to the mayor’s office in some cities and did not include regional governors and local executives.<sup>11</sup> The opposition New Right and Industrialists parties, as well as the government, were reported to be engaged in bribery of voters in the regions.<sup>12</sup> Small opposition parties focused their efforts in the capital, however, where the proportional system worked in their favour, and Shevardnadze’s CUG received less than 2.5 per cent of the votes.<sup>13</sup>

## B. GEOPOLITICS

The Caucasus region in the post-Soviet era concentrates a number of entrenched geopolitical problems, which have been dealt with as regional security issues (armed conflicts, crime and terrorism), and has also become a focus of international energy politics.

It has experienced the most armed conflicts of any former Soviet region.<sup>14</sup> In the northern Caucasus, there have been wars between Ingushetia and North Ossetia (1992) and in Chechnya (1994-1996, and again since 1999). In the southern Caucasus, Georgia has been torn apart by the aforementioned “frozen conflicts” with the separatist regions of Abkhazia and South Ossetia, while Azerbaijan and Armenia remain in confrontation over Nagorno

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<sup>5</sup> The election campaign was mainly dominated by security and stability issues. L. Allison, “The Georgian Elections of November 1995”, *Electoral Studies*, 1996, 15, 2, pp. 275-280. On democratisation in Georgia, see: L. Allison, “Problems of Democratization in the Republic of Georgia”, *Democratization*, vol. 3, N°4, 1996, pp. 517-529. D. Slider, “Recent Elections in Georgia: At Long Last, Stability?”, *Democratization*, vol. 8, N°4, 2000, pp. 517-532.

<sup>6</sup> The Pankisi Valley is mostly populated by Georgian Kists, a Muslim group related to the Chechens. In 1999, after the second Chechnya war began, it saw an influx of several thousand Chechen refugees. As a result it has become very important in Georgian-Russian and Georgian-American relations. Both the U.S. and Russia have branded the Pankisi as a safe haven for terrorists – the former claiming Al-Qaeda connections, and the latter citing Chechens. In 2002, Shevardnadze accepted U.S. assistance in the Pankisi, while repeatedly denying Russia’s demands to conduct anti-terrorist activities.

<sup>7</sup> In May 2003, 54 per cent of the voters considered that the economic situation had worsened over the past year. IRI Georgian National Voter Study, May 2003, p. 34, pie chart 1.

<sup>8</sup> National Democratic Institute (NDI), “A Brief History of Elections in Georgia, 2003”.

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<sup>9</sup> Eurasianet, Overview of the October 31, 1999 Parliamentary Elections in Georgia. [www.eurasianet.org/departments/election/georgia/geoverview.html](http://www.eurasianet.org/departments/election/georgia/geoverview.html).

<sup>10</sup> NDI, “Brief History”, op. cit.

<sup>11</sup> Despite the obligations of the European Charter of Local Self-Government signed by Georgia on 29 May 2002 and the president’s promise that Gamgebelies (local executives) and city mayors would be directly elected, the parliament failed to make the necessary changes to the legislation after the president threatened to veto any amendments that would deprive him of the right to appoint Gamgebelies.

<sup>12</sup> ISFED report on local elections, 2002.

<sup>13</sup> Ibid. In Tbilisi, a 4 per cent threshold had to be crossed by parties to obtain seats in the city council.

<sup>14</sup> J. Radvanyi, « Jeux et drames frontaliers dans l’URSS de la perestroïka », *Revue géographique de l’Est*, vol.31, N°2, 1991, pp. 159-170.



Karabakh, occupied by the latter since 1992.<sup>15</sup> These “no war – no peace” situations have created new security problems, such as criminal activities that flourish in the absence of the rule of law, and threatened ethnic clashes in Georgian districts populated by minorities like the Armenians of Javakheti, the Azeris of Kvemo Kartli and the Kists and Chechens of the Pankisi Valley.

The broader Caspian area, including the Caucasus,<sup>16</sup> holds some of the largest unexploited oil and gas reserves in the world. Georgia is a key transit country on the Southern Caucasus corridor identified by Western companies and governments as their preferred route for bringing Caspian oil and gas from Azerbaijan to world markets without passing through Russia. This strategic choice meant that reliable political partners had to be found in both Azerbaijan and Georgia. The politics of energy thus developed virtually apart from efforts to resolve conflicts in the region.<sup>17</sup>

Indeed, two security agendas coexist in Georgia. If the West and Russia cannot link them, pipeline politics, with a minimal security investment in an “oil and gas police”, will probably prevail over sustainable development, democratisation and conflict resolution. Such a short-term approach would be highly damaging both for the region itself and for the external players, who one day would have to face the consequences of laissez-faire policies.

## 1. External Players

With Russia to its north, Turkey to the west and Iran close to the south, Georgia has always been at the intersection of spheres of influence. For many Russian politicians, it belongs to the periphery of the Soviet empire, whose legitimate heir is the Russian Federation, itself a country with Caucasus territory.

There are so many cross-border interests between Russia and Georgia that internationally recognised borders begin to lose their legal meaning. The introduction by Moscow in December 2000 of a visa regime for Georgia that exempted South Ossetia and Abkhazia indicated that Russia remained interested in integrating territory and populations, and that it effectively considered Georgia a domestic rather than a foreign affairs issue. At a personal level, many Russian policy-makers share a common past with Caucasus personalities.<sup>18</sup>

Strategically, Russia has sought to protect the Soviet Union’s old southern borders with Turkey and Iran, keeping military bases on Georgian and Armenian territory. Russian policies towards Georgia, which will be looked at more closely in subsequent ICG reporting on external aspects of Georgia’s security, have been ambiguous, contradictory, incoherent and unpredictable, implemented by competing actors inside the Federation, destabilising Georgia while establishing a collection of precarious armistices between the separatist regions and Tbilisi.<sup>19</sup> Instability has undermined any Western efforts at conflict resolution and political and economic development. In the wake of 11 September 2001, Russia accepted a small American military presence in Georgia, the Train and Equip Program, to assist the Georgian military as part of the international fight against terrorism.<sup>20</sup>

Since President Putin came to power, Russia has favoured an economic strategy aimed at regaining influence over the whole Caucasus region by massive investments in key sectors. The latest example was in August 2003 when it was announced that the main (U.S.-owned) electricity distributing company, AES Telasi, would be sold to the Russian RAO United Energy Systems. This provoked

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<sup>15</sup> B. Coppieters (ed.), *Contested Borders in the Caucasus*, op. cit.

<sup>16</sup> G. Chufrin, (ed.), *Security in the Caspian Sea Region* (Stockholm, 2001), p. 375. This book defines the Caspian region as the five littoral states (Azerbaijan, Iran, Kazakhstan, Russia and Turkmenistan) and their immediate neighbours in the South Caucasus (Armenia and Georgia) and Central Asia (Kyrgyzstan, Tajikistan and Uzbekistan).

<sup>17</sup> A minor exception has been the EU TRACECA program, which tried to use the transportation issue as a diplomatic tool to improve Azerbaijan-Armenia relations. D. Helly, «Un corridor de transport Asie-Europe: Traceca, l’Union européenne et sa Route de la Soie», *Courrier des pays de l’Est*, 2001, N°1019, pp. 52-64.

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<sup>18</sup> The de facto President of Abkhazia, Vladislav Ardzinba, studied in the Moscow State Institute of Oriental Studies headed by Evgeni Primakov, the later Russian foreign minister, who grew up in Tbilisi, speaks Georgian and has never had particularly good relations with Eduard Shevardnadze. Another former Russian Foreign Minister, Andrei Kozyrev, was reportedly a protégé of Shevardnadze.

<sup>19</sup> D. Lynch, “Separatist states and post-Soviet conflicts”, *International Affairs*, London, 2002, vol. 78, N°4, pp. 831-848; P. Baev, “Russia’s Policies in the Caucasus”, RIIA paper, Former Soviet South Project, London, RIIA, 1997, p. 62.

<sup>20</sup> G. Nodia, Hearing: “The Republic of Georgia: Democracy, Human Rights and Security”, Commission on Security and Cooperation in Europe, Washington, 24 September 2002. [www.csce.gov](http://www.csce.gov).

vigorous reactions from the public, the media and some political parties, who described it as an indication of the end of Georgian independence. Moreover, it contradicted government rhetoric about a Western-oriented foreign policy.<sup>21</sup>

Turkey regards Georgia and the Caucasus as immediate neighbours, markets to dominate and former historical areas of occupation. These interests led Turkey to launch the Black Sea Economic Cooperation (BSEC) as a forum for regional co-operation.<sup>22</sup> A significant Abkhazian diaspora in Turkey makes Ankara a key factor in resolving that conflict. Since 1992, however, it has had to revise its initial ambitions and allow the U.S. to become the main Western player in Georgia.

Even before September 2001, the U.S. considered Georgia a priority but dealt with it in a broader perspective of stabilisation, support to the Newly Independent States (NIS) of the former Soviet Union and diversification of energy resources. Nonetheless, Georgia was one of the biggest beneficiaries of U.S. aid during the 1990s.<sup>23</sup> The U.S. is active in the Abkhazia peace process, and Georgia has often been on the agenda of high-level bilateral talks with Russia. In the aftermath of 11 September, Georgia was suddenly perceived as a potential haven for terrorists that necessitated special treatment.<sup>24</sup>

Many analysts see a Moscow-Washington competition in Georgia that is one of the few remnants of the Cold War. Russia is still deeply distrustful of the U.S. energy and military strategy in the region; the U.S. has occasionally made provocative gestures, like the flight in July 2003 from Tbilisi of an AWACS plane above the

Caucasus mountains. The U.S. insists, however, that both countries share a stake in Georgian stability. This is the rationale advanced for Washington's vigorous support for a democratic political transition.

The EU is the second largest Western donor. It has focused on humanitarian aid, transportation infrastructure, state reforms, food security, and conflict prevention. It has developed joint actions with the OSCE in South Ossetia and taken an active part in that organisation's mission of monitoring movements between Georgia and the northern Caucasus (Russian) republics of Chechnya, Ingushetia and Dagestan. Nevertheless, because of the sometimes contradictory interests, or lack of interest, among its member states, and despite the nomination of a special envoy for the South Caucasus, Finnish diplomat Heiki Talvitie, the EU has not been able to establish a common regional strategy.<sup>25</sup>

## 2. Why Georgia Matters

As a U.S. scholar has written: "the South Caucasus is a strategically important transit point from Europe and is at the heart of America's evolving 'Greater Middle East' vision, which considers weak or failing states as serious security risks that can easily become terrorist breeding grounds".<sup>26</sup> There are a number of reasons why the region's relative stability since 1994 is unlikely to last.

First, the so-called "frozen conflicts" are by no means completely frozen. Violent incidents occur on a regular basis between Armenian and Azerbaijani forces, and between Abkhazian and Georgian paramilitaries. No satisfactory constitutional and territorial solutions to the conflicts have been found in any of the three countries of the South Caucasus.

Secondly, the local alliances benefiting from "no war – no peace" situations are unstable, short-term and, therefore, highly unpredictable. Any longer-term strategy towards the region is built on sand while the frozen conflicts persist.

Thirdly, the ethnic composition of the region means that international borders are not barriers to the export of instability. Any new conflict or internal disorder

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<sup>21</sup> The substance of the deal remains unclear, however. There was press speculation about possible Georgian shares in the company (via Georgian business circles in Russia allegedly close to the Shevardnadze family). *Kronika*, 18-25 August 2003, p. 1. Some opposition parties were even accused in the press of being part of it, suggesting a blurring of the distinction between authorities and opposition. Another version was that AES negotiated the transaction with RAOUES in return for business opportunities in Russia. ICG interview with a Western diplomat, Baku, October 2003.

<sup>22</sup> See BSEC website, <http://www.bsec.gov.tr/>.

<sup>23</sup> "U.S. Aid Cut: a Political Blow to the Government", *Civil Georgia*, 1 October 2003. According to the U.S. embassy in Tbilisi, Georgia has received up to U.S.\$700 million in assistance since 1992, plus U.S.\$376 million in USAID assistance since 1996.

<sup>24</sup> "Georgia 'Train and Equip Program' Begins", U.S. Department of Defence press release, 29 April 2002.

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<sup>25</sup> D. Helly, "What role for the EU in South Caucasus security after September 11?", *Connections*, June 2002.

<sup>26</sup> Z. Baran, "Why the U.S. Needs to Pay Attention to the South Caucasus", *The National Interest*, 24 September 2003.

in Georgia would unavoidably have a serious impact in the wider neighbourhood of Armenia, Azerbaijan, Turkey and the northern Caucasus.

Fourthly, the economic and social situations in all three countries of the southern Caucasus are terrible. Their populations have considerably decreased since independence because of massive emigration of young and educated citizens to Russia and the West. In a few years, when enlargement to Romania and Bulgaria – and eventually possibly Turkey as well – extends the EU's borders to the western Black Sea coast and therefore to the Caucasus, the region's multi-dimensional problems can be expected to impact on Europe with increasing urgency.

### III. WHAT LED TO THE REVOLUTION

The battle lines drawn for the 2003 legislative election were clear-cut. The law required that a party secure 7 per cent of the vote in order to enter the parliament. On one side, pro-government forces led by President Shevardnadze's CUG were trying to keep power; on the other, the emerging opposition sought to challenge the ruling elite. Since Shevardnadze was expected to retire in 2005, the stakes included control of levers of power and influence that would be significant for the presidential race in that year.<sup>27</sup> On 23 September, the Central Election Commission (CEC) registered nine election blocs and over a dozen parties. Most opinion polls published that month showed opposition parties ahead.<sup>28</sup>

Several forces had opposed the Shevardnadze regime for a number of years. The Zviadists were fragmented and weak but shared a common nostalgia for the Gamsakhurdia period. Some had continued a small-scale armed struggle against Shevardnadze in the 1990s and been vigorously repressed. The Zviadists were nearly absent from the 2003 election campaign, though a bloc led by Guram Absandze,<sup>29</sup> comprising his "Union of Restoring National Consent and Justice" and a small monarchist party, was registered.<sup>30</sup> Zviad Gamsakhurdia's son, in contrast, expressed support for the pro-presidential bloc.

More recent opponents included those who became leaders of the November revolution - Nino Burjanadze, Zurab Zhvania and Mikheil Saakashvili - the latter a former CUG member who had been minister of justice in 2000-2001 (but resigned to fight a parliamentary by-election), as well as chairperson of the parliamentary legal

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<sup>27</sup> Presidential elections were last held in April 2000.

<sup>28</sup> Rustavi 2/Institute for Polling and Marketing, Survey, 8-12 September, 1300 respondents.

<sup>29</sup> Guram Absandze was Zviad Gamsakhurdia's finance minister. He was arrested in Russia, extradited to Georgia in late 1998, charged with involvement in the attempted assassination of President Shevardnadze on 9 February 1998 and jailed. His case was followed by Amnesty International and the European Court of Human Rights. After he mysteriously escaped from prison in 2000, he was pardoned by President Shevardnadze in April 2002. A citizens' initiative group officially proposed him as a parliamentary candidate in 1999 and a presidential candidate in January 2000.

<sup>30</sup> ISFED, "Election Update", 2 October 2003.

committee (1995-1998) and of the CUG Parliamentary Faction (1998-1999).

As minister, Saakashvili was much favoured by the West for his anti-corruption efforts; he tried to promote a bill on illegal property confiscation, which the president strongly opposed. His National Movement (NM) coalition included the Republican Party of David Berdzenishvili, and the Union of National Forces headed by Zviad Dzidziguri. The National Movement made its debut in the 2002 local elections when it got the second highest results in Tbilisi, and Saakashvili was elected to chair the city council. The National Movement fought the 2003 election under the slogan "Georgia without Shevardnadze"<sup>31</sup>. Its spectacular campaign in Ajara, Kvemo Kartli and Samegrelo appeared to be very effective, despite the fact that supporters provoked violent incidents with the police and local authorities in the regions Saakashvili visited, and there were mutterings that he had used city council funds for the campaign. Both Fair Elections, the Georgian NGO coalition which monitored the November 2003 vote, and the U.S.-based Global Strategy Group, which conducted an exit poll, concluded that the National Movement was the most popular single party. Fair Elections estimated its share of the vote at 26 per cent, Global Strategy at 20 per cent.

Nino Burjanadze,<sup>32</sup> speaker of the parliament, emerged in August 2003 as head of an opposition electoral alliance named the "Burjanadze-Democrats". She had gained tremendous popular support for her fair behaviour in the legislature and her anti-Shevardnadze positions on electoral issues as well as the energy deal, which she described as betrayal.<sup>33</sup> Burjanadze, as an individual, led in most national opinion polls though her new alliance's popularity was less clear-cut.<sup>34</sup> Her electoral partners

were the United Democrats party (UDP), headed by former Speaker of Parliament Zurab Zhvania,<sup>35</sup> which had emerged from internal divisions in the CUG. During the 2002 campaign, Zhvania had attempted to lead the CUG out of the presidential bloc.<sup>36</sup> The struggle, eventually resolved in court, was won by the pro-Shevardnadze wing, led by Levan Mamaladze, and Zhvania then had to build his own political force from scratch. The UDP focused on social and economic issues, advocating a significant increase of the minimum wage, and also called for a Western-oriented foreign policy. Fair Elections and Global Strategy each placed the Burjanadze-Democrats alliance in fourth place, with 10 per cent and 8 per cent of the vote, respectively.

Four further parties are represented in the old parliament and so will play a significant role in the transition. The Labour Party, founded in 1995, lacks a coherent structure and depends almost entirely upon its charismatic leader, Shalva Natelashvili.<sup>37</sup> Nevertheless, its socialist ideas – free healthcare, education and social services – have made it popular among the large population of poor Georgians and allowed it to absorb most of what remained of the communist electorate.<sup>38</sup> It won the 2002 city council

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September 2003, p. 3, *Civil Georgia*, 20 September 2003 (<http://www.civil.ge>), *Akhali Versia*, 22-28 September 2003, p. 3.

<sup>35</sup> Zhvania was speaker of the parliament from 1995 until November 2001, when he stepped down in support of the independent TV station Rustavi 2. A graduate of the Tbilisi State University Biology Department, he became involved with the Green movement in 1988 and has served in parliament since 1992. He was CUG General Secretary from 1993 to 1997 and one of the leaders of that party until 2001 when he broke with Shevardnadze and formed the UDP. Zhvania is a godfather of the former Kvemo Kartli governor Levan Mamaladze, still a leader of CUG.

<sup>36</sup> The main leaders of the alliance are mostly former ministers or speakers and deputy speakers of the parliament.

<sup>37</sup> J. Devdariani, "Reformists vie to establish power base in Georgian Local Elections", *Eurasianet.org.*, 29 May 2002. Shalva Natelashvili was a member of parliament in 1991-1992, 1992-1995, and 1995-1999. He is an author of the current constitution. A lawyer by education, he completed post-graduated studies at the USSR Ministry of Foreign Affairs Diplomatic Academy in 1989. He was a member of the CUG and a head of the Parliamentary Legal committee in 1992-1995. He headed a Labour faction in the parliament elected in 1995.

<sup>38</sup> ICG interview, September 2003. In a telephone poll conducted by "MGM" in various regions, and published by *Alia* on 18 September 2003, the Labour party led in most regions. However, its advantage was not as clear-cut in the

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<sup>31</sup> ICG interview, September 2003.

<sup>32</sup> Nino Burjanadze was born in Kutaisi. Her father, Anzor Burjanadze, a well known Soviet apparatchik in the bread sector, is said to be close friend of President Shevardnadze. She was a member of the parliaments elected in 1995 and 1999 and became speaker in November 2001. In 2000-2001 she was the chairperson of the Foreign Relations Parliamentary Committee. Since 2000 she has been vice president of the OSCE Parliamentary Assembly.

<sup>33</sup> On 6 August 2003, she declared: "I am absolutely sure that the people do not want electricity at the price of independence", Johnson's Russia List, <http://www.cdi.org>.

<sup>34</sup> See opinion polls (based on small samples in various regions) published in *Alia*, 30 October 2003, p. 4., *Rezonansi*, 22 August 2003, p. 1, *Alia*, 24-25 July 2003, p. 1, *Alia*, 18-19

election in Tbilisi, but surprisingly yielded the chairmanship to Saakashvili.<sup>39</sup> The party's funding is unclear, but some link it to its key member, former communication minister Pridon Injia.<sup>40</sup> It appeared to finish third in the 2003 poll, Fair Elections giving it 17 per cent and Global Strategy 14 per cent.

The Democratic Revival Union was founded in Ajara in 1992 by the head of the Ajarian Supreme Council, Aslan Abashidze, but has expanded across the country. Activists insist that it has never been a purely Ajarian party.<sup>41</sup> Revival obtained four parliamentary seats in parliament in 1992, 32 in 1995 and 58 in 1999.<sup>42</sup> It presented itself as an opponent of the Shevardnadze regime and in western Georgia and Kvemo Kartli gained the adherence of a number of Zviadist activists, who considered Abashidze the best heir of Gamsakhurdia. Revival's message was based upon Abashidze's reputed economic successes in the autonomous republic.<sup>43</sup> It was difficult to say, however, whether Revival was a genuine opposition party since the Ajarian leadership had never failed to find some compromise with Tbilisi's authorities and, in the past, with pro-Russian forces like the Socialist Party (which was part of the pro-presidential alliance in 2003). Indeed, it was the announcement of the official election returns from Ajara which triggered the protests that eventually brought Shevardnadze down; while Fair Elections reckoned that Revival had 8 per cent, and Global Strategy that it barely topped the 7 per cent threshold, the official returns gave it roughly three times that level of support, trailing only the inflated figures for the CUG itself.

The New Rights party (NRP) was founded in early 2001 by former CUG members, led by David

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same poll conducted in late October and published on 30 October 2003.

<sup>39</sup> Saakashvili and Natelashvili, as well as their party activists, have often attempted to discredit the other by charging secret cooperation with Shevardnadze.

<sup>40</sup> Injia was alleged to have earned his wealth during his time as minister and to have abused his position in order to create a network of powerful companies that controlled most of the communications business in Georgia. <http://www.freedomhouse.org>. A criminal case was initiated against him but the prosecutor failed to persuade the parliament to lift his impunity.

<sup>41</sup> ICG interviews, July and August 2003.

<sup>42</sup> OSCE/ODIHR, "Georgia Parliamentary Elections 31 October & 14 November 1999, Final Report", Warsaw, 7 February 2000. The ODIHR is the OSCE's Office for Democratic Institutions and Human Rights.

<sup>43</sup> ICG interviews, July and August 2003.

Gamkrelidze,<sup>44</sup> who had left the ruling party and created a new parliamentary faction in 2000. It is dependent upon the resources of prominent businessmen like Levan Gachechiladze, the chairman of the Georgian Wine and Spirit Company (GWS). It has thirteen members in the old parliament, all but one defectors from CUG.<sup>45</sup> The party came perilously close to extinction in 2003, with the Fair Elections tabulation and the officially declared results alike putting it just over the 7 per cent threshold, while Global Strategy estimated it at just under.

The "Industry Will Save Georgia" (Industrialists) Party, was led by a beer magnate, Gogi Topadze, and supported by other well-known entrepreneurs, like the parliamentarian Levan Pirveli, who has interests in the energy sector.<sup>46</sup> Founded in 1998 by businessmen who had benefited from presidential favour, the party entered parliament in 1999 with fifteen seats. On foreign policy, its pro-Russian orientation put it close to Revival and to some members of the pro-government coalition. Fair Elections and the Global Strategy Group scored its 2003 vote at 5 per cent and 3 per cent, respectively.

## A. ELECTIONS – FREE AND FAIR?

The widespread fraud during the 2002 local elections<sup>47</sup> had demonstrated the urgent necessity for a new election code and a Central Election Commission that would reflect the changing political landscape.

The international community created in late 2002 an Ambassadorial Working Group (AWG) and a Technical Working Group (TWG), whose goals were to assist in the holding of free and fair elections in 2003.<sup>48</sup> Negotiations among Georgian politicians

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<sup>44</sup> Former Chairman of the Healthcare and Social Services Committee in the parliament and former member of the Tbilisi city council, David Gamkrelidze owns the largest insurance company in Georgia, "Aldagi", a quasi monopoly.

<sup>45</sup> See the New Rights' website, <http://axlebi.com/>.

<sup>46</sup> See articles at <http://www.dossier.ge>.

<sup>47</sup> "Local Elections in Georgia a Disappointment, says Council of Europe's Congress", 3 June 2002. <http://press.coe.int>. There was massive fraud at every stage in 2002, from the voters list registration to the final counting, and from local to national level.

<sup>48</sup> Diplomats, civil society activists and political experts from the U.S., UK, France, Germany, Turkey, the Netherlands, Italy, Greece, Israel, the Czech Republic, Romania, and also the UNDP, the OSCE, the Council of Europe and the EU

over the new election code and composition of the CEC, however, went nowhere. Parliamentary sessions were held up by frequent boycotts and lack of quorums. On 3 June 2003, rallies were organised by the main opposition parties in front of the parliament in Tbilisi and in other cities, demanding immediate and swift reform of the CEC. Opposition leaders were joined by Speaker Burjanadze, who attempted to find a consensus among all political forces.

The turning point was former U.S. Secretary of State James Baker's visit in early July. Baker, an old friend of Shevardnadze, published guidelines for free and fair elections, together with ten recommendations. According to these, commissions at all levels, including the CEC, should have fifteen members: five from the pro-presidential camp, nine from the opposition, and a chairperson appointed by the OSCE. Despite preliminary agreement during Baker's visit, it was not until 5 August that the parliament was able to agree on the following allocation of the opposition seats: three for the Revival Union, two for the Industrialists, and one each for Labour, the United Democrats, the National Movement, and New Rights. The opposition factions protested that the decision violated the parity principle and could lead to an alliance between the government and the Revival and Industrialist parties that might control two thirds of the seats.<sup>49</sup>

The next big issue was the CEC chairmanship. The OSCE wanted to avoid full responsibility for managing the election, as it had in Bosnia and Kosovo, in order to demonstrate local ownership of the process. Diplomats emphasised that Georgia, unlike the Balkan entities, was not in a post-conflict situation. Russia, cautioned its fellow OSCE member states against interference in Georgian internal affairs. Consequently, there was readiness to trust the authorities' commitment to organise elections that would be less fraudulent than in 1999.<sup>50</sup>

Nevertheless, the OSCE and Council of Europe had to choose broadly acceptable candidates for the

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have since been meeting on a regular basis in order to urge the Georgian authorities and the parliament to improve the electoral process swiftly.

<sup>49</sup> Civil Georgia, "Rule on CEC Composition Causes Controversy", posted on 5 August 2003.

<sup>50</sup> As a Western diplomat declared: "The main benchmark for us is that elections are better organised than the previous ones", ICG interview, September 2003.

chairmanship from a pool of 26 aspirants. On 31 August, after intensive consultations with Shevardnadze, political parties, and civil society, the international organisations submitted three names to Shevardnadze: Davit Usupashvili, a lawyer; Vakhtang Khmaladze, an MP and one of the authors of the new election code; and Nana Devdariani, the ombudsperson. On 1 September Shevardnadze appointed Devdariani.<sup>51</sup> Some opposition leaders, including Burjanadze, were dissatisfied because of her old associations with the Socialist Party, a part of the pro-presidential alliance.<sup>52</sup>

While the year of endeavour had produced some formal progress at least on the election code and the CEC, it was clear that massive fraud was still possible.

## B. ELECTION DAY AND AFTER

The campaign and the 2 November elections themselves were chaotic. There were manifold procedural irregularities; voter lists were in a complete mess, and further complications were caused by frequently changing, unclear, and often contradictory instructions from the CEC. Numerous raids on polling stations, procedural violations, and instances of violence against elections monitors were reported throughout the country. The OSCE observation mission's preliminary conclusions stated that: "The 2 November parliamentary elections in Georgia fell short of a number of OSCE commitments and other international standards for democratic elections".<sup>53</sup>

Despite the efforts by donor organisations to ensure development of accurate voter lists, the problem was overwhelming.<sup>54</sup> Baker had urged the Georgian

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<sup>51</sup> Nana Devdariani, a journalist by profession, was a leader of the Socialist Party in 1999-2000 before being elected ombudsperson.

<sup>52</sup> Civil Georgia, "Public Defender Becomes CEC Chairperson", posted on 1 September 2003.

<sup>53</sup> "Statement of Preliminary Findings and Conclusions", OSCE/ODIHR, OSCE PA, Council of Europe PA, European Parliament, Tbilisi, 3 November 2003.

<sup>54</sup> On 26 February 2003 President Shevardnadze issued a decree, "On Improvement of [the] Electoral System of Georgia and Measures to Ensure the Fair Conduct of the 2003 Parliamentary Elections", which instructed the ministry of interior to compile voter data throughout the country. The International Foundation for Election Systems (IFES) assisted the CEC in computerising the voter lists. Almost 600 personnel worked on the process of entering data into 100 computers.

authorities to publish exact voter lists before 1 September, at polling stations as well as via the Internet. The lists were initially publicised only in early October and were generally criticised as inaccurate and open to manipulation and fraud.<sup>55</sup> Despite this, joint efforts were made by opposition parties to improve the lists and have their constituencies as fully represented as possible.<sup>56</sup> However, a week before the elections, it was clear that it would have been impossible to make all the amendments to the computerised data, and the CEC almost unanimously opted for the old method of handwritten lists, not published in advance.

Not surprisingly, inaccurate voter lists appeared to be the biggest problem on election day, disenfranchising many voters.<sup>57</sup> The only exception was Ajara, where there has been a marked increase of registered voters since 1990, with over 90 per cent voting for Abashidze's Revival Party.<sup>58</sup> Television news reported that tens of thousands failed to find themselves in the voter lists, including many who had been on the preliminary computerised lists. Some of their dead relatives and acquaintances were there, however. Contradictory CEC instructions – the regulation on lists alone was changed twice – further complicated the situation.

Voting was also marred by numerous irregularities and serious violations. Locally organised election observers, including the International Society for Fair Elections and Democracy (ISFED) and the Georgian Young Lawyers Association (GYLA), reported numerous violations throughout the country, with particularly bad situations in Kvemo Kartli and Ajara. ISFED observers were expelled from polling stations in several regions and were physically assaulted in Tkibuli (Imereti region). Police detained two of their observers in Ajara, one of whom was ordered into three months pre-trial detention by a local court and as of this writing remains in custody. A major irregularity reported by media and observed

by ISFED and GYLA, was multiple voting by security forces,<sup>59</sup> who also made shows of strength, supposedly to “prevent destabilisation”. The ministry of interior deployed rapid reaction units of the riot police in Rustavi, Mtskheta, and Zugdidi, while the minister of state security announced a large find near Mtskheta of weapons supposedly to have been used for armed attacks during the elections and a possible coup.

The OSCE mission summarised that the multiple irregularities “contributed to a climate of uncertainty and mistrust, and raise[s] questions about the willingness and capacity of the Georgian governmental and parliamentary authorities to conduct a credible election process”.<sup>60</sup> Delays continued even after the vote. The four-day deadline for announcement of the preliminary results was not observed and gave rise to rumours about back-door negotiations between political forces. This stoked discontent among the National Movement and the Burjanadze-Democrats who, on the basis of ISFED's parallel vote tabulation,<sup>61</sup> accused the authorities of massive fraud. Opposition leaders addressed a demonstration of 10,000 people on the evening of 4 November from a balcony of the city hall. Zurab Zhvania announced creation of the “United Opposition Front”, comprising the National Movement, Burjanadze-Democrats, and the “Ertoba” (Unity) parties. Saakashvili's rhetoric was the most aggressive, threatening mass rallies nationwide unless the opposition's victory was recognised. The other allegedly opposition parties remained silent.<sup>62</sup>

The arrival of the votes from Ajara on 6 November finally defined the results. Revival led the tally at

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<sup>55</sup> Opposition parties claimed that as many as 600,000 dead people remained on the lists, while 30 per cent of eligible voters had been excluded. See [www.civil.ge](http://www.civil.ge), “Mess in Voter Lists”, posted on 10 October 2003.

<sup>56</sup> ICG interview with Vasil Maglaperidze, candidate in Saburtalo District of Tbilisi, October 2003.

<sup>57</sup> “2003 Georgian Parliamentary Elections”, Statement by LINKS, 3 November 2003.

<sup>58</sup> For problems with election procedures in Ajara, see below. The authorities in Ajara compiled voter lists for the Autonomous Republic but did not provide the CEC with their data and ignored all legal deadlines.

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<sup>59</sup> These forces were put on high alert prior to the elections, and though CEC prohibited them to vote for candidates in districts other than their own, this decision was overruled at the last minute by the Tbilisi District Court, allowing several hundred military officers and law enforcement personnel to be added to the supplementary lists. Observers and media reported that police and military voted several times in different precincts.

<sup>60</sup> “Statement of Preliminary Findings and Conclusions”, OSCE/ODIHR, OSCE PA, Council of Europe PA, European Parliament, Tbilisi, 3 November 2003.

<sup>61</sup> According to ISFED's parallel vote tally, NM obtained 26.2 per cent, FNG 18.9 per cent, Labour 17.3 per cent, Burjanadze-Democrats 10.15 per cent, Revival 8.1 per cent, New Rights 7.9 per cent and Industrialists 5.2 per cent. Fair Elections preliminary statement on Parliamentary Elections of 2 November 2003.

<sup>62</sup> “Protesters gather for Georgia rally”, BBC News, 5 November 2003.

various stages before ending in second place, with Saakashvili's National Movement third. This triggered an around-the-clock demonstration in front of the parliament organised by the National Movement and Burjanadze-Democrats. Their demands appeared to differ, the former calling for the authorities to recognise the opposition victory, the latter asking for new elections. The Burjanadze-Democrats also announced that they would boycott the new parliament.

After a failed attempt to negotiate a deal with the opposition leaders and faced with thousands demonstrating in Tbilisi, Shevardnadze left for Batumi, the capital of the Ajara Autonomous Republic, to close ranks with Abashidze against their common enemy, Saakashvili. Abashidze then went to Armenia as Shevardnadze's envoy to meet the Russian minister of defence and on to Baku and Moscow explicitly to secure support for the president. The Shevardnadze-Abashidze alliance was also visible in Tbilisi. As soon as the opposition announced a weekend break in its protest in order to organise "disobedience committees" throughout the country, the street in front of the parliament was occupied by pro-government forces from Revival, the Industrialists, and the pro-presidential "For a New Georgia" coalition. They sought to stay until the parliament convened, depriving the opposition of the venue for rallies but increasing the likelihood of confrontation.

Two weeks after the initial opposition rallies, a compromise seemed less and less likely. President Shevardnadze ignored opposition demands and summoned the first session of parliament to meet two days after final results<sup>63</sup> were announced on 20 November. Saakashvili collected his supporters throughout the country, directing them to the capital Tbilisi. On 22 November tens of thousands gathered in Freedom Square in front of the Tbilisi municipality with only one demand: Shevardnadze's resignation. Opposition leaders and the president alike agreed that the decisive question was whether the new parliament could be convened.

The session was to start at 4 p.m. with a Shevardnadze address. Freedom Square was packed

with peaceful protesters, who managed to move to the front of the state chancellery unhindered by the police. A quorum for the new parliament had gathered by 5 p.m., and Shevardnadze opened the session but failed to finish his speech, as Saakashvili and his supporters dramatically burst into the chamber. The president was escorted away by his bodyguards, and the session was aborted.

Immediately after storming the parliament, protesters seized the state chancellery. Shevardnadze did not give up easily and declared a national state of emergency. The opposition leaders called for more people to come and defend their victory, and Burjanadze, as speaker of the outgoing parliament, declared that Shevardnadze had effectively left office, and she had become the acting head of state. The rally remained peaceful, and the announcement of the state of emergency, intended to intimidate, had the opposite effect. The ministers of defence and interior praised Shevardnadze for not using force. It was clear that it would be impossible to enforce the state of emergency as more and more units of those ministries joined the protestors.

The U.S. ambassador, who visited the state chancellery several times a day throughout the growing crisis, and the Russian leadership, which had been similarly engaged (Presidents Putin and Shevardnadze spoke almost daily on the telephone), increased their efforts to further a peaceful resolution. Most dramatically, Igor Ivanov, the Russian minister of foreign affairs, flew in that night to perform a reconnaissance of the new political landscape (Russia did not know the three main opposition leaders well) and mediate. The next day, 23 November, he met several times with the president and opposition leaders, finally personally bringing Saakashvili and Zhvania to the session with Shevardnadze that resulted in the president's resignation. A close observer concluded:

It was not that the foreign powers consciously undermined Shevardnadze, but simply nobody stood up to his defence, thinking his departure would simplify rather than complicate the situation in the long run. Russia's ambiguity towards Eduard Shevardnadze has helped the opposition to force the embattled president out of office.<sup>64</sup>

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<sup>63</sup> The final results as published gave the presidential bloc, "For a New Georgia", 38 of the 150 proportionally allocated seats; Revival 33; Saakashvili's National Movement 32; Labour twenty; the Burjanadze-Democrats fifteen; and New Rights twelve.

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<sup>64</sup> J. Devdariani, "Russia's guarded watchfulness", Civil Georgia, 29 November 2003.



## IV. ENSURING STATE CONTINUITY

### A. STABILITY IN THE TRANSITION PERIOD

Shevardnadze's regime operated at three levels: a formal legal system, including state structures that performed according to a constitution that concentrated power in the executive; a hidden level that mixed personal relationships and feudal allegiances; and a third level, less visible yet and closely linked to organised crime. The key actors were those toward whom all chains of authority or income-generating activity led. Until his resignation, these were Shevardnadze himself, the major ministers (state minister, interior, foreign affairs, defence and national security), the national security council, the prosecutor's office and pro-Shevardnadze parliamentarians. These people or institutions were the pillars of the system. The fact that the president was isolated from decision-making raised serious doubts about some ministers' loyalty in the last days. Even if they wished to advise him, they could not because he was isolated by relatives and traditional allies.<sup>65</sup>

Some of these persons have announced intentions to stay and facilitate a peaceful transition. These include the secretary of the national security council, Tedo Japaridze, who was appointed interim foreign minister on 29 November<sup>66</sup> and the chief of staff of the state chancellery, Petre Mamradze. All are considered to have been loyal to Shevardnadze and favourable to a balanced policy towards the U.S. and Russia. The minister of interior, a key power behind the regime and accused of masterminding the election fraud, had hoped to stay, but resigned under pressure from the interim president.<sup>67</sup>

In a matter of days, control of the security forces has shifted to deputy ministers, with the exception of Defence Minister Tevzadze, who kept his post.

Since an interim president cannot appoint new ministers directly, nominations reflecting the new circumstances were approved by parliament on 27 November. Zhvania became state minister, and Gia Baramidze, a UDP leader, became minister of interior. Structures like the ministry of justice forces, part of the state protection guard (responsible for presidential security), the elite Gulua army battalion, and the Zugdidi and Shavnabada army battalions, had already declared support of the opposition hours before it came to power. Some diplomats, like the ambassador to the Council of Europe, had urged Shevardnadze to resign.<sup>68</sup>

Some officials immediately stepped down either because they were dependent on Shevardnadze or they did not wish to work with the new leaders. Most had no choice but to quit under pressure. State Minister Jorbenadze, his deputy Giorgi Isakadze, and Imereti Governor Shashiashvili fell into this category.

Time will tell whether the resignations will be followed by dissolution of the criminal networks usually connected to law enforcement agencies<sup>69</sup> but major changes in the bureaucracy must be avoided at least until new elections since immediate change inside those agencies could put stability at risk during the transition period.

### B. THE PRO-SHEVARDNADZE BLOC

From early 2002, the ruling elite had faced growing challenges from the new opposition forces that emerged out of divisions inside President Shevardnadze's ruling Citizens Union of Georgia (CUG) party.<sup>70</sup>

The government had been something of a family affair: 36 per cent of officials in 1997 (and 41 per cent in 1999) were from Shevardnadze's native Guria region although it has only 3 per cent of the

<sup>65</sup> Several presidential advisers described this isolation to the press after Shevardnadze's resignation.

<sup>66</sup> Tedo Japaridze, born in 1946, graduated from Tbilisi State University's Department of Western European Languages and Literature. Between 1972 and 1989 he worked in the Foreign Ministry of the Soviet republic of Georgia. From 1992 to 1994 he served as an adviser to the President of Georgia. From 1999 until 2002 he was Georgia's ambassador to the U.S., Canada and Mexico. He became secretary of the national security council in 2002.

<sup>67</sup> *Caucasus Press*, 24 November 2003.

<sup>68</sup> *Ibid.*, 23 November 2003.

<sup>69</sup> Some kidnappings (usually rapidly solved) in the Inguri region have been attributed to the law enforcement agencies themselves. Since May 2003, about 150 prisoners have mysteriously escaped from jails in Rustavi and Tbilisi. Only a few were recaptured.

<sup>70</sup> The Citizens Union of Georgia (CUG) was founded in 1993. It claims credit for stability in the country and its integration into international organisations.

population.<sup>71</sup> The pro-presidential parties represented the interests of various state structures, centred on the president and his family. There were two basic categories of supporters: an older group, the former communist nomenklatura and their relatives, and a younger group, who obtained positions in exchange for loyalty to the old guard. Since 2001, the ruling party had been losing young members to the opposition. Those who remained were competing to succeed Shevardnadze inside the CUG.<sup>72</sup>

Shevardnadze's electoral bloc, For a New Georgia (FNG), was led by a former state minister, Vazha Lortkipanidze, and supported by the media tycoon Badri Patarkatsishvili.<sup>73</sup> Apart from the CUG itself, several small political parties entered the pro-presidential alliance in order to cross the 7 per cent threshold for parliament.<sup>74</sup> All these now face serious danger given their involvement in the corruption system. Nevertheless, they acquired so much political and economic power thanks to privatisations, abuse of state power and the profits of various business or smuggling activities that it seems unlikely they will

suddenly disappear. However, they will not be able to mobilise their administrative resources in local bodies, police, security forces, and education in the regions now that the "great government distribution" machine has been decapitated.<sup>75</sup> Opposition leaders will be eager to take over their positions of power, but this needs to be done legally. Spontaneous occupation of official positions should be prevented.

## C. TERRITORIAL INTEGRITY

### 1. The Ajarian Factor

The situation in the autonomous republic of Ajara is somewhat paradoxical. There has been no progress in political transparency since Aslan Abashidze<sup>76</sup> took power at the beginning of the 1990s but he does enjoy some popular legitimacy<sup>77</sup> thanks to his apparent dedication to the development of the region's economy.

Two families, the Abashidzes and the Gogitidzes, monopolise power in Ajara: In 2000, according to Georgian political scientists, eight of fourteen officials of the executive, 43 of 80 members of the legislature and two of eight office holders in the upper level of local government were close relatives of President Abashidze.<sup>78</sup> Relations between Ajara

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<sup>71</sup> K. Kikabidze and D. Losaberidze, "Institutionalism and Clientelism in Georgia", UNDP Discussion Paper, Tbilisi, 2000.

<sup>72</sup> Various groups exist within the CUG around leaders, the most prominent of whom are: State Minister Avtandil Jorbenadze; the former governor of the Kvemo Kartli region, Levam Mamaladze; and the mayor of Tbilisi, Ivane Zodelava.

<sup>73</sup> Badri Patarkatsishvili is the former right hand man of Russian oligarch Boris Berezovski and is under indictment in Russia. He announced his support for the New Rights Party and the United Democrats in April 2003 but then allied with Shevardnadze.

<sup>74</sup> The National Democratic Party (NDP) headed by Irina Sarishvili-Chanturia, the Socialist Party, whose leader Vakhtang Rcheulishvili was a deputy speaker of the parliament, the Green Party and the Christian Democratic party (led by Vazha Lordkipanidze), were active members of the bloc. Ghia Chanturia, the former ambassador in Azerbaijan and Chairman of the Georgian International Oil Corporation, and Akaki Chkhaidze, head of the Railways administration (who created his Silk Road Party for the occasion) supported the bloc from spring 2003. Tamaz Nadareishvili, chairman of the Abkhazian Government in exile, who more or less controlled the votes of the internally displaced persons (IDPs) in the country, finally joined the governmental alliance after a flirtation with the opposition in early September 2003. A few weeks later, the FNG made public additional names of supporters such as the extreme nationalist Guram Sharadze (head of the Motherland, Language, Faith Party), and the chief of the general staff of the Georgian armed forces, Lieutenant General Joni Pirtskhalaishvili (who resigned in order to run for the parliament).

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<sup>75</sup> Sophico Sichinava, "Political Fuss or Georgia on the Crossroads", *Monthly International Scientific Popular Magazine*, January 2003. <http://www.mmeconomics.com.ge/arc/2000/jurnali%202003/nomer1/art2.htm>.

<sup>76</sup> A former Soviet apparatchik educated in Batumi, Aslan Abashidze was a deputy speaker of the Georgian parliament (1992-1995) and is one of the most prominent political personalities in the country. He was a member of parliament until 1999, has been chairman of the Ajara Supreme Council since 1991, and is also chairman of the Democratic Revival Union Party. He was a candidate in the 2000 presidential elections but withdrew "under indirect pressure from Eduard Shevardnadze via Azerbaijan and Turkey", ICG interview with Aslan Abashidze, Batumi, August 2003. Charismatic and well educated, he wins the personal sympathy of most of his guests for his warm and friendly hospitality. He is the only remaining official from the Gamsakhurdia era and for this has received considerable support from Zviadist forces and other traditional opponents of President Shevardnadze. Severely criticised by the Western press for human rights violations and links to organised crime and corruption, Abashidze feels victimised by a whispering campaign from Tbilisi. He has survived two assassination attempts.

<sup>77</sup> Election results in Ajara, where the ruling elite usually wins at least 80 to 95 per cent of the votes, are somewhat reminiscent of those obtained under the Soviet system.

<sup>78</sup> Kikabidze and Losaberidze, op. cit., p. 20.

and Tbilisi are tense, and the region is largely autonomous, seen as “semi-separatist” by some (the comfortable existence of the Russian army base near Batumi strengthens the argument).<sup>79</sup> Ajara has a long-standing conflict with the central authorities over budget transfers. Batumi claims that enormous pressure has come from Tbilisi’s decision in December 2002 to reroute a significant part of the trade which formerly went from Turkey to Georgia through Ajara around the autonomous republic. A ship rented in Turkey has been carrying trucks along the Turkish Black Sea coast to the port of Poti, on the Georgian coast north of Ajara. Since Ajara’s main official income is from customs revenues, Batumi interprets this as a deliberate effort to undermine the Ajarian economy.<sup>80</sup>

Pro-government figures have also supported other initiatives that could undermine Ajara’s economic success. Media tycoon Badri Patarkatsishvili has made massive investments in the sea resort of Ureki, which will compete directly with the neighbouring Ajarian city of Kobuleti.<sup>81</sup>

Internal changes are taking place in Ajara. In July 2003 Abashidze dismissed the regional government over a budget issue.<sup>82</sup> The Georgian press speculated that this might have been a cover for the firing of the minister of security, Soso Gogitidze, an influential clan leader and the brother of Abashidze’s recently deceased wife. These allegations are difficult to confirm – Gogitidze apparently remains in place, five months after it was announced that he had been dismissed – but could indicate tensions inside the ruling elite of Ajara.

Since electoral fraud in Ajara has usually been organised by local chieftains keen on demonstrating loyalty to Abashidze, his Democratic Revival Union tried to keep the process as centralised as possible and took a tough line on the election commissions. It was apparent that any loss of control in precinct and district commissions would lead to fewer votes for Revival. Some opposition parties, like the United Democrats and the National Movement, rather

optimistically opened election headquarters in Batumi during the summer.<sup>83</sup> David Berdzenishvili, chairman of the Republican Party and a member of National Movement, even ran for a seat in Batumi.<sup>84</sup> However, on 23 October a rally turned into a violent clash with Special Forces, police and mysterious civilians in black. Berdzenishvili was severely beaten the next day between Batumi and Tbilisi.

It was clear that Ajara was not about to tolerate political competition. Revival has never failed to obtain less than 95 per cent of votes in the autonomous republic. The mystery of Ajara’s voter lists has never been resolved. In the beginning of the 1990s, there were 216,000 registered voters, a figure that increased by 19,000 for 1995 parliamentary elections, to 245,000 in 1999 and to over 280,000 in 2003.<sup>85</sup> The local authorities boasted that they had accurate lists but since these were never published or sent to the CEC, the claim could not be tested. On 2 November 2003 international and local observers were permitted to monitor the elections. The preliminary findings published by the Georgian Young Lawyers Association (GYLA) expressed strong concern about fraud.<sup>86</sup> The 98 per cent turnout in the region, compared to roughly 50 per cent nationally,<sup>87</sup> with 95 per cent support for Revival, naturally raised suspicions. The Ajarian elections were also the subject of severe international criticism.<sup>88</sup>

Aslan Abashidze has not yet recognised the Tbilisi revolution. Indeed, he declared himself “president” (and Ajara’s highest military as well as political official) on 7 November and has closed Ajarian borders and declared a state of emergency. Passenger train movement has been blocked though transit of goods is permitted, but Ajarian customs

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<sup>79</sup> “[A] Jarring Relations”, Daan van der Schriek, *Transitions Online*, 23 October 2003.

<sup>80</sup> ICG interviews, Tbilisi, Batumi, July and August 2003.

<sup>81</sup> On 16 August 2003 President Shevardnadze and a number of ministers attended a ceremony marking completion of some of Patarkatsishvili’s construction work in Ureki.

<sup>82</sup> “Adjara boycotting forthcoming elections”, *The Messenger*, 17 July, 2003, p. 5.

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<sup>83</sup> ICG interview, Batumi, August 2003.

<sup>84</sup> ICG interview, September 2003.

<sup>85</sup> Civil Georgia, “Opposition Seeks for Votes in Ajara”, posted on 20 October 2003. [www.civil.ge](http://www.civil.ge).

<sup>86</sup> As noted above, an observer in Kobuleti was beaten and detained by police, then ordered into three-month pre-trial detention. “Fair Elections Stand for the Protection of Observer’s Rights”, ISFED statement, 6 November 2003. ISFED reported that the observer was charged with hooliganism.

<sup>87</sup> Based on the figures provided on the CEC website: [www.cec.gov.ge](http://www.cec.gov.ge).

<sup>88</sup> “Statement of Preliminary Findings and Conclusions”, OSCE/ODIHR, OSCE PA, Council of Europe PA, European Parliament, Tbilisi, 3 November 2003; U.S. Department of State Daily Press Briefing, 20 November 2003.

has been working with substantial delays, which may cause problems for freight forwarders and neighbouring countries like Ukraine, Azerbaijan and even Turkmenistan.

Most Revival MPs were in Batumi when the old parliament was recalled on 25 November and boycotted what they considered an illegal political manoeuvre. Negotiations have meanwhile begun through Zhvania and National Security Council Secretary Tedo Japaridze. A maximalist Ajarian position could mean a new loss of territory for the Georgian state. Abashidze's trip to Moscow on 26-27 November and his meetings with the de facto independent regions of Abkhazia and South Ossetia raised serious concerns in Tbilisi. His call for a simplified visa regime for Ajarians visiting Russia was clearly intended to threaten the interim leadership with the prospect of secession, even though he officially denied this. At worst, a new regional conflict could start, if force were used to resolve the matter. The interim leadership must open an extensive dialogue with Abashidze.

Although Russia's contacts with Ajara have been ambiguous in recent days, Russian mediation might be the best means to achieve success, especially if the U.S. and the EU could persuade Moscow to issue a joint declaration pledging support for ultimate restoration of Georgian government authority over the country's full territory. The EU special envoy for the Caucasus could also be a facilitator since the EU was not very visible in the events that led to Shevardnadze's fall.

## 2. Samegrelo

Zugdidi, the capital of Samegrelo, is the home base of former supporters of Zviad Gamsakhurdia, who was a Mingrelian. The region, one of the poorest in Georgia, has always been neglected by both the central authorities and occupying empires. An autonomous fiefdom for centuries, Samegrelo, unlike Tbilisi aristocrats, preferred to remain apart from the Russian Empire, and its peasants joined the Ottoman army after the Crimean War in 1850.<sup>89</sup> This historical experience has given the region a strong identity and inclination to resort to arms if necessary.

The 1991-1992 war in neighbouring Abkhazia had a powerful impact on Samegrelo. Most Georgians in

Abkhazia before the war were Mingrelian, and about 100,400 internally displaced persons have been living in the region since 1992.<sup>90</sup> The major rail and road routes to Abkhazia from Tbilisi go through Zugdidi, the Inguri River and Gali and are used by smugglers and criminals who benefit from the no war – no peace situation. Proximity to Abkhazia has resulted in a very insecure situation in Samegrelo, whose political scene has been dominated since independence by illegal armed groups of Zviadists and Abkhazian guerrillas.

In mid-2003 two groups seemed to be vying for leadership of the Zviadists: the Association of Georgian Patriots founded by Badri Zarandia,<sup>91</sup> a former Gamsakhurdia supporter, and one led by a local personality, Nachkebia.<sup>92</sup> The three main guerrilla bands in the region are the Forest Brothers, headed by Dato Shengelia, the White Legion, whose chief is Zurab Samushia, and the group led by Ruzgen Gogokhia. All the above are constantly fighting each other to control the smuggling of petrol, cigarettes, scrap metal, and vegetable nuts. Each controls its own part of Samegrelo.<sup>93</sup>

Some local observers allege that various Georgian power ministries are involved in the smuggling business, indeed take responsibility for specific sectors. According to a civil society activist, senior civil servants in the ministry of security benefit from the cigarette business, whereas the ministry of interior benefits from petrol trafficking. Local chiefs of the White Legion reportedly used to move around

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<sup>90</sup> Figure provided by the UNHCR, September 2003.

<sup>91</sup> A former commander in Zugdidi when it was controlled by pro-Gamsakhurdia troops in their 1993 attempt to regain power, Badri Zarandia was arrested in 1994, sentenced to death and pardoned by President Shervanadze in 1997. In February 1998, he allegedly took part in the kidnapping of UN observers in Zugdidi. He was the co-chairman of the Union of Patriots, a group founded in alliance with a rump of the former Mkhedrioni paramilitary group headed by Jaba Ioseliani. Zarandia was shot dead on 8 January 2003 in a café in Zugdidi by two unidentified assailants. Some think that he was asking for too much money in return for his involvement in the falsification of the 2002 local elections on behalf of pro-government forces. This has not been confirmed by a court, and the investigation is ongoing.

<sup>92</sup> ICG interview, Zugdidi, August 2003.

<sup>93</sup> ICG interviews, Zugdidi, August 2003. See also: "An Impasse of Irresponsibility", Transitions Online, 23 October 2003.

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<sup>89</sup> Suzanne Goldenberg, *Pride of Small Nations: The Caucasus and Post-Soviet Disorder* (London: 1994), p. 85.

Zugdidi and surrounding areas with the approval of local authorities.<sup>94</sup>

During the election, the situation was explosive. Riot police and interior ministry troops were deployed in Zugdidi to keep order. Almost all precincts opened late, and voting was by candlelight. Observers alleged that frequent power cuts were used to stuff ballots.<sup>95</sup> Great inaccuracies in the voter lists were also reported, and precinct electoral commissions (PECs) received an instruction to add omitted people to the lists only at 6 p.m., two hours prior to closing, causing further confusion.<sup>96</sup> ISFED reported pressure from PEC members in Zugdidi for citizens to vote for certain candidates. Media reported that members of the Russian peacekeepers, who have been in Abkhazia since the end of the 1992-1993 conflict, impeded the residents of Gali region from crossing the Inguri Bridge to vote in Zugdidi.<sup>97</sup>

Samegrelo became linked with the Tbilisi protests when Saakashvili went to Zugdidi to gather supporters and organise their travel to the capital. An ad hoc alliance was made with Zviadist leader Guram Absandze, who brought his supporters to Tbilisi and was very visible at the demonstrations. The day President Shevardnadze resigned, Absandze, back in Zugdidi, occupied the regional administrative building and proclaimed himself Governor of Samegrelo. It is of utmost importance for the new central authorities to prevent illegal takeovers and especially to keep such a fragile region under government control so it is encouraging that President Burjanadze fairly quickly regularised the situation by appointing Leri Chitanava to the post.

#### **D. THE NEW PRESIDENTIAL AND PARLIAMENTARY ELECTIONS**

Georgia is in not a post-conflict situation but, potentially, a pre-conflict situation. If its political

crisis is not to lead to further turmoil and even the disintegration of the country, the international community will have to give considerable help. The U.S. and EU have already promised aid for the organisation of presidential elections on 4 January 2004; other donors should follow suit, and should also plan to support the parliamentary elections which must follow.

The OSCE should set aside the inhibitions it demonstrated in the year leading up to the November elections and agree with the Georgian authorities on establishment of an Emergency Elections Task Force (EETF) to assist in running the presidential and parliamentary elections of 2004. It should be chaired by a high level representative and include, on the Georgian side, the acting minister of interior, and the newly appointed chair of the CEC, Zurab Chiaberashvili, the former chair of ISFED. The international Technical Working Group (TWG) set up to assist with the 2003 November elections should be maintained and should collaborate closely with the EETF. OSCE/ODIHR, the Council of Europe and the EU should quickly send international staff to the EETF – including Russians, who have been reluctant to take part in the existing AWG and TWG. EETF offices should be in the CEC building, and the EETF should be in charge of voter registration and chair most election commissions at all levels (central, district and precinct).

The EETF will have to fix firm deadlines for every step, from management of the budget to publication of voter lists. A hotline service for complaints about inaccuracies on the lists and abuse by local authorities is needed. This should be inside the CEC building, composed of a small team of CEC members, managed by a senior adviser from OSCE/ODIHR, and accountable to the EETF.

Within the EETF, two working groups of OSCE/ODIHR professional personnel should closely manage elections in Kvemo Kartli and Ajara, where fraud has been particularly rife. Finally, special measures should be taken to ensure that security and law enforcement personnel are given the right to vote – but only once – in the precinct where they have to fulfil their election day duties.

The parallel turnout and vote tabulations organised by the Fair Elections coalition led by ISFED played a crucial role in the aftermath of the November elections; indeed, the National Movement based its claim of victory on them. This U.S.-funded

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<sup>94</sup> George Hewitt, Letter to the Editor, *Nezavisimaya Gazeta*, <http://www.apsny.org/hewitt19990315.html>, response to a letter published on 23 January 1999.

<sup>95</sup> TV coverage of the election day by Rustavi 2 and Mze TV channels. The use of convenient power cuts to facilitate ballot stuffing is a well-known technique in many parts of the world.

<sup>96</sup> "Elections Were Frustrated in Several Precincts in Samegrelo", *Rezonansi Newspaper*, 3 November 2003.

<sup>97</sup> "Russian Peacekeepers Hamper Residents of the Gali Region in Abkhazia to Vote at Parliamentary Elections", *Black Sea Press*, 3 November 2003.

Georgian NGO should continue to work as a watchdog against fraud, from whatever source. Additional financial support for it is crucial.

The creation of such an EETF would be an emergency response to a sudden and exceptional political crisis. Despite the democratic commitment of the new leadership, Georgian society will not have time enough to be trained and to prepare itself for the management of the coming presidential and next parliamentary elections. The risks of instability from Ajara's boycott of elections and the Labour Party's withdrawal from the presidential race, are too high to leave the country on its own. Strong involvement by the OSCE could fill this gap, providing Georgian election administrators with the necessary assistance.<sup>98</sup>

As of this writing, more than a week since the interim government assumed power, the date for the parliamentary elections has not been set. Although the Supreme Court invalidated the proportional part of the parliamentary elections on 25 November, the interim authorities have not decided yet what to do with the results of the head-to-head contests.<sup>99</sup> This is worrying, as the presidential elections will not fully resolve the power uncertainties in the country. The presidential ballot is important but likely to be relatively straight forward given the popularity of Saakashvili, whom the Burjanadze-Democrats have agreed to rally around. The real test of political stability will be the election of the new parliament, when all political forces can be expected to go all out to maximize their influence and thus will have incentive to cut corners if there are not strong safeguards. The exceptional international assistance and scrutiny should, therefore, extend at least

through the parliamentary elections, which are likely to be held sometime in spring 2004.

## **E. TOWARDS A BETTER BALANCED POLITICAL SYSTEM**

Instead of organising a dynastic succession, as in neighbouring Azerbaijan, Eduard Shevardnadze stimulated pluralism in Georgia, regularly choosing new protégés and launching them on the political scene.<sup>100</sup> Often, after breaking with him and despite the debt they owed, his former potential heirs became rivals. The succession struggle has effectively been underway since 2001, when his party split into two factions and Zurab Zhvania and Mikheil Saakashvili decided to pursue independent ways.

Those with hopes of being Shevardnadze's designated successor and who remained loyal to the end included Avtandil Jorbenadze, who was appointed state minister in December 2001 and resigned on 25 November, and Foreign Minister Irakli Menagarishvili, a distant relative.<sup>101</sup> Temur Shashiashvili, the governor of Imereti, who resigned in the revolution's immediate aftermath, has declared himself a presidential candidate, as has the former national security minister, Igor Giorgadze. All these are tainted by their association with the regime, even though the leaders of the revolution, are also Shevardnadze's political children.

Until 2001, Zhvania had been considered the official heir, but he joined the opposition. Since he was never particularly popular, he allied with Burjanadze in mid-2003. His political skills and his role during the electoral campaign and the revolution have made him her indispensable ally. It is in her interests and Zhvania's to support Saakashvili's candidacy in exchange for key positions in the government or the parliament.

These three so-called young reformers have played the Western card, presenting themselves in the U.S. and in Europe as anti-Russian politicians and benefiting to a large extent from U.S. support during their revolution. In fact, they know that no Georgian

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<sup>98</sup> ICG interviews indicate that Georgian election officials would welcome this level of international involvement, particularly if sufficient resources were made available to run the elections properly.

<sup>99</sup> The Georgian parliament has 235 members, 150 of whom are elected on the basis of proportional voting from national lists of candidates; this is the part of the election that was annulled by the Supreme Court. Of the remaining 85, 75 are elected in single member constituencies, with a second round held if the leading candidate has received less than one third of the valid votes cast. Ten seats are reserved for the secessionist regions where no election can presently be organised. They continue to be occupied by the individuals who won them in the initial post-independence election in 1991. An upper chamber is envisaged in the constitution, but this has not been implemented pending resolution of the Abkhazian and South Ossetian conflicts.

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<sup>100</sup> Shevardnadze's son, Paata Shevardnadze, works in UNESCO in Paris and is not at present involved in Georgian politics.

<sup>101</sup> "South Caucasus: Leaders Mull Succession Strategies, But With Different Chances of Success", RFE/RL Caucasus Report, 21 August 2002.

ruler can avoid compromise with Russia, and all have close links with Moscow's political and business circles.

Georgia has a presidential system in which the prime minister (or, as at present, the state minister) plays a secondary role. This arrangement requires a strong leader to rule the country and balance power between competing political parties. It necessitates a president who is respected internationally, especially by Washington and Moscow, and whose position is unchallenged internally. Shevardnadze built this system and enacted a constitution for himself in 1995. It seems less suited to today's Georgia. Saakashvili, the most obvious presidential candidate, is dependent on the support and experience of his colleagues, Burjanadze and Zhvania. A strict presidential system may encourage friction between the three leaders that would leave no one strong enough to manage Shevardnadze's system alone. In any case, Shevardnadze's own weakness in his last years of office demonstrated the limitations of that system.

Georgian politicians should consider instead the merits of a popularly elected president, who would appoint a prime minister who can command a parliamentary majority. Such a prime minister would in turn propose a government to the president for appointment and be responsible for developing draft legislation on its behalf. If there is an inclination to move in this direction, the new president elected in January should prepare a proposal for consideration by the parliament that will be elected later in the year and perhaps by a subsequent referendum. That proposal should include a careful delineation of the responsibilities and competencies of both the president and the prime minister so as to minimise the conflict and confusion that can otherwise easily paralyse a dual executive arrangement.<sup>102</sup>

The current electoral system has shown itself to be too open to abuse. Partly this is because it combines a proportional component, which rewards internal party selections of candidates rather than voter preferences, with a two-round ballot system for the single-member seats, which facilitates fraud by allowing parties to concentrate their organisational

resources – legitimate and illegitimate – on the second-round races where they can make a difference. Georgia's next parliament should consider alternatives. One might involve having future parliaments elected in one round, in single-member constituencies, with parliamentarians selected through the kind of preferential voting system used in Australia.<sup>103</sup> This would force parliamentarians actually to build relations with their constituents as well as their parties, and would also remove the second round of balloting and the attendant abuses while encouraging pre-election coalition negotiations between parties.

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<sup>102</sup> Nino Burjanadze has made clear her belief that a cabinet of ministers should be introduced, headed by a prime minister but she has apparently not indicated views on the precise division of powers between that prime minister and the president. "Saakashvili Runs for Presidency", Civil Georgia, 26 November 2003.

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<sup>103</sup> Preferential voting has been in use in Australia since 1919. Voters are required (or in some versions of the system, have the option) to mark their ballot with numbers in sequential order of preference for the candidates. If a candidate has achieved an absolute majority (at least one more than 50 per cent), he or she is declared elected. If no candidate has an absolute majority, the candidate with fewest first preference votes is excluded from the count, and his or her votes are distributed among the remaining candidates according to second preferences. This process of elimination and redistribution continues until one candidate achieves an absolute majority. While the counting of votes is complex, the basic concept of the system is readily understood by voters. See <http://www.aceproject.org/main/english/es/esd03/> for further details.

## V. CONCLUSION

Georgia is at a turning point in its history. It is facing a possible new secession of the autonomous region of Ajara and is led by an interim leadership that desperately needs coordinated international support to ensure a peaceful transition period. If this support is strong enough, the current political crisis may be successfully resolved by democratic elections.

The 2 November parliamentary elections had originally been viewed as the first step towards the anticipated presidential succession of 2005 but events accelerated so that the presidential succession became the immediate future. Despite all the international efforts made during the year to assist in the holding of free and fair elections in Georgia, a clear lack of political will and commitment resulted in elections marred by appalling irregularities.

The fragmented political parties in the outgoing parliament of Georgia failed to agree on crucial electoral issues over a year and with external help managed to adopt an election code only two months before the vote. That progressive step came too late so that, with constant delays in the administrative process, the margin for fraud remained wide.

In a country with a failed economy and endemic corruption the majority where the majority of the population lives below the poverty line, the opposition had decent chances of controlling the new parliament, but the authorities were not ready to give up power. Extensive fraud during the 2 November elections triggered massive discontent that spilled into street demonstrations leading to the revolution.

Georgia's new interim leadership now faces further challenges of managing a democratic shift of power. It needs international help to organise first presidential elections in January 2004 and then parliamentary elections shortly thereafter. It needs a peaceful transition period from President Shevardnadze's regime to the new era if it is then to come to grips – as it must if it is to survive as a state – with its massive security, economic and social problems. It finally needs dialogue, in order to avoid the mistakes made with Abkhazia and South Ossetia in the 1990s. The EU, Russia, Turkey, Georgia's other neighbours and the U.S. all have a direct interest in preventing Georgia's disintegration and thus in facilitating and funding a free and fair election process.

**Tbilisi/Brussels, 3 December 2003**



## APPENDIX A

### MAP OF GEORGIA



## APPENDIX B

### WHO'S WHO

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<b>Aslan Abashidze</b>	Chairman of Ajara Supreme Council since 1991; leader of Democratic Revival Union political party; has not recognised new government; proclaimed himself president of the Autonomous Ajara Republic on 7 November 2003
<b>Guram Absandze</b>	Leader of coalition loyal to the memory of former President Zviad Gamsakhurdia; supported revolution in November 2003; proclaimed himself governor of Western Samegrelo though subsequently replaced by an official appointee
<b>Giorgi Baramidze</b>	A leader of Burjanadze-Democrats, appointed minister of interior after revolution
<b>David Berdzenishvili</b>	Leader of Republican Party, part of the National Movement coalition led by Mikheil Saakashvili
<b>Nino Burjanadze</b>	Leader of "Burjanadze-Democrats" allied with United Democrats; speaker of Georgian parliament since 2001; became interim president on Shevardnadze's resignation; supports Saakashvili for president in January 2004 election
<b>Zurab Chiaberashvili</b>	Former chair of ISFED (International Society for Fair Elections and Democracy), Georgian democratisation NGO; newly appointed chair of the CEC (Central Elections Commission)
<b>Leri Chitanava</b>	Former Mayor of Zugdidi; newly appointed governor of Samegrelo
<b>Nana Devdariani</b>	Former Ombudsperson; appointed chair of the CEC (Central Elections Commission) by President Shevardnadze in September 2003; now replaced by Zurab Chiaberashvili
<b>David Gamkrelidze</b>	Leader of New Rights political party; insurance magnate; opposed revolution
<b>Zviad Gamsakhurdia</b>	Elected President of Georgia in 1990; signed declaration of independence in 1991; overthrown by military revolt 1992; died 1993
<b>Igor Giorgadze</b>	Former national security minister; in exile in Russia since 1995; has declared intention to stand in 2004 presidential election
<b>Soso Gogitidze</b>	Security minister in Ajara; reported to have been dismissed in July 2003; apparently still in post
<b>Pridon Injia</b>	Leading figure in Labour Party; former communications minister
<b>Giorgi Isakadze</b>	Deputy to State Minister Jorbenadze under Shevardnadze; resigned after revolution
<b>Tedo Japaridze</b>	Former ambassador to U.S.; secretary of the national security council under Shevardnadze; appointed foreign minister by new government after revolution
<b>Avtandil Jorbenadze</b>	State minister under Shevardnadze; resigned after revolution
<b>Levan Mamaladze</b>	Leading figure in Citizens Union of Georgia (pro-Shevardnadze party) and former governor of Kvemo Kartli
<b>Petre Mamradze</b>	Head of state chancellery under Shevardnadze; remains in office under new government

- Irakli Menagarishvili** Foreign minister under Shevardnadze; resigned after revolution
- Shalva Natelashvili** Leader of Labour Party; opposed to new government
- Badri Patarkatsishvili** Media tycoon; former ally of Russian oligarch Boris Berezovski; latterly supporter of Shevardnadze
- Levan Pirveli** Leading member of the Industry Will Save Georgia political party (“Industrialists”)
- Mikheil Saakashvili** Leader of the National Movement Democratic Front; former justice minister; chairman of Tbilisi city council; most prominent figure in November 2003 revolution; likely front-runner in January 2004 presidential election
- Temur Shashiashvili** Former governor of Imereti; resigned after revolution; has declared intention to stand in 2004 presidential election
- Eduard Shevardnadze** President of Georgia 1993-2003; foreign minister of the Soviet Union from 1985 to 1990 and again briefly in 1991
- Davit Tevzadze** Defence minister under Shevardnadze; remains in office under new government
- Gogi Topadze** Beer magnate and leader of the Industry Will Save Georgia political party (“Industrialists”); opposed to new government
- Zurab Zhvania** Leader of the United Democrats political party; speaker of parliament 1995-2001; allied in November 2003 elections with “Burjanadze-Democrats”; appointed State minister after revolution; supports Saakashvili for president in January 2004 election

## APPENDIX C

### GLOSSARY OF ACRONYMS

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AWG	Ambassadorial Working Group
CEC	Central Election Commission
CoE	Council of Europe
CUG	Citizens Union of Georgia
DEC	District Election Commission
EETF	Emergency Elections Task Force
FNG	For a New Georgia
IDPs	Internally Displaced Persons
ISFED	International Society for Fair Elections and Democracy
NAM	Needs Assessment Mission
NRP	New Rights Party
OSCE/ODIHR	Organisation for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights
PEC	Precinct Election Commission
PTT	Parallel Turn Out Tabulation
PVT	Parallel Voting Tabulation
TWG	Technical Working Group
UDP	United Democrats Party