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# Good Cop, Bad Cop
# Georgia's One Hundred Days of a New Democratic Dream

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**Abstract**
Over the summer month of August 2008, Georgia launched a large-scale military offensive against South Ossetia in an attempt of reconquering the territory. Four years later, on October 1, 2012, Georgia is holding its first Parliamentary Elections after the conflict that caused so much harm. The Parliamentary Elections constitute the 7th legislative elections held since Georgia's independence from the Soviet Union in 1991. It is however the first time for Georgia to elect an alternative party from the ruling party solely based on principle of democratic vote.
The article examines the almost ten years of President Saakashvili's Administration. During this decade, Saakashvili's United National Movement government realized many positive works. Works like the successful reform of police forces and the determined force-back of corruption. These liberating works were all eagerly welcomed by Europe and other western nations. However, in the apparent loss of sense of reality towards the end of its reign, Georgia's United National Movement government turned to dictating and ordering as a main style of governing. This in turn pushed citizens away from Saakashvili's politics into voting for the opposition.
Unforeseen by even the most experienced Southern Caucasus and Georgia experts, Georgia's 2012 Parliamentary Elections gave way to the opposition coalition Georgian Dream to sweep to victory, leaving President Saakashvili to ceded defeat.
Despite President Saakashvili's statement that he would go into opposition there has not been a complete paradigm shift in Georgia's domestic politics. With the Georgian Dream's failure to gain a constitutional majority and questions over the ideological compatibility of the coalition – along with the fact that United National Movement still has the greatest representation in Parliament relative to the other parties, Saakashvili and his supporters keep hold to substantial political leverage. Also, Saakashvili will remain President until the

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October 2013 election. His opponent, Prime Minister Ivanishvili is expected to manifest himself, bringing in a less contentious, more pragmatic approach to relations with the country's giant neighbour to the north.
Overall, it can be said that Georgia's unrivalled ballot-box transfer of power elevated the country to a category fundamentally higher in terms of democratic development than virtually all other post-Soviet states. This has been the more remarkable even since Georgia had been widely cited as an example case of a failed state, with a destroyed infrastructure and economy, dysfunctional state institutions and something approaching anarchy as its governance model.
The impact of the ongoing reform of Georgia's constitution and electoral law has lead to major shifts in Georgia's political landscape. However, opinions vary as to whether the farsighted amendments made to the Georgian constitution on the initiative of the United National Movement are a genuine attempt to improve the country's system of governance or that they rather are an effort by the incumbent president to cling on to power. The adoption of the amendments and the timing of their entry into force strongly suggest that the latter might be the case. Meanwhile, as a result of the changes to the Georgian constitution, a system of dual power has come in place. These and other factors suggest that Georgia's political landscape is set to become more predictable. The article examines the degree to which this can be held true.
In the streets of Tbilisi, hundred days into the reign of the new government, there is an air of optimism amongst the people. This holds especially true when it comes to youth. The hope is that the Georgian Dream becomes a Georgian reality. The disappointment otherwise might be shattering. In spring 2013, the new leadership offers new opportunities for Georgia. It can improve its democratic system and economic growth and establish a dialogue with Russia and the breakaway districts of Abkhazia and South Ossetia. This would alleviate the frozen conflict and tense security dilemma' on the Administrative Boundary Lines. Yet, if the transition of power does not go well, there will be prolonged power struggles that could cripple the policy making and cast Georgia back to pre-Saakashvili times.
The article addresses the overall question whether the smooth transfer of power Georgia achieved after October's election sets a standard for democracy in the region depending on whether the new government can strengthen the independence and accountability of state institutions in what remains a fragile, even potentially explosive political climate. The victory of the Georgian Dream Coalition over the United National Movement has brought pluralism into Georgian policymaking. However this political pluralism also includes that awkward dual powers; Georgia's good cop and bad cop.

**Keywords**
Abkhazia; Administrative Boundary Line; amendment; ballot; bilateral relations; bureaucracy; civil liberties; conflict; constitution; corruption; democracy; dialogue; diplomacy; elections; electoral rights; European Union; European Civilian Planning and Conduct Capability; European Neighbourhood Policy; European Union Common Security and Defense Policy; European Union Monitoring Mission; Eastern Partnership dialogue; foreign policy; Georgia; internally displaced persons; international affairs; media; monitoring; multi-party system; North Atlantic Treaty Organisation; Organisation for Security and Cooperation in Europe; parliament, political participation; proportional representation; reform; Russian Federation; Russo-Georgian War; South Ossetia; voters; voter turnout; World Trade Organisation

**Potemkin Village Déjà-vu[2]**

When Georgian Nino[3] arises that autumn morning, she starts her irregular day with a regular routine. Fifty-six year old Nino sits at her kitchen table, enjoying a cup of coffee together with her husband Shalva. Nino will soon be leaving for university, a routine that has marked every day of Nino's working life for the past thirty years. Nino, whose house is located in a provincial town in mid-west Georgia, is a university English teacher. Although the classes she teaches often consist of crowded groups of noisy teenagers, Nino has never found it difficult to engage her students in her teaching. Most of the young are eager to learn a foreign language. Nino, too, holds a great fondness of foreign languages, even though growing up during Soviet times never rendered her the opportunity to visit a foreign country herself.

This morning, Nino is bringing more to work than just her school bag. In addition, she has packed her identification card and the card that shows she is a civil servant. She expects to need these later, since Nino is planning to vote today. Shalva too is packing his ID and civil servant card. His work is at the military hospital, where he is part of the medical staff. Nowadays the majority of Shalva's work consists of treating young soldiers who have suffered minor injuries during practice or caught a common flu. Four years ago though, the situation was totally different. At the time, Shalva was amongst the team of doctors who treated the wounded soldiers brought back from the front. This was during the Russo-Georgian war, a war that lasted no more than five days, nevertheless leading to high numbers of wounded soldiers and civilians, raising tension that has lasted until today.

*Five Days of War*

That summer month of August 2008, Georgia launched a large-scale military offensive against South Ossetia in an attempt to reconquer the territory. Georgia claimed that it was responding to attacks on its

[2] Potemkin villages are constructs, physical or figurative, intended to deceive people into thinking that something is better than it actually is. The term is an idiom based on an historical myth, according to which there were fake settlements purportedly erected at the direction of Russian minister Grigory Potemkin in order to fool Empress Catherine II during her 1787 visit to Crimea. According to this tale, Potemkin, who led the Crimean military campaign, had hollow facades of villages constructed along the desolate banks of the Dnieper River in order to impress the monarch and her entourage with the value of her new conquests, thus enhancing his standing in the empress's eyes.

[3] For reasons of the protection of the privacy of the persons described, the names of Nino and Shalva have been altered from the original. The author knows their true identities.

peacekeepers and villages in South Ossetia, and that Russia was moving non-peacekeeping units into the country. In the end, the Georgian attack and subsequent counter-attack by troops from the Russian Federation resulted in an estimate of up to 2,000 war casualties. It also led to the displacement of 22,000 Georgians within the borders of their own country.[4]

Four years later, on October 1, 2012, Georgia is holding its first Parliamentary elections after the conflict that caused so much harm. The final voters' list for the day shows a total of 3,613,851 voters (from a population of 4,469,200)[5]. Nino and Shalva's names are included on the list. Both of them plan to vote today. Their first stop after leaving home is at the polling station. Although it is still early in the morning, lines of voters string outside the polling station. But procedures work well and the votes of the couple are processed swiftly. Off to school – and to the military hospital – for another day's worth of work.

*A Regular Day Gone Wrong*

This, however, is where the workday of Nino and Shalva turns irregular as the moment the couple arrive at their respective workplaces their superiors summon them to leave for the city's administrative building. The couple are to attend a public meeting of Georgia's ruling party, the United National Movement. Not only Nino and Shalva are being urged to attend this meeting. All over the country, from the weeks leading up to the elections up until the final E-day, civil servants are instructed to attend public meetings of the ruling party. Servants such as medical doctors, police officers, university teachers, administrative personnel, governing staff; all are expected to be present when the United National Movement holds public meetings. Civil servants are not being paid for this extra 'work'. Also, they are not compensated for the working hours they miss as part of their own valuable work; that of healing the sick, apprehending criminals, teaching children and

[4] The great majority of those killed in Georgia's Five Day War were civilians. Russian and South Ossetian officials initially claimed that up to 2,000 Ossetian civilians were killed by Georgian forces. These high casualty figures were, at the start of the conflict and according to Russia, the reason for the military intervention in Georgia. Almost one year after the conflict, Georgia reported that the result from their count was a total of 413 deaths. Reports by Thomas Hammarberg, at the time Council of Europe Commissioner for Human Rights, gave numbers based on estimates that the Commissioner received from the Russian authorities. These numbers showed 133 confirmed deaths in the Tskhinvali region/South Ossetia. Stan Storimans, a veteran cameraman and a news reporter from Tilburg, the Netherlands, was the only foreigner killed in the conflict.

[5] 2011 World Bank estimate.

assisting those in need of administrative procedures. Formal newspapers in Georgia only scarcely published on this trend in the weeks prior to the elections (according to the September 24, 2012 media report by "Democracy and Freedom Watch: Reporting on the state of Georgia's Democracy"). But then the Georgian media are still far from being a true pluralistic and free press. However, many civil servants report that they have been instructed to attend the ruling party's meetings. In Shalva's case, the chief surgeon had been going round the ward with a clipboard, checking his list to see that all members of his staff were herded out effectively to the town's administrative building. And the people would do so, sheepishly, for they had no viable alternative. The risk of losing their jobs or of being punished for non-coherence in other ways is a grim legacy left from the Soviet past. Who exactly was behind this scheme? Was it President Saakashvili himself to order the decree? The case points more in the direction alternative. Although the practice seems to have been rather common in the weeks leading up to the elections, it is hard to say who was behind the scheme. President Saakashvili himself? Saakashvili's middlemen: *boss pleasers* who in the end turn the odds against their own? However, before the end of the day it would be the people – not the politicians – who made things happen.

In the almost ten years of Saakashvili's administration,[6] his United National Movement government realized many positive works. Works like the successful reform of police forces and the determined force-back of corruption.[7] These liberating works were all eagerly welcomed by Europe and other Western nations. However, in the apparent loss of a sense of

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[6] Mikheil Saakashvili (born in Tbilisi on 21 December 1967), has been involved in national politics since 1995. On 25 January 2004 he became President after President Eduard Shevardnadze resigned in the November 2003 bloodless "Rose Revolution" led by Saakashvili and his political allies, Nino Burjanadze and Zurab Zhvania. On January 5, 2008, Saakashvili was re-elected in the Georgian presidential elections (winning 53.4% of the votes). Saakashvili is widely regarded as a pro-NATO and pro-West leader who spearheaded a series of political and economic reforms. Since the beginning of his term, Saakashvili's opposition criticizes him for alleged authoritarian tendencies and electoral fraud.

[7] The 2012 World Bank Report "Fighting Corruption in Public Services; Chronicling Georgia's Reforms" reports how since 2003 Georgia has seen successes in fighting corruption in public services. According to the report, Georgia has proven to be successful in forcing back its corruption in a relatively short period of time as a result of strong political will and concerted action by the government. The report also states that much remains to be done, especially with respect to strengthening institutions – seen as the best safeguard against a relapse into corruption – and ensuring an adequate system of checks and balances. Although every country has a unique set of initial conditions and the nature of the corruption problem and the type of political economy differ, many elements of Georgia's story can be replicated in other countries. According to the World Bank Report, Georgia's success therefore

reality towards the end of its reign, Georgia's United National Movement government turned to dictating and ordering as a main style of governing. This in turn pushed citizens away from Saakashvili's politics into voting for the opposition. However, in the case of the dictation of civil servants to flank political meetings, it remains unclear whether Saakashvili himself ordered this alternative 'bussing'[8] practice. Maybe the practice was limited to a thoroughly staged concoction by Saakashvili's eager-to-please wingmen, rigidly trying to twist the turn of faith at the end of an era? But whoever was behind it, for Nino and Shalva on that first October day there was no other option than to follow orders in silence. Their silence would soon be broken, however, when on the evening of the same day Nino and Shalva's voices broke the silence when their ballots spoke out to the world the words of change!

## Heralding the 2012 Parliamentary Elections: Georgia's 2010-2011 Electoral Reform

The day that Nino and Shalva took to the polls to elect the *Sakartvelos Parlamenti* (the Georgian Parliament) would indeed end in unexpected outcomes. These had been the 7th legislative elections held since Georgia's independence from the Soviet Union in 1991. It was however the first time for Georgia to elect an alternative party from the ruling party solely based on the principle of democratic voting. Leading up to Georgia's 2012 elections was the reform of the electoral system that was agreed upon in 2010 by the incumbent Saakashvili together with several opposition parties. The reformed legislation was passed on October 15, 2010, with follow-up measures put in place during the next year. In this, 77 of the 150 seats in the Georgian Parliament were allocated proportionally[9] to party lists with the

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destroys the myth that corruption is cultural. According to the report, the tenets of success in the case of Georgia's anti-corruption reform are: 1) exercise of strong political will; 2) early establishment of credibility; 3) launch of frontal assault on corruption; 4) attracting new staff; 5) limitation of the role of the State; 6) adoption of unconventional solutions; 7) development of a unity of purpose and close cooperation; 8) tailoring international experience to local conditions; 9) harnessing new technologies; and 10) strategic use of communication.

[8] 'Bussing' is a term commonly used for the practice where voters are transported by bus from one polling station to another on the day of elections. The system is set up to allow for people to cast multiple votes and gives the overall impression that more active voters are on their feet than is actually the case.

[9] Proportional representation (PR) is a voting system which is in use to elect an assembly or council. In PR the number of seats won by a party or group of candidates is proportionate to the number of votes received. PR is an alternative to voting systems based

remaining 73 seats going to the winners in single-member constituencies.[10] The reform also included a plan for the relocation of Parliament from the capital of Tbilisi to the country's second largest city of Kutaisi, located some 230 kilometres west – a relocation that is scheduled to take place in the first half of 2013.

Also in 2010, Saakashvili's United National Movement and several opposition parties started talks in order to develop a new electoral system. On 27 June 2011, the United National Movement succeeded in gaining

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on single-member districts or on bloc voting; these non-PR systems tend to produce disproportionate outcomes and have a bias in favour of larger political groups. PR systems tend to produce a proliferation of political parties. There are many different forms of PR. Some are focused solely on achieving the proportional representation of different political parties (such as list PR) while others permit the voter to choose between individual candidates (such as a single transferable vote, STV-PR). The degree of proportionality also varies; it is determined by factors such as the precise formula used to allocate seats, the number of seats in each constituency or in the elected body as a whole, and the level of any minimum threshold for election.

[10] In single-member constituencies (SMC) – or single-winner voting – each representative must be a winner. In SMC an electoral district returns one officeholder to a body with multiple members such as a legislature. Elections for single-member districts are held under a number of voting systems, including plurality (first past the post, FPP), runoffs, instant-runoff voting (IRV), approval voting, range voting, Borda count, and Condorcet methods (such as the Minimax Condorcet, the Schulze method, and Ranked Pairs). A small constituency with a single member, as opposed to a large, multiple-member one, encourages a stronger connection between representatives and constituents and increases accountability. In SMC it is often claimed that because each electoral district votes for its own representative, the elected candidate is held accountable to his/her own voters, thereby helping to prevent incompetent, fraudulent or corrupt behaviour by elected candidates. The voters in the electoral district can easily replace him/her since they have full power over who they want to represent them. The new Election Code, as adopted in December 2011 and revised on two occasions in 2012, incorporated some important recommendations by the OSCE/ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission), including those contained in a Joint Opinion. For example, for the first time, the right to vote was extended to prisoners (those sentenced for misdemeanours) and the right to stand for election was granted to independent candidates, in line with OSCE commitments. New provisions on the side of the Georgian authorities also reduced residency and support signature requirements to stand as a candidate, introduced financial incentives to promote a greater gender balance on candidate lists, and placed some restrictions on the use of administrative resources. However, other key OSCE/ODIHR recommendations remained unaddressed. One notable shortcoming was the disparity in the population size in single mandate constituencies, which undermines the equality of the vote required by paragraph 7.3 of the 1990 OSCE Copenhagen Document. The number of voters in individual constituencies ranged from around 6,000 to over 140,000. The maximum deviation from the average size should not exceed 10 per cent (15 per cent if special circumstances apply). Although in 2011 the Georgian authorities stated their intention to engage in redistricting, in 2012 these intentions had yet to materialize. Thus, in its Final Report on the 2012 Parliamentary Elections in Georgia, the OSCE/ODIHR reiterated its long-standing recommendation to address the disparity in the population size in single mandate constituencies for parliamentary elections.

majority consensus for this proposition, effectively splintering the "Group of Eight" opposition coalition.[11] At that time, two members of the coalition – the Christian-Democratic Movement, and the New Rights – as well as two other opposition parties – the National-Democratic Party and "On Our Own" – signed a deal with the United National Movement over the reformed electoral system, envisaging, among other provisions, an increase in the number of parliamentary seats from 150 up to 190 (constituting 83 majoritarian and 107 proportional seats). At that time, six out of the eight coalition members (National Forum, Our Georgia-Free Democrats, the Conservative Party, the Republican Party, Georgia's Way, and the People's Party) refused to join the deal which was subsequently unveiling, on July 8, 2011, a new alliance, which already within the next three months was again broken (October 6, 2011). However, the plan that was envisaged by the 2010 constitutional amendments would go through, with a new Georgian government to be formed after Georgia's 2013 Presidential elections. This new government was to be formed from the Georgian Parliament elected on October 1, 2012. Subsequently, upon the inauguration of Georgia's next president at the end of 2013, the new constitution would enter into being.

*Configuration of Political Forces*

Opinions vary as to whether the far-sighted amendments made to the Georgian constitution in 2010 at the initiative of the United National Movement are a genuine attempt to improve the country's system of governance or that they are rather an effort by the incumbent president to cling on to power. The adoption of the amendments and the timing of their entry into force strongly suggest that the latter might be the case. Meanwhile, as a result of the changes to the Georgian constitution, a system of dual power came into place. This has given the United National Movement some room

[11] The 2010 "Group of Eight" oppositional bloc was formed by the National Forum, the Conservative Party, the Republican Party, Our Georgia-Free Democrats, Georgia's Way, New Rights, the Christian-Democratic Movement and the Party of People. These eight opposition parties laid out (during their October 4, 2010, conference) a joint proposal on a reform of the electoral system. Subsequently, the Group of Eight called on the Georgian authorities to start talks on the blueprint for reform. They also called on international organizations to support Georgia's electoral system reform. In their call, the Group of Eight stated that the stability and democratic development of Georgia depended on the success of the reform process suggested by the group. The proposal for the reform focused on five directions of electoral system reform: 1) the rule of electing the Parliament; 2) rule of the composition of election administrations; 3) voter lists; 4) election-day procedures, and 5) the handling of electoral complaints.

to manoeuvre. These and other factors suggest that Georgia's political landscape is set to become more predictable. For example, the current configuration of political forces will allow an enhanced system of checks and balances to operate. On the other hand, decision-making will become more difficult and cumbersome, although certainly less open to adventurism. Many are relying on the new political dispensation to lead to a relaxation of civil liberties and to an end to repressive government methods and the suppression of dissent. Also, the cessation of police control over the political and economic lives of citizens is believed to become more prominent under such a constellation.

## Ivanishvili's *Grande Entrée* on Georgia's Political Stage

On 7 October 2011, Bidzina Ivanishvili (born in Chorvila, Georgia, on 18 February 1956), who had formerly been on good terms with the authorities, stirred up the political scene in Georgia by unleashing criticism of the Saakashvili government and announcing his intention to establish a political party in order to run in the 2012 parliamentary elections. At the same time, Ivanishvili revealed that, beyond dual Georgian and Russian citizenship, he also had a French passport. As a result, the Georgian civil registry agency ruled that his Georgian citizenship had become invalid. According to Georgian law, only Georgian citizens can set up or fund a political party. Nevertheless, the doors to government opened for Ivanishvili when, in May 2012, Parliament voted in favour of allowing European Union citizens to become MPs in Georgia. For Ivanishvili, this meant the start of his campaign. Only days after his announcement that he would run for Parliament tens of thousands of supporters were drawn to a large anti-government rally in downtown Tbilisi.[12]

Four months later, on 27 May 2012 following the release of a video on the Georgian television channel TV9 (a station owned by Ivanishvili) and the popular Maestro television channel, showing videos of torture in a Georgian prison, demonstrators took to the streets once again, calling for President

[12] BBC News Europe (27 May 2012). "Tens of thousands have thronged the streets of the Georgian capital to attend a political rally organised by a Georgian billionaire and opposition leader. Bidzina Ivanishvili, one of the country's richest men, is campaigning ahead of October's parliamentary poll. The protest is the largest anti-government demonstration in years. Although his future plans are unclear, he has not excluded becoming prime minister. Addressing the crowd on Tbilisi's Freedom Square, Ivanishvili said: "The parliamentary elections slated for autumn pose the question 'to be or not to be?' to our country.""

Saakashvili to resign. While the video was labelled as having been made by "politically motivated persons",[13] the national prosecutor's office announced the arrests of seven people, including Gaga Mkurnalidze, the deputy head of the penitentiary department, Davit Khutchua, the head of prison number 8 and his deputy Victor Kacheishvili, as well as four other officials from the same prison. The Minister of the Interior, Bacho Akhalaia, resigned, as well as the Corrections and Legal Assistance Minister, Khatuna Kalmakhelidze. Meanwhile, Saakashvili said:

> *Tonight, I tell all the victims of these inhuman actions and the whole nation that the Georgia we have built and we are all building together shall not and will not tolerate such behaviour – in its prisons or anywhere else. Those who committed these crimes will spend long years in jail, as will those who bribed guards to stage these horrors and film them.*[14]

Saakashvili subsequently called for penal reform. In the meantime, substantial damage had been done, since the prison torture videos most definitely helped some of the voters to make the shift from Saakashvili's United National Movement to Ivanishvili's Georgian Dream coalition. In a follow-up to Saakasvili's call for penal reform and the dreaded prison tapes a near constant parade of senior EU, NATO and US officials have visited Tbilisi after the October 2012 elections, repeatedly calling on the new authorities to avoid "selective justice", to ensure the rule of law and to prosecute politically sensitive cases fairly. The United National Movement accused the government of going on a "witch hunt" that had damaged the country's relationship with the West, leaving Georgian Dream to respond by accusing the former ruling party of "distorting the facts" through a lobbying campaign in Western capitals. Subsequently, Ivanishvili attempted to placate misgivings by inviting NATO to monitor investigations related to the arrests and promising to ensure the transparency of prosecutions. Not only international, but also domestic organisations, as well as the ombudsman's office, were urged to publicise their findings, in order to inspire trust in the legal process and so to lower the tension surrounding politically sensitive cases.

### *OSCE/ODIHR Trial-monitoring*

In response to the trials that were set in the aftermath of the prison tapes arrests, the OSCE participating States have undertaken a number of

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[13] 'Shocking videos of prison tortures explode Georgia'. Pravda, Russian Federation (20 September 2012).

[14] The Administration of the President of Georgia, 19 September 2012; http://www.president.gov.ge/en/PressOffice/News/?p=7861.

commitments to comply with rules and principles in the administration of criminal justice in Georgia. Foremost among these is the commitment to ensure the right to a fair and public hearing within a reasonable time before an independent and impartial tribunal. In order to effectuate this commitment and others relating to fair trials, OSCE states have agreed to undertake trial-monitoring in Georgia. Trial-monitoring is a tool to support the process of judicial reform consistent with domestic and international guarantees of a fair trial. It has been in use across the OSCE area since 2002. In a strict sense, trial monitoring is limited to observing public court proceedings and concentrating on the conduct of judges, prosecutors, lawyers, and, possibly, other judicial officials who are physically present during the trial. Often, access to public court documents may also be sought. The traditional output of such activity is the issuance of a report, public or otherwise.[15]

On February 7, 2013, an OSCE/ODIHR monitoring team began a familiarization visit to Georgia in preparation for the planned monitoring of trials involving the heads of prisons and senior political figures. The first objective of the visit was the establishment of contacts with relevant national actors to discuss co-operation ahead of the trial-monitoring operation. The visit was organized in consultation with the Georgian authorities. The OSCE/ODIHR monitors assessed all relevant domestic legislation for their compliance with international fair-trial standards and OSCE commitments. Also, they looked for possible shortcomings in the criminal justice system.

On February 20, 2013 – in order to effectuate OSCE/ODIHR EOM recommendations – the OSCE combined efforts with the Georgian authorities in commencing monitoring trials of former senior officials in Georgia. This concerned the preliminary hearing in the trial of the former Minister of Defence Bachana Akhalaia. Akhalaia, along with seven co-defendants, was accused of illegal imprisonment and torture as well as abuse of power.[16] In the process of trial-monitoring, a team of international OSCE/ODIHR

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[15] In a number of contexts, trial-monitoring may be the only possible means of assessing the fairness of proceedings. However, the direct observation of trial proceedings captures only a snapshot of the legal process. In order to understand the root causes of any challenges observed in trial proceedings, to cross-check information gathered from direct observation, and to propose sustainable solutions, there may be a need to seek further sources of information. Therefore all OSCE trial-monitoring programmes apply a similar working methodology following the sequence of: 1) information gathering; 2) analysis; 3) advocacy; and 4) follow-up on the implementation of recommendations. Trial-Monitoring: A Reference Manual for Practitioners. ©OSCE/ODIHR 2012. ISBN 978-92-9234-833-5.

[16] Bachana Akhalaia (October 24, 1980) served as the Head of the Penitentiary Department of the Ministry of Justice of Georgia (2005–2008). Later, Akhalaia was appointed

monitors will assess the relevant domestic laws of the Republic of Georgia and trial proceedings for their compliance with international fair trial standards. The OSCE/ODIHR team will release a final report describing any shortcomings identified during the monitoring activities and provide recommendations aimed at enhancing the administration of criminal justice in line with OSCE commitments. Throughout the process of monitoring the OSCE/ODIHR team is to observe court proceedings in strict adherence with the principles of objectivity and non-intervention in judicial processes. Trial monitoring as such is seen as a powerful tool for supporting judicial reforms and promoting adherence to domestic and international guarantees of fair trial rights. The first findings and recommendations from the OSCE/ODIHR trial-monitoring will be presented to the Georgian authorities at the end of April 2013.

By April 2013, Georgian lawyers and human rights activists say that it is still too early to judge whether the trials that have been set to take place and the arrests that have been made are politically motivated or not. Over the past few months, both the United National Movement and Georgian Dream have been using harsh rhetoric, which can be perceived as putting pressure on the judiciary.[17]

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Minister of Defence (August 27, 2009 to July 4, 2012). On September 20, 2012, amid protests against torture and rapes in Georgian prisons, Georgia's Ministry of Internal Affairs announced that Akhalaia had resigned from office. In 2005, when Akhalaia had just been moved to the post of Head of the Penitentiary Department of the Ministry of Justice he led a fierce struggle against the established system of "Thieves in law". A "Thief in law" (Russian: "Vory") is a criminal who is well respected, has authority and holds a high-ranked status within the criminal underworld. The system of "Thieves in law" ruled prisons in the old Soviet Union and its successor states. "Thieves in law" still form the elite of the Post-Soviet world of organized crime. It is estimated that there exist hundreds of organized units of "Thieves in law" which, until today, retain independence from mainstream society in their actions. During his fierce fight against the "Thieves in law", Akhalaia was a frequent target of criticism by the opposition, some human rights groups and the Public Defender Sozar Subari (Georgia's Minister of Corrections and Legal Assistance (since October 25, 2012), previously serving as the Public Defender (Ombudsman) of Georgia (2004–2009)). In particular, Akahaila was accused of a heavy-handed crackdown on Georgia's largest prison riot on March 28, 2006 (on that day the Georgian police stormed the Ortochala prison in Tbilisi, after inmates rioted in an alleged escape attempt, sparking two hours of shooting that left two guards and seven inmates dead. The Ortochala prison housed about 4,000 inmates at the time, several buildings in the compound were burned during the riot). Akhalaia is seen as a close ally of Saakashvili and the influential Minister of the Interior, Vano Merabishvili. When in the aftermath of the Russo-Georgian war, Akhalaia was appointed Minister of Defence, Mikheil Saakashvili said that a "much stricter hand" was needed in the military, praising Akhalaia's past achievements. The Georgian opposition subjected the decision to harsh criticism.

[17] "Senior Georgian Dream MPs say: Criticism from NATO result in the United National Movement's 'Distorted' Information". Civil Georgia (13 November 2012). Josh Rogin:

**A New Democratic Dream**

Georgia's 150-member Parliament is elected for a four-year term under a mixed electoral system: 73 members are elected in single-mandate constituencies under a majoritarian system and 77 on closed party lists in one nationwide constituency under a proportional system. Registered political parties and blocs can contest seats both in the majoritarian race (one candidate per electoral district) and in the nationwide constituency (a list of 100-200 candidates). A majoritarian candidate must obtain at least 30 per cent of the total number of valid votes in the constituency to be elected. If no candidate reaches this threshold, a run-off is held within 14 days between the two candidates who received the highest number of votes. Political parties and blocs must pass a threshold of five per cent of the valid votes in the nationwide constituency in order to qualify for seat allocation.

Unforeseen by even the most experienced Southern Caucasus and Georgia experts, Georgia's 2012 elections gave way to the opposition coalition Georgian Dream to sweep to victory only 15 seats short of a constitutional majority, winning 85 seats in Parliament (the Georgian Dream Party won the election with 54 per cent of the votes cast). The incumbent United National Movement won the remaining 65 seats (or 40 per cent of the votes cast, with a 61 per cent turnout). The day after the elections, President Saakashvili gracefully accepted defeat in a dramatic television speech on the state-owned Channel 2. He announced that he would go into opposition for the remainder of his term and furthermore pledged to support the constitutional process of forming a new government:

> *It is clear that Georgian Dream has won a majority. We, as an opposition force, will fight for the future of our country. We believe that their* (*Georgian Dream*) *views are extremely wrong. But democracy works in a way that Georgian people make decisions by majority. We, as an opposition force, will fight for the future of our country.*

On the same day, the winning Georgian Dream Coalition lost no time in forming its cabinet, nominating a number of people to high-level positions who had in one form or another played a prominent role in promoting Georgian-Abkhaz and Georgian-Ossetian relations, in this being highly critical of the Saakashvili regime. A series of interviews essentially

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"Georgia prime minister takes on The Washington Post". The Cable-Foreign Policy (28 November 2012). Crisis Group Report on Georgia (2011) "Sliding Towards Authoritarianism?" and Human Rights Watch Report (September 2006) "Georgia: Undue punishment: Abuses against Prisoners in Georgia".

promising a change of approach followed, accompanied by plenty a speculative analysis. Although Ivanishvili made sure that he appointed plenty of figureheads promoting relations with the breakaway regions, rather cooled responses to the Georgian Dream Coalition's electoral victory from Abkhaz and South Ossetian quarters – mainly restating their positions – made it clear that the road towards peace and security in the region would furthermore stay full of challenges, at least for now.[18]

*Democratic Debutant*

What constitutes the hitherto unknown Georgian New Dream Party? The Georgian Dream–Democratic Georgia Party (GDDG) was established no earlier than April 19, 2012 (less than six months prior to the elections). Due to the efforts of the political newcomer and bedazzling billionaire businessman Ivanishvili the party was able to successfully challenge, over the course of only four months, Saakashvili's ruling United National Movement. Georgian Dream evolved from the public movement Georgian Dream, launched by Ivanishvili as a platform for his political activities in December 2011. Since Ivanishvili was not a Georgian citizen at the moment of the party's inaugural session, the lawyer Manana Kobakhize (then the Director of "Article 42 of the Constitution", a NGO human rights advocacy organization) was elected as an interim, nominal chairman of the GDDG. When Ivanishvili himself stepped up to the position, Kobakhize became his chairwoman. Since October 21, 2012, she has been the Vice-Speaker of the newly elected Parliament of Georgia. GDDG included several extraordinary and notable Georgians. People such as Sozar Subari (a politician, journalist, ombudsman and human rights activist; since October 25, 2012 Georgia's Minister of Corrections and Legal Assistance in the Ivanishvili cabinet), Tedo Japaridze (the former Ambassador of Georgia to the US, Canada and Mexico, before Georgia's 2003 Rose Revolution the deputy Foreign Minister under Eduard Shevardnadze's presidency), Zurab Azmaiparashvili (No. 114 on the World Chess Federation's Chess Grandmaster List), and Kakha Kaladze: a young, successful, and womanizing "Footballer of the Year" (2001-2003 and 2006).

The Georgian Dream Coalition, centred by Ivanishvili's GDDG party, was made up of a total of six constituent parties of diverse ideological orientations; GDDG, the Republican Party of Georgia (which first emerged in 1978

[18] International Alert Thematic Paper: 'European and US approaches to the Georgian-Abkhaz Conflict' (November 2012).

as an underground political organization in the then Soviet Georgia, campaigning for an independent Georgia, human rights and a free market economy), Our Georgia-Free Democrats (founded in 2009 and claiming to have individual freedoms central in its ideology), the National Forum (established in 2006 by the former diplomat Khaka Shartava, the son of Zhiuli Shartava, a Georgian politician in Abkhazia who was killed by the Abkhaz militias during the 1993 secessionist war. The National Forum party advocates a parliamentary republic as a form of government for Georgia. Unlike most other Georgian political parties, the National Forum does not support Georgia's aspiration to join NATO. Instead, it urges that Georgia should be a "neutral country"), the Conservative Party of Georgia (a centre-right and nationalist party, active in Georgia since 2001), and Industry Will Save Georgia (another conservative party). To sum up, the Georgian Dream coalition includes a remarkable mix of pro-market and pro-Western liberals as well as radical nationalists with xenophobic rhetoric and representatives of the Shevardnadze administration. Where the parties that make up the Georgian Dream coalition already have been part of the political landscape of Georgia for at least a number of years, the name of the alliance however is brand new, inspired as it is by a song by Ivanishvili's son Bera; a rap artist.

**Results from the October 1, 2012 Parliamentary Elections in Georgia**

* Figures as announced by the Central Election Commission of Georgia on 19 October 2012

Summary Figures

| | |
|---|---|
| Total number of votes | 3,613,851 |
| Numbers of voters who voted | 2,215,661 |
| Voter Turnout | 61.31% |
| Invalid ballots | 62,874 (or 2.28%) |

| No. on Ballot | Name of Party/Electoral Bloc | Number of Votes (proportional) | Percentage (proportional) |
|---|---|---|---|
| 1 | Kakha Kukava-Free Georgia | 5,865 | 0.27 |
| 4 | National Democratic Party | 3,023 | 0.14 |
| 5 | Mikheil Saakashvili United National Movement - More Benefits to People | 867,432 | 40.34 |
| 9 | Justice for Georgia | 4,073 | 0.19 |

Summary Figures

| | | | |
|---|---|---|---|
| 10 | Giorgi Targamadze - Christian Democratic Union | 43,805 | 2.04 |
| 17 | Public Movement | 546 | 0.03 |
| 19 | Freedom - The Way of Zviad Gamsakhurdia | 1,013 | 0.05 |
| 23 | Jondi Baghaturia - Georgian Group | 2,324 | 0.11 |
| 24 | Political Union New Rights | 9,255 | 0.43 |
| 26 | People's Party | 527 | 0.02 |
| 30 | Merab Kostava Society | 997 | 0.05 |
| 35 | Future Georgia | 701 | 0.03 |
| 36 | Labour Council of Georgia | 581 | 0.03 |
| 38 | Shalva Natelashvili - Labor Party of Georgia | 26,621 | 1.24 |
| 40 | Georgian Sportsman's Community | 1,572 | 0.07 |
| 41 | Bidzina Ivanishvili - Georgian Dream | 1,181,862 | 54.97 |

Georgia's election administration enjoyed a high level of confidence and managed the preparations for the elections in a professional manner. The Central Election Commission (CEC) operated efficiently and transparently, holding frequent meetings that were open to observers, party representatives and the media. Other institutions assumed the responsibility for voter registration, as well as for media and campaign finance monitoring that allowed the CEC to focus exclusively on the core task of election administration. All members of lower-level election commissions received comprehensive training from the CEC that was generally assessed positively.

During the months leading up to the elections, fourteen political parties, two election blocs comprising a further eight parties, and two independent candidates were registered in an inclusive process, providing voters with a wide choice of parties to potentially cast their votes to. In total, 2,757 candidates, including 783 women (28.4 per cent), contested the 150 parliamentary seats.[19]

[19] At the time of the 2012 Parliamentary Elections, only one woman served on the CEC. In the DECs, women represented 44 per cent of the permanent membership and 55 per cent of party appointees. Women appointed to the DECs held 14 chair positions (19 per cent), 16 deputy chairs (22 per cent), and 47 secretary positions (64 per cent). Women were well represented among members of PECs in polling stations. On average, 10 out of 13 members or 69 per cent were women, and more than half (52 per cent) of PECs were chaired by women. Numbers as reported by OSCE/ODIHR observers on election day.

*Participation in Politics*

Although women made up two-thirds of the membership of Precinct Election Commissions (PECs) and chaired half of all PECs, incentives to promote more balanced gender representation on the party lists turned out to be largely ineffective.[20] The root cause of this being that the majority of contestants, including the United National Movement and the Georgian Dream Coalition, did not submit more gender-balanced candidate lists. In the end eighteen women (12 per cent of MPs) were elected to Parliament, which marked an increase compared to the previous parliament, but also underscored the need for further action in order to achieve a balanced gender representation in the legislature. Of the eighteen women, eleven were elected on the proportional ballot and seven won seats in majoritarian contests. Eight candidates with a national minority background were elected to the new Parliament, three on the proportional ballot and five on the majoritarian.[21]

On 19 October, 2012, Georgia's Central Election Committee registered the newly elected MPs. Two days later, on 21 October, 2012, the inaugural

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[20] Although the adoption of gender quotas has become popular in recent decades, it is not the only strategy used by political parties to promote women in the political process. Political parties around the world have established women's wings and committees within their structures, used financial incentives and assistance programmes, allocated funds for training and skills-building, and created discussion and lobbying platforms for women to succeed in politics. In the case of Georgia's 2012 Parliamentary Elections, some parties adopted a combination of such strategies, while others gave preference to one of the tools. Additionally, the Georgian Government created incentives for political parties to promote women candidates in their party lists and within their internal structures by giving the parties extra funding and media time. Georgia's government did not adopt punitive measures against parties not abiding by the mandatory representation of women within their structures as required by Georgia's constitution and legislative provision.

[21] In Georgia's 2012 elections, the largest national minority groups - the Azeri and Armenian voters - remained strong supporters of the United National Movement, with the party winning in all ethnic minority dominated districts. In the predominantly Armenian districts of Akhalkalaki, Ninotsminda (Samstkhe-Javakheti) and Tsalka (Kvemo Kartli) the United National Movement received an average of 74.7 per cent of the votes. In the Azeri districts of Marneuli, Dmanisi and Bolnisi (Kvemo Kartli) the United National Movement received an average of 71.91 per cent of the votes compared to a national average of 40.34 per cent. The electoral precincts of Ninotsminda and Marneuli had the highest share of votes for the United National Movement across the entire country. In Marneuli, Ninotsminda and Akhalkalaki, ethnic minority candidates running on United National Movement tickets were elected as majoritarians. The numbers indicate that the United National Movement gained substantial support across the largest minorities. Caucasus European Centre for Minority Issues, Tbilisi Office Report: "Minorities in the 2012 Parliamentary Elections Observatory."

session of the new MPs took place in the new Kutaisi Parliament Building.

## The OSCE/ODIHR 2012 Parliamentary Elections in Georgia Election Observation Mission

The OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), operational since May 1991, is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE Human Dimension. The OSCE/ODIHR is the leading agency in Europe in the field of election observation. Every year, the OSCE/ODIHR co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE Commitments, other international standards for democratic elections and national legislation. The OSCE/ODIHR election observation methodology provides insight into the electoral process in its entirety. As a result of the OSCE/ODIHR Election Observation Missions, the OSCE/ODIHR helps participating States to improve their electoral framework through a variety of assistance projects.

Following an invitation from the Ministry of Foreign Affairs of Georgia to observe the October 1, 2013 Parliamentary Elections and based on the recommendation of a Needs Assessment Mission (NAM) conducted in Tbilisi from 11 to 15 June, 2012, the OSCE/ODIHR deployed a fully-fledged Election Observation Mission (EOM) to Georgia on August 22, 2012. The EOM was headed by Nikolai Vulchanov of Bulgaria. Vulchanov has over fifteen years' experience in election observation. He also led the OSCE/ODIHR observation missions for Georgia's 1999 Parliamentary and 2000 Presidential Elections. The 2012 EOM comprised a Core Team of 16 experts based in Tbilisi and 28 long-term observers deployed throughout the country. For election-day observation, the OSCE/ODIHR joined efforts with observer delegations from the OSCE Parliamentary Assembly (OSCE PA), the European Parliament, the Parliamentary Assembly of the Council of Europe (PACE) and the NATO Parliamentary Assembly. On election day, 393 observers from 42 OSCE participating States were deployed, including 290 observers by the OSCE/ODIHR, as well as 53 parliamentarians and staff from the OSCE PA, 22 from the PACE, 14 from the European Parliament and the NATO PA each. Voting was observed in some 1,450 of the total of

3,677 polling stations, and counting was observed in 157 polling stations. The tabulation process was observed in 42 of the 73 District Election Commissions. Besides the OSCE/ODIHR EOM, an additional 60 international delegations registered to observe Georgia's 2012 elections.[22]

The OSCE/ODIHR EOM opened on 27 August, 2012, with long-term observers arriving on the 28th. Nearly one month later, on September 27, the short-term observers arrived. The OSCE/ODIHR Press conference on preliminary findings and conclusions took place on October 4, 2012, three days after E-Day. The final report on the observation of the entire electoral process was issued on December 21, 2012, some eight weeks after the end of the observation mission. Upon the conclusion of the EOM the OSCE/ODIHR articulated recommendations with a view to enhancing the conduct of elections in Georgia. Overall, the recommendations aimed to bring the conduct of these elections fully into line with OSCE commitments and other international standards for democratic elections.

**Georgia Parliamentary Elections, 1 October 2012 OSCE/ODIHR Election Observation Mission Final Report (Warsaw, 21 December 2012):**

"The October 1, 2013 Parliamentary Elections marked an important step in consolidating the conduct of democratic elections in line with OSCE and Council of Europe commitments, although certain key issues remain to be addressed. The elections were competitive with active citizen participation throughout the campaign, including in peaceful mass rallies. The environment, however, was polarized and tense, characterized by the frequent use of harsh rhetoric and a few instances of violence. The campaign often centred on the advantages of incumbency, on the one hand, and private financial assets, on the other, rather than on concrete political platforms and programs" (p. 1-2).[23]

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[22] According to the IFES, the International Foundation for Electoral Assistance, on September 21, 2012, sixty-one organizations had registered to observe Georgia's 2012 Parliamentary Elections.

[23] From 29-31 January 2013, a team from the OSCE/ODIHR visited Tbilisi to present the final report of the EOM. The report's findings were discussed at a roundtable meeting jointly organized by ODIHR and the UNDP, with support from the European Union. The event brought together representatives from Georgian authorities, political parties and international and local organizations, as well as from the diplomatic community. The ODIHR team also met separately with representatives of state authorities, political parties, and other electoral stakeholders to discuss the report's recommendations aimed at ensuring that future election-related legislation and practice is to be more in line with OSCE commitments and other international standards. During the January 2013 meetings in Tbilisi,

**Good Cop, Bad Cop; 2013's Dual Power**

When E-Day came, Ivanishvili declared victory immediately after several exit polls suggested that his Democratic Dream Coalition was ahead. That same evening, Ivanishvili's supporters celebrated long into the night in Tbilisi's central Freedom Square. Ivanishvili's victory resulted in a great upset to the dominance that President Saakashvili had built up over the country since he rose to power after the 2003 "Rose Revolution". Also, the 2012 election results risk making him a sitting duck until his term ends in October 2013. The 2012 election results are crucial for Georgia's future because its Parliament and Prime Minister will become stronger and the presidency's powers will dwindle under constitutional changes that will come into force after Saakashvili's two-term rule ends in October 2013. When on October 19, 2012 it was settled that the voter turnout was 61 per cent, Georgia's Central Election Commission's Summary Protocol, in the words of Zurab Kharatishvili, the CEC Chair, stated that:

> *The 2012 Parliamentary Elections were held in a peaceful and transparent environment. 62,115 local and 1,641 international observer organizations, more than 33,000 representatives of electoral subjects and 3,295 media representatives monitored the polling process. More than 47,000 commission members were serving the voters. Hot line, online chat and online operators of the CEC were working for 24 hours a day. Briefings in the CEC were held in every two hours starting from 9:00 am in the morning. The CEC systematically provided the public with the information regarding the voters' turnout and about the polling process. The CEC was responding to all kinds of received complaints in a timely manner and operatively disseminated the information. The work of the election administration was evaluated positively by international observer organizations such as the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the OSCE/ODIHR, the European Parliament and the NATO Parliamentary Assembly. Their joint statement on October 2, 2012 states that the CEC enjoyed a high level of confidence and managed the preparations for the elections in a professional manner. The CEC operated efficiently and transparently, holding frequent meetings that were open to observers, party representatives and media. It is concluded that Georgia's 2012 Parliamentary Elections were held in an unprecedentedly competitive environment. The final results accurately reflect the people's will.*

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the ODIHR team suggested that only those recommendations of a more technical and administrative nature should be implemented ahead of the Presidential Election scheduled for October 2013. The implementation of broader and more comprehensive recommendations will be left until after October, to allow sufficient preparation time, thus enhancing successful implementation.

The 2012 elections gave a clear pointer to Georgia's decision in October's Presidential Election. Saakashvili will have to step down as his two-term rule ends. He may step down before then following the negative election outcomes. But in that case, the United National Movement will probably find someone to take his place (however much good this will do to them). The year 2013 is expected to provide a clear indication of Georgia's path – and the country's stability – well beyond any elections.

*Goldfinger*

What can be expected until October? Ivanishvili Bidzina is Georgia's richest man. His followers have just ousted President Saakashvili's ruling party from power in a shock election result. What do we know of this dominant debutant, Ivanishvili? He is said to own a private zoo stocked with zebras, flamingos and even an elephant (some people claim that Elvis is still alive….). Ivanishvili does however possess one of the world's most valuable art collections. He lives in a futuristic steel mansion on a hilltop – strategically overlooking Tbilisi as from an eagle's nest – with a helipad and fake waterfalls. Some visitors claim that Ivanishvili's house has a James Bond-like decorum. However, in the action-packed blockbuster called "Georgian Politics", it is not yet quite clear whether Ivanishvili is the hero or the villain. However, the exact same thing can be said about Saakashvili. "I have come into politics to save my country," Ivanishvili told the BBC during an interview in his palatial Tbilisi headquarters, as he gave an impromptu tour of his massive art collection (BBC Profile: "Georgia's Bidzina Ivanishvili", Damien McGuinness, 3 October 2012). Ivanishvili owns works by Roy Lichtenstein, Jeff Koons and Damien Hirst – one of whose pieces he commissioned specially for a particular wall. In 2006 he bought Picasso's 'Dora Maar with Cat' for almost USD 100 million – at the time the highest amount ever paid by anyone at auction. For Ivanishvili, listed the 153rd richest person on the planet (Forbes Magazine, 2011), it might as well have been a bargain.

Yet in person he is not quite as flamboyant as all this suggests. Softly spoken and polite, Ivanishvili is not what one would expect from a person who has ousted Georgia's powerful ruling party and inspired feelings of fanatical devotion and distrust in equal measure. Before the first interview he gave to the BBC (November 5, 2011), just after he had announced his political ambitions in October of that same year, Ivanishvili seemed nervous. When asked, he confessed that he did not know how to stand in front of the camera. Since then, Ivanishvili has repeatedly said that he is not interested in, nor fully understands, politics. He has said on several

occasions that he wants to serve as Prime Minister for only two years before leaving politics for good.[24] This apparent honesty has charmed many Georgian voters who often distrust politicians. They may even see Ivanishvili as one of them. He may be rich but he started off poor, running around without shoes in the little farmers' village in rural Western Georgia where he grew up. Very different, some voters feel, to President Saakashvili's all-powerful political elite, which is a close team of pro-Western and culturally liberal urbanites in their thirties or forties. They go down well in Washington and Brussels but they think very differently to many ordinary Georgians, who have strong traditional family values and a high regard for the culturally conservative Orthodox Church. Besides, after almost a decade of unopposed power, many view President Saakashvili's party as arrogant and out of touch.

Yet, while Ivanishvili's statements seem genuine and honest to some, to others they are extremely worrying. 2013 will be the first year ever that Ivanishvili has held political office and there are doubts whether he is experienced enough to control his Georgian Dream Coalition, a coalition made up of several disparate parties with conflicting ideologies. And there are controversial figures within his Georgian Dream Coalition, some of whom have been accused of having links to crime and corruption in Georgia's past while others have made xenophobic, nationalistic or homophobic comments. Ivanishvili's plan to serve as Prime Minster for just two years has come across to some as dilettantism – a particular concern in a country which over the last 20 years has been torn apart by civil war, revolution and political strife.

### *How to Be a Good Neighbour*[25]

Despite President Saakashvili's paradoxical statement that he would go into opposition, it cannot be said that there has been a complete paradigm shift in Georgia's domestic politics. With the Georgian Dream's failure to gain a constitutional majority and questions over the ideological

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[24] Euronews: "Georgia's Ivanishvili plans to work fast" (2 October 2012).

[25] Georgia maintains good relations with its direct neighbours Armenia, Azerbaijan and Turkey. The country is a member of the United Nations, the Council of Europe, the World Trade Organization, the Organization of the Black Sea Economic Cooperation, the Organization for Security and Cooperation in Europe, the Community of Democratic Choice, the GUAM Organization for Democracy and Economic Development, and the Asian Development Bank. Georgia also maintains political, economic and military relations with Japan, Uruguay, South Korea, Israel, Sri Lanka, Ukraine and other countries. Georgia is working to become a full member of NATO.

compatibility of the coalition – along with the fact that the United National Movement still has the greatest representation in Parliament relative to the other parties, Saakashvili and his supporters still have substantial political leverage. And, most importantly, Saakashvili will remain President until the October 2013 election. Ivanishvili most probably will become a forceful and active Prime Minister, bringing in a less contentious, more pragmatic approach to relations with the country's giant neighbour to the north. That is smart, given Georgia's small size, lack of natural wealth[26] and its tough and highly politicized neighbourhood. At the same time, Ivanishvili says he wants Georgia to join NATO. As a transit route for Caspian gas[27] making its way to Europe, and as a Western-friendly government located strategically between Russia, Turkey, Iran and Central Asia, Georgia can expect friendly overtures from both east and west in that respect. But make no mistake: Georgia has now entered a contentious moment in its politics.

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[26] Ancient Greek legends told of the fabulously wealthy land of Colchis where Jason and the Argonauts stole the Golden Fleece from King Aeetes with the help of his daughter Medea. It was a distant land that was reached by the Black Sea and down the River Phasis. Later stories tell about the Silk Road, the phrase of which evokes images of vibrant colours, rich fabrics, crowded markets, the heavy smell of exotic spices, and the promise of adventure and prosperity. Jason's Golden Fleece was never found – or has long been lost, and Silk Road trade routes have fallen into despair. In 2013, Georgia's "natural wealth" consists of the following produce and products. Livestock: broilers (5-12 week-old chickens), beef cattle, hogs, chicken eggs, milk. Crops: peanuts, pecans, walnuts, cotton, tobacco, soybeans, corn, hay, oats, sorghum grain (used for food as grain, in sorghum syrup and molasses, the production of alcoholic beverages, and biofuels. Sorghum grain is drought- and heat-tolerant), wheat, sweet potatoes, peaches, apples, tomatoes, watermelons. Equipment: transportation equipment (automobile assembly, aircraft parts, military aircraft, missiles). Mining: clay, kaolin, fuller's earth (a sedimentary clay or clay-like earthy material used to decolourize, filter, and purify animal, mineral, and vegetable oils and greases), crushed stone, building stone, granite, limestone, marble, sand, gravel, barite (barium sulphate), bauxite, feldspar (crystallized from magma), kyanite (a silicate mineral used in ceramic products, including porcelain plumbing fixtures and dishware), mica, talc. Fishing: shrimps, crabs, oysters, clams. (US Department of Agriculture: National Agricultural Statistics Service, "Georgia State Agriculture Overview 2009", 10 February 2009).

[27] The Trans-Caspian gas pipeline is a proposed (2004) submarine pipeline planned to run from Türkmenbaşy in Turkmenistan to Baku in Azerbaijan. According to some proposals it will also include a connection between the Tengiz Field in Kazakhstan, and Türkmenbaşy. If built, the Trans-Caspian gas pipeline project will transport natural gas from Kazakhstan and Turkmenistan to Central Europe over the "Southern route" (through the Caucasus, including Georgia), as such circumventing both Russia and Iran. The Trans-Caspian gas pipeline would run under the Caspian Sea from Türkmenbaşy to the Sangachal Terminal, where it would connect with the existing pipeline to Erzurum in Turkey, which in turn would be connected to the Nabucco pipeline, thus taking natural gas from Turkmenistan all the way and straight into Central Europe. (Fishelson, J. (2012). The Geopolitics of Oil and Gas Pipelines in Central Asia. Georgian Foreign Affairs).

Ivanishvili is a political novice and his Georgian Dream Coalition contains an odd collection of European-minded liberals and hard-core Georgian chauvinists. Is the only thing that unites them the dislike of the 'other guy' and respect for their own man's cash? It might be that the Dream Coalition will not always have strong incentives to work together. Yet, only one generation ago, the newly independent Georgia plunged straight into civil war. When Saakashvili came to power in 2003, the capital city's great immediate need was a steady supply of electricity. Ten years on, Georgia has just held its first genuinely contested election and the world might be about to see a peaceful, if grudging, transfer of political power. Outside the Baltic States and Ukraine, no other former Soviet republic has shown the same. Maybe the best strategy on behalf of Georgia's future is to keep cynicism for later? Today it might be best to cheer for another triumph in Georgia's ongoing Rose Revolution.

## From Tbilisi to Kutaisi; the Relocation of Parliament, Politics and Power

On a solemn autumn day, Georgia's brand new Parliament Building in Kutaisi (the building was inaugurated as the home of *Sakartvelos Parlamenti* on Georgia's Independence Day, May 26, 2012) leaves a dazzling impression on those who lay eyes on it. The construction of the building cost GEL 57 million (or EUR 26,508, 560, which amounts to 1.5 per cent of the country's total budget expenditures set for 2012….). The stadium-sized, oyster shell shaped building enmeshed in steel netting is surrounded by pools that reflect its grand image and lustrous landscaping including fields of flowers in the shape and the red and white colours of Georgia's beloved national flag.

The measure of relocating Parliament is ostensibly designed to encourage decentralization, to relieve Tbilisi's strained infrastructure, to provide an economic bolster for Kutaisi and symbolically to connect the country's two historic halves. President Saakashvili himself mentioned this following the day of the inauguration (Georgia's Independence Day):

> *The new Georgia is still a work in progress. This is a new building, like our country is still a work in progress, far from being over. I want everyone in Georgia to feel that the place where they live is the centre. The relocation of Parliament and de-centralization process is also aimed at fostering Abkhazia and Abkhazians to restore contacts with our homeland. David the Builder*[28] *started Georgia's*

[28] David IV, "David the Builder", also known as Davit Aghmashenebeli (1073 – 1125), of the Bagrationi dynasty, was King of Georgia from 1089 until his year of death. David the

> *reunification from Kutaisi. Emergence of many centres is the firmest foundation for unity. Relocation of the Parliament to Kutaisi amounts to a return of power in the hands of the people, putting an end to the division of Georgia into eastern and western parts.* (President Mikheil Saakashvili's in his speech on Georgia's Independence Day, 26 May 2012).

Six months earlier, on August 29, 2011, upon a visit to the building site, President Saakashvili had mentioned:

> *The relocation of Parliament from the capital Tbilisi to Georgia's second largest city of Kutaisi will help to change social psychology in the country and also to at least partly address Kutaisi's social problems. That's really a historic process, because we are building not only the most modern parliament building in the world... but what is important, it is a complete change of social psychology in Georgia," he said while visiting the construction site of the new Parliament in Kutaisi. In terms of social and economic development, Georgia will gain new, huge energy by the relocation of the Parliament to Kutaisi. The relocation will help to overcome the hopeless situation in which Kutaisi was just three, five years ago, when even I was sceptical about what could have been achieved here. There are lots of social problems* [*in Kutaisi*]*; of course the* [*relocation of the*] *Parliament can't resolve all of them, but it can solve some. The pace with which Georgia is being built, regardless of all difficulties, is a huge success.*[29]

*For Better, for Worse?*

Yet, the move seems to imply more than meets the eye when looking at the bedazzling architectural democratic dream for the first time. The relocation

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Builder is popularly considered to be the greatest and most successful Georgian ruler in history, succeeding in driving the Seljuk Turks out of the country and winning the major Battle of Didgori in 1121. King David's reforms of the army and administration enabled him to reunite the country and bring most of the lands of the Caucasus under Georgia's control. A friend of the Church and a notable promoter of Christian culture, he was canonized by the Georgian Orthodox Church. After being elected President of Georgia, Mikheil Saakashvili took an oath at David the Builder's tomb at Gelati Monastery on the day of his inauguration (25 January 2004). Saakashvili said it was a symbol of his dedication to follow in the footsteps of King David who brought unity and prosperity to Georgia.

[29] Saakashvili then continued: "Recently Sandra (referring to his Dutch wife, Sandra Elisabeth Roelofs) was in a café and she had a chat with one Dutch tourist, who said: "what a wonderful country Georgia is; the people are so good - they invited us to their home, feed us free of charge; patrol [police] provided us with water in the street" - it was hot at that time – "but this country has one problem; it has a very strange President. He has made some silly sketches in his kids' notebook and that's why Batumi and Kutaisi are terrible cities" (a reference to what appears to be the President's personal involvement in planning new constructions. "Why? Because that's not Georgia; that's a direct result of his (the President's) strange fantasies." Saakashvili went on by saying: 'That man was not smart. In general this arrogance is characteristic of some foreigners; they think that good and cool can only be in

of Parliament is destined to weaken Georgia's already feeble legislative branch just as the country enters a period of post-electoral commotion. With the 2012 Parliamentary Elections resulting in a makeshift change in political powers and Presidential Elections scheduled for October 2013, Georgia's first fully democratic transfer of power could be taking place during the autumn. Other countries have experienced the relocation of one or more governmental branches before (Bolivia, Myanmar, Nigeria) sometimes even by relocating the capital itself or by creating more than one capital. However, in many such cases the changes have led to bureaucratic and logistical nightmares as well as political tensions among provinces and regions.

Sometimes, as is suspected in the case of Georgia,[30] the moves are a deliberate political ploy to weaken one region of the country, a certain branch of government or the political opposition. However, a majority of Georgian citizens have greeted the move – 51 per cent of them being in favour of it (National Democratic Institute Survey, 2009). Those against the move of Parliament cite the unnecessary expenses and worries about the practical challenges of travelling between Tbilisi and Kutaisi (over bad and overcrowded two-lane highways, with lunatic drivers, trundling farm equipment and carefree meandering, ruminating cows meeting travellers around every corner). As an alternative to driving, the two cities are joined by a six-hour train journey. The government is working on building a new airport in Kutaisi, to bolster daily Tbilisi-Kutaisi flights. Other critics, including some Georgian opposition politicians,[31] say there are villainous motivations behind Parliament's relocation. They accuse President Saakashvili of banishing Parliament to the Wild West in order to further marginalize its powers and discourage popular protest movements like those that in recent years have occasionally convened in front of the legislative building on central Tbilisi's Rustaveli Avenue. After all, it was Saakashvili himself who came to power during the 2003 Rose Revolution after his supporters stormed the

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Holland, France or in Italy and we should be here like we were in the past, sitting in mud. They (foreigners) will arrive here and tell us: "Oh, what a wonderful people; you are sitting in mud, but still feed us free of charge and smile; you have good police." But they do not understand, that… the country is being built because the police are good and because the state apparatus is functioning. You will see, we will catch up with Holland and others too and we will even outstrip them," Saakashvili ended his response "Of course it requires time and patience." Civil.Ge Daily News Online, 29 August 2011.

30 'Building into sky'; Civil.Ge Daily News Online, 26 May 2012.

31 'Mounting frustration with Saakashvili's dominance of Georgia's political scene.' Freedom House Press Release, 18 June 2012.

Rustaveli Avenue Parliament. It would not be the first time that a decision to relocate the legislature has been politically motivated as such. At the tail end of Augusto Pinochet's rule in 1990, the government of Chile moved Parliament out of Santiago for similar political reasons. In the end, in Georgia, where tensions between the ruling party and the opposition have reached a seething crescendo during this election year, it is hard to look at the decision to relocate Parliament without suspicion. Or, as MP Levan Vepkhvadze (Christian-Democratic Movement) put it.[32]

> *The move will castrate the Parliament, make it even more incapable, because by moving the legislative body from proximity to the executive it will only affect negatively on its oversight functions over the Tbilisi-based executive government* (…). *If the Parliament is relocating to Kutaisi, the government should also follow.*

Overall, for the moment it is difficult to see how the move of Georgia's Parliament to Kutaisi can help Georgia's unsteady democracy develop what it needs most: robust institutions and more diverse representation in government. The new Parliament building has however provided the West of Georgia with a premier tourist sight.

**Meanwhile in Tbilisi (,…Sukhumi, …Tskhinvali)**

Meanwhile in Tbilisi, the situation has seen a dramatic turn with President Saakashvili's United National Movement losing the elections, leaving the former opposition to form the government. Although Saakashvili will retain his post for one more year – notwithstanding impressive constitutional prerogatives – his sitting duck status and the decline in public support mean that things have changed for Georgia's boy wonder. In the spring of 2013, the question is no longer what party will win the Parliamentary Elections, but what, over the course of the year, will remain of Saakashvili's directions. The new leadership claims to continue Georgia's Euro-Atlantic aspirations, although at the same time trying to improve relations with the Russian Federation. Nine years earlier, in January 2004, the same desire was announced by a newly-elected Saakashvili, only to be replaced too soon by fervently anti-Russian rhetoric…. (Sharashenidze & Lukyanov, 2012).

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[32] MP Levan Vepkhvadze (Christian-Democrat Party) on 22 June 2011 in the Georgian Parliament on the passing of the first reading of the constitutional amendment to relocate Georgia's Parliament from Tbilisi to Kutaisi.

*Tidings of Joy?*

Inevitably, new leaders bring new circumstances. Georgia's struggle to build a state with a substantial level of democratic governance, strained relations with Russia, and policies that helped to strengthen "enemy image"[33] did not serve to enhance or consolidate the overall development of the country. The growing controversy over Saakashvili's personality, his rhetoric and policies help to demonstrate the unacceptability of reconciliation between Georgia and the Russian Federation. Where, on the one hand, the Georgian government has been busy demonising Russia and the Russians, the Russian Federation has engaged in justifying the general policy of blocking any possible constructive initiative in the direction of Tbilisi – either by outright rejection or through replacing it with symbolic actions that *a priori* are unacceptable to Tbilisi.

Inal Khashig, the founder and Editor-in-Chief of the Sukhumi independent Russian-language weekly newspaper *Chegemskaya Pravda*, stated immediately after the Parliamentary Elections in Georgia (Chegemskaya Pravda, 3 October 2012):

> *It is paradoxical but true that most of the people were inclined to think that Saakashvili was better, because he was predictable; on the other hand, his relations with Moscow were so bad that there was a 100 per cent guarantee for relations to never be improved as long as he is in power. While with Ivanishvili, it is not very clear. He has earned his millions in Russia, so maybe he will be able to negotiate with Moscow and maybe somehow influence relations between Moscow and Abkhazia and so on.*

Khashig's statement illustrated a certain mistrust towards Russia, but also the attitude that many Abkhaz share towards developments in Georgia: on the one hand, they claim not to be interested in what happens there; however, the worse things there are, the better it is for Abkhazia's future. A similar opinion was heard via the radio station *Echo Moskvy*[34]

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[33] In November 2010, when deployed to the European Union Monitoring Mission to Georgia, the author of this article observed how Tbilisi's elementary schools organised a drawing competition amongst pupils (age 9-12) to find the best drawing of 'Russia the Aggressor'. The grand finale of the drawing competition, presenting the three winning pupils and their prize-winning drawings, was broadcast on national television. In the footage, President Saakashvili was shown as he visited the school of the winning pupil.

[34] "Echo of Moscow" is a Russian radio station based in Moscow and broadcasting in many Russian cities, in some of the former Soviet republics, and via the Internet. On June 2, 2012, The New York Times described "Echo of Moscow" as "the last bastion of free media in Russia".

where the notorious Russian politician Vladimir Zhirinovsky[35] declared that:

> *An open enemy such as Saakashvili is a much more convenient counterpart for Russia, while Ivanishvili's victory may threaten its geopolitical interests.*

Contrary to Saakashvili, the new Georgian leadership claims that it is not against signing a peace agreement with Abkhazia.[36] However, it is the format of such an agreement that is likely to inadvertently cause discord. As the incoming Minister for Reintegration Paata Zakareishvili[37] stated after his nomination: "the signing of a (peace) agreement with the Abkhaz

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35 Vladimir Zhirinovsky (born in Almaty, Kazakhstan, on 25 April 1946) is a Russian politician and political activist. He is a colonel in the Russian Army, founder and leader of the Liberal Democratic Party of Russia (LDPR), Vice-Chairman of the State Duma, and a member of the Parliamentary Assembly of the Council of Europe. Zhirinovsky is often viewed as a showman of Russian politics, blending populist and nationalist rhetoric, anti-Western invective and a brash, confrontational style.

36 'Zakareishvili: We must get the Abkhaz and Ossetians to look towards Georgia, or at least towards Europe'. Nasha Abkhazia (10 October 2012). http://abkhazeti.info/news/1349887551.php.

37 Paata Zakareishvili, a veteran civil society activist with many connections in Abkhazia, is the incumbent Minister of Reintegration under the Ivanishvili cabinet. The Ministry is in charge of the coordination and monitoring of activities undertaken towards Georgian-Ossetian and Georgian-Abkhazian conflict resolution, generating new peace initiatives and reintegrating the conflict regions and their population with the rest of Georgia. The Ministry was established on January 24, 2008 by Presidential Decree effectively replacing the Ministry on Conflict Resolution Issues. After the establishment of the new Ministry, Georgian officials proposed a peace format "3+1" (Russia, North Ossetia-Alania, the separatist authorities of South Ossetia and Georgia) through a "2+2+2" format, where conflict resolution negotiations would be held at three levels: 1) include local leaders of the Tskhinvali separatist authorities and Dmitry Sanakoyev's Provisional Administrative Entity of South Ossetia; 2) include Russia and Georgia as international legal parties to the conflict; and 3) involve OSCE and the EU (through the European Union Monitoring Mission, EUMM) as neutral international mediating parties. However, in January 2009, both Russia and South Ossetian separatist authorities rejected the proposal. At present, the main functions of the Ministry of Reintegration are: 1) providing political support for both Georgian–Ossetian and Georgian–Abkhazian conflict resolutions; 2) initiating new peace proposals and assisting with the reintegration of breakaway regions and their Abkhazian, Ossetian and Georgian populations with the rest of Georgia; 3) facilitating the process of creating necessary preconditions for a full-scale resolution of the conflicts including reactivation of Georgian-Ossetian and Georgian-Abkhaz relations; 4) development, organization and management of the peace process, instituting mechanisms for the unconditional return of refugees and IDPs to their homes; 5) restoration of economic ties with Abkhazia and South Ossetia and contributing to joint economic activities; 6) restoration and development of social ties with the breakaway regions; and 7) elaboration of a mutually acceptable system of political arrangement based on democratic principles.

side is possible, but only if the two sides are considered parties to the conflict, not two independent states."[38]

Nevertheless, the new Minister of Reintegration, Zakareishvili, remains optimistic that small steps towards reconciliation are possible. For instance, Zakareishvili mentions a softening (although a preservation) of Georgian legislation on "occupied territories" (a term which is unacceptable to the Abkhaz) and promoting direct negotiations and economic ties.[39] Zakareishvili has also expressed optimism that – if Georgia continues to move towards democracy and economic prosperity – public attitudes towards reconciliation may change in Abkhazia (whatever Russia's counteractions), eventually leading to reintegration into the Georgian state. However, in the spring of 2013, the extent to which Zakareishvili's optimism is justified by current and future developments remains to be seen. One thing is clear; even if the key dividing issues are unlikely to be resolved anytime soon, people on both sides of the boundary lines deserve much better lives.

*Democratic Change of Power*

Georgia has undergone a number of coups in its short history as an independent state. The 2012 elections present the first time that there has been a peaceful change of government through democratic elections. Prior to the prison videos scandal, the general expectation was that the opposition stood little chance of winning. This certainty was attributed both to the use of administrative resources by the ruling party and to ideological splits within Ivanishvili's opposition bloc. The expectation was that the Georgian Dream Coalition would secure sufficient votes to avoid yet another revolution but insufficient votes to give it a defining role in the formation of a government. Notwithstanding this, the electoral scene was indeed transformed by the prison scandal and the protests that spilled out onto the streets of Tbilisi against the Georgian administration's repressive methods. By the eve of the elections, it was already hard to imagine that the Georgian Dream Coalition would fail to gain at least a simple majority in Parliament. Only the total falsification of the election results could have prevented Ivanishvili from winning.

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[38] 'The main question for Georgian-Abkhaz talks is the signing of a peace agreement', Apsnypress (10 October 2012). http://apsnypress.info/news/7449.html.

[39] 'Zakareishvili: Return the people in order to return the territories'. Nasha Abkhazia (6 October 2012). http://abkhazeti.info/news/1349591738.php.

On the eve of the election, in what might have been a last-ditch attempt to keep Parliament in the hands of the United National Movement, Saakashvili issued a statement that the United National Movement had won the vote in the single mandate constituencies but had lost in the party lists:

> *Dear compatriots! As you know, an absolute majority of us cast ballots in the Parliamentary Elections today.* [...] *The votes are still being counted and we will need at least several more hours before we have a full picture; but based on the exit polls it can now already be said that the Georgian Dream Coalition has gained an advantage in the proportional race, but as far as single-mandate constituencies are concerned, as it seems, the United National Movement has a significant advantage. Results have yet to be counted* [...]. *One thing should be noted when we are looking at the election results: the Georgian Dream's advantage in the proportional race is mainly based on those votes, which this coalition garnered in the Georgian capital Tbilisi. But outside Tbilisi, actually in all the regions the United National Movement is in the lead with a large margin. But it does not mean that we are dividing the country into Tbilisi and the provinces. We are all Georgians; we are all citizens of our country. We should all stand together and we should all manage to work together in frames of existing democracy despite the fact that the election campaign was tense, emotional, and unfortunately often dirty too; but this should be left behind and we should manage to represent the interests of all citizens of all regions of Georgia in the new Parliament. As the President, I am a guarantor that the transfer from the incumbent Parliament to the new one will take place painlessly within the framework of the constitution and democracy and I am sure that the new Parliament will manage to make useful decisions for the country within the next few months.*[40]

Such a hasty acknowledgement of the Georgian Dream's victory, even before the results had been officially announced, suggests that Saakashvili might have received a warning from his external allies, the US in particular. Even public statements by Western spokespersons that the elections should reflect the will of the Georgian people were unmistakeably clear as never before (Sharashenidze & Lukyanov, 2012). One more revolution would have destroyed the image of Georgia as a "beacon for democracy"[41]

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[40] "Saakashvili Says UNM Lost in Party-List Race, Won Majoritarian Contest". Civil Georgia, Tbilisi, 1 October 2012 / 21:51 pm.

[41] Financial Times (10 May, 2005). "Bush backs Georgia as "beacon for democracy"". Today, in a huge gathering in Tbilisi, US President George W. Bush took his message of democracy to the heart of Tbilisi's Freedom Square (former "Lenin Square"), telling tens of thousands of Georgians they were "a beacon for democracy" in the world. President Bush called the Rose Revolution, which 18 months ago led to the peaceful ousting of Eduard Shevardnadze as president, "one of the most powerful moments in history. It inspired others around the world who want to live in a free society." Under blue skies on a sweltering day,

and would have led to a destabilisation of the country, which would be highly undesirable both for Georgia itself and for the interests of its allies and patrons.

Nevertheless, in October 2012, the authorities' claims about their achievements in reforming law enforcement, education and health could not offset public dissatisfaction with Saakashvili's authoritarian style of governance, the corrupt legal system, unemployment and poverty. It was no surprise that Saakashvili tried to trump the elections using the "enemy image" of Russia to mobilise his supporters in favour of Georgia's "civilised" choice of NATO membership. However, the public's reaction came as a response to Saakashvili overestimating himself; he had overplayed his hand. In response, first came the applause by thousands of demonstrators in response to Ivanishvili's promise to restore normal relations with Russia. Later the votes in support of the Georgian Dream Coalition spoke a clear language. Georgian society was no longer willing to live in a state of constant tension. The electorate was not only protesting against the arbitrary actions of the President and his entourage; it was also expressing its weariness regarding Saakashvili's constant attempts to use the "Russian threat" to divert attention from domestic problems.

## Georgia, Russia and the Rest of the World

The Georgian Dream's victory is unlikely to mean that Georgia will swap its pro-Western vector for a pro-Russian one. Most likely, relations with Russia will improve, mainly in terms of economic links, while the strategic partnership with the US and the EU will carefully be maintained. Ivanishvili cited the Baltic States as the example to follow, and some analysts are talking about the potential "Finlandization" of Georgia.[42] Russia's Prime

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President Bush, marking the first ever visit to the country by a US president, received a boisterous welcome from between 60,000-100,00 attendees who began to descend on the square from dawn. He called for the creation of free institutions and gave his backing to Georgia's close cooperation with NATO. In a nod to the threat of instability from the separatist movements in Abkhazia and South Ossetia, he offered the caveat: "Georgian leaders know the peaceful resolution of conflict is essential to your integration into the transatlantic community." Five days after Bush's speech to the people of Georgia, Tbilisi's city officials voted in favour of renaming the main avenue leading up to Tbilisi International Airport "President George W. Bush Avenue".

[42] "Finlandization" is the process by which one powerful country strongly influences the policies of a smaller neighbouring country, resulting in the smaller country becoming like Finland was perceived to be by many in the West during the Cold War. The term is

Minister Dmitry Medvedev, who has long been openly hostile to Saakashvili, welcomed the opposition victory by stating:

> *The victory of the Georgian Dream Coalition has opened the way for more constructive and responsible forces to enter the Georgian Parliament. The reports from Georgia's Central Election Commission on the Parliamentary Election showed that the Georgian people need changes. If this result becomes the reality, Georgia's political landscape will become more diverse, which can be welcomed because it means that the Parliament will receive more constructive and responsible forces. United Russia is ready for dialogue on the future of Russian-Georgian relations.* (October 2, 2012, Voice of Russia).
>
> *I hope that the results from Monday's Parliamentary Election in Georgia will help normalize relations between our two countries*. (October 3, 2012, Voice of America).

### *Foreign Policy at Stake*

The 2012 election rested on something exclusive, something that elections rarely rely upon: foreign policy. Saakashvili accused his unexpectedly strong challenger Ivanishvili of being a pro-Russian stooge on the flimsy evidence that Ivanishvili had made his USD 4-6 billion (estimates vary) fortune in

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generally considered to be pejorative, originating in West German political debate in the late 1960s and 1970s. As the term was used in Germany and other NATO countries, it referred to the decision of a country to not challenge a more powerful neighbour in foreign politics, while maintaining national sovereignty. Although the term is commonly used in reference to Finland's policies vis-à-vis the Soviet Union during the Cold War, it can refer more generally to similar international relations, such as Denmark's attitude towards Germany between 1871 and 1940. In Finland, the term Finlandization was perceived as blunt criticism, stemming from an inability to understand the practicalities of how a small nation needs to deal with an adjacent superpower, without losing its sovereignty. These practicalities existed especially because of the lingering effect of the Swedish and Russian rule at the time, before the Finns first gained autonomy, and because of the precarious power balance eastwards, springing from a geographically extended yet sparsely populated state with a traditionally imperialist superpower immediately across the eastern border. The reason why Finland permitted Finlandization was primarily Realpolitik: to survive. On the other hand, the threat of the Soviet Union was also used in Finland's domestic politics in a way that possibly deepened Finlandization. Finland cut such a deal with Joseph Stalin's government in the late 1940s, and it was largely respected by both parties - and to the gain of both parties - until the fall of the Soviet Union in 1991. While the Finnish political and intellectual elite mostly understood the term to refer more to the foreign policy problems of other countries, and was meant mostly for domestic consumption in the speaker's own country, many ordinary Finns considered the term to be highly offensive. The Finnish political cartoonist Kari Suomalainen once explained Finlandization as the art of bowing to the East without mooning the West. (Allison, R. (1985). Finland's Relations with the Soviet Union 1940 – 1986. New York, US: St Martin's. Treverton, G.F. (1983). Complicated Coexistence. Atlantic.

Russia and has made conciliatory noises to the country which he left in 2002. Meanwhile, Ivanishvili and his Georgian Dream Coalition accuse the United National Movement of bankruptcy – financial and moral – not to say unnecessary antagonism of their neighbour to the north. Yet surprisingly, foreign policy – and even relations with Russia – comes consistently low in opinion polls on Georgians' concerns. Social welfare and individual prosperity are considered to be far more important. However, these stringent 'internal' issues have transformed into foreign policy anyway. For Saakashvili and his party, Georgia will only become prosperous by realizing a 'European dream'. Ivanishvili's Georgian Dream does not accept that good relations with Europe and Russia are mutually exclusive. This is outwardly sensible, but now that Ivanishvili has come to power (for the time being, and maybe even more so at the end of 2013), he may discover that such ostensibly enlightened views – much like the Russia-US 'reset' – may turn out to be too naïve. This will depend on what both sides practice, not just what they preach. The northern neighbour Russia has kept judiciously quiet.

There is no proof that Ivanishvili, who was only allowed to spend a fraction of his fortune on the campaign, is in any way beholden or even amenable to the Kremlin's desire for influence. But Ivanishvili is likely to adopt a less antagonistic policy than Saakashvili, for whom there is no way back with President Putin now, even though Georgia already benefits from substantial Russian investment. Assuming Georgia does not erupt into civil war, an initial turn to Russia with Ivanishvili would bring a more immediate economic benefit than a re-engagement with the non-committal West under any Saakashvili-inspired system. Although that equation is far more suspect in the medium to long term. So, Russia is content either way. Both now and next March, it either 'gets' the current ruling party which it finds easy to discredit, or more likely, a more accommodating, new administration with which it can do further business (probably Russian-style). A rare win-win situation for the Kremlin.

*Back in the USSR*

Many outside observers have lamented the slow but steady decay in Georgian democratic developments over the past five years (The Economist Intelligence Unit's " Democracy Index", for the past 10 years, has been showing declining numbers when measuring the state of democracy in Georgia. Democracy & Freedom Watch's 2012 "State of Georgian Democracy Report" speaks of "authoritarian moves by President Saakashvili", p. 26). A disappointing economic picture, the centralization of power and the matter of responsibility for the August 2008 war, have certainly tarnished

the Saakashvili administration's credentials both at home and abroad. Yet, the 2003 Rose Revolution did bring to power the most radically transformative government and un-Soviet President ever seen in the ex-USSR region (the Baltic States apart). The country's genuine progress in social reforms, anti-corruption measures and strong Euro-Atlanticist direction cannot be denied. Georgia has struggled with itself and with others for a break from its Soviet past (and its Stalinist progeny, for it was Stalin, or rather *Iosif Vissarionovitsj Dzjoegasjvili*, who, on December 18, 1878 was born a child of Gori, Georgia's fourth biggest city, situated in the central Sjida Kartli region) and a new start. The twelve countries of the former Soviet Union (the Baltic States apart) have now managed an outwardly impressive 119 Parliamentary and Presidential Elections between them since independence from the Soviet Union in 1991 (IFES "Dialogues on Democracy" 2012). However, many of these post-Soviet countries have been devoid of meaning, serving more or less as expedients for the continuation of power. A majority of their inhabitants have been cheated for a majority of the time over the past two decades, since the downfall of the Soviet Union in 1991.

Yet in Georgia, there is still everything to play for, *if* peace prevails. Georgia remains the country in the former Soviet Union with the most charm, and the most potential to take steps forward. The irony is that Saakashvili has had to lose power to prove it. Novice Prime Minister Ivanishvili speaks about rebuilding relations with Russia while also strengthening ties with the US. Ivanishvili insists that he will continue his push to join the EU and NATO – even though the ambitions to become part of the NATO military alliance were an underlying cause of the war with Russia in 2008. Rather than attempting to build bridges with Saakashvili, Ivanishvili suggested he should stand down and call new Presidential Elections. Ivanishvili also dismissed important elements of Saakashvili's much-vaunted modernisation of Georgia as a "façade". The Georgian Dream Coalition swept Saakashvili from power in Parliamentary Elections nine years after he was brought to office by the pro-democracy Rose Revolution. It is the first time that Georgia has seen a peaceful transfer of power through elections, and not a revolution or armed uprising, since the Soviet Union collapsed two decades ago. This is a rarity, unique in any former Soviet republic outside the Baltic States. Both sides hailed that peaceful transition, as Saakashvili conceded defeat for his party, as the biggest and most valuable legacy of the Rose years. As Ivanishvili put it:

> *It is an unprecedented situation in Georgia that we could have the replacement of the government through democratic procedures. We will do everything to build our own relationship with Russia, although the situation is really very hard and our relationship has come to a dead end, I think there are some remedies. We may*

*start with reviving cultural and trade relations."* (Ivanishvili's Victory press conference – his first ever press conference – aired live from the steel-and-glass Grande Hall from Ivanishvili's hilltop headquarters [Georgian Public Broadcasting]).

*Special Envoy for Russian Relations*

In the days after the elections, Ivanishvili quickly sought to open dialogue with Moscow by appointing a Special Envoy for Russian Relations, a former ambassador to Russia, Zurab Abashidze.[43] Georgia and Russia had had no diplomatic relations since the August 2008 war. Since then, the two countries have been communicating primarily through Swiss diplomats. However, Ivanishvili (at his October 2, 2013, victory press statement) ruled out any resumption of diplomatic ties until Russia retracts its recognition of the breakaway entities and closes its "Embassies" in Sukhumi and Tskhinvali. The Russian reaction was ambivalent. A high-level foreign

[43] Political Scientist Zurab Abashidze, Georgia's newly appointed (November 1, 2012) Special Envoy for Russian Relations was Georgia's Ambassador to the Russia Federation (2000-2004) and Ambassador to NATO and the EU (1990s). After the August 2008 war, Abashidze was involved in silent diplomatic missions to Russia on at least four occasions (Abashidze joined a Georgian Orthodox Church delegation visiting Russia in November and December 2008, as well as in February and June, 2009). Special Envoy Abashidze at his November 1, 2012 appointment in office: "It will be ideal if we managed to bring citrus to Russia. We start with simple things, which we think is more realistic to restore economic and cultural relations. It is not possible to restore diplomatic relations soon, as there are too many problems that need to be solved. There are Russian embassies in Georgia's breakaway Abkhazia and South Ossetia, while they remain in those regions it is not possible to speak about the restoration of diplomatic relations. The country's foreign policy will not change and the country's way remains towards Europe and the Euro-Atlantic space. Russia has certain red lines, which they do not plan to cross. They confirmed a number of times that they do not plan to refuse to recognize the independence of Abkhazia and so-called South Ossetia. We also have such lines, but yet we have other problems, where we can find common points of reference and solve them step by step. A few days ago, Russian officials have indicated they are awaiting specific steps by Georgia's new government. Creating a new post for relations with Russia will be a first step and Georgia awaits similar steps from Russia. Then it's not excluded that we contact and agree on a format, time and place for dialogue. Our government should manage to mend relations with our biggest neighbour. Our two countries have a long history of relations; we have lived together for a long time – before, during and after the Soviet Union. We should manage to first mend and then to elevate bilateral relations to a new level. However, the situation is quite difficult. Relations were marred even before the August 2008 war, which further worsened with "reckless war". Yet many Georgians live in the Russian Federation; many Georgians work there… Our cultures are close to each other and it gives us a hope that we will be able to mend our relations". (Georgia Times, 2 November 2012).

ministry official politely welcomed Abashidze's appointment, saying that he was "well known" in Moscow, and Tbilisi was called upon to take further unspecified "concrete steps" that should include a stop to efforts to have international forums recognise Russia as an "occupier". President Putin and Prime Minister Medvedev have made it clear in the past that they are willing to meet Georgian leaders – except Mikheil Saakashvili. But for the time being, no cold handshakes – let alone friendly ones – with Ivanishvili are placed on the agenda. A potentially positive step is the possible lifting of the Russian ban – officially explained as health-related – on Georgian wine, mineral water (mainly Borjomi mineral water) and agricultural produce. Russia's recent membership of the World Trade Organization (accession on August 22, 2012) now requires the Russian Federation to allow Georgian goods back on its internal markets. Both countries could (as Abashidze might have been hinting when at his appointment speech (1 November 20120), he mentioned "starting with simple things, like bringing citrus to Russia") take a first step by opening trade representations in their capitals, even while diplomatic ties remain frozen. Their Embassy consular sections are still functional, and trade ties might reasonably precede an eventual political rapprochement.

*Georgia's Accession to NATO*

Ivanishvili's election, so far at least, has failed to increase cooperation with the de facto governments in Abkhazia and South Ossetia. During the campaign, some Abkhaz officials, who had said they were ready to negotiate with any Georgian leader except Saakashvili, stated that an Ivanishvili government would open prospects. Tbilisi lost control over most of both Abkhazia and South Ossetia in the wars in 1992-1993, and then even the isolated pockets it retained control over in both entities during the 2008 war with Russia. But this rapprochement from the Abkhazian and South Ossetian side has not been followed up, even though the new reintegration and defence ministers have long had good personal and working relationships with the Abkhaz. A recent statement from Sukhumi ridiculed Georgian offers to negotiate directly and promote trade links and other confidence-building measures as a thinly veiled attempt to force Abkhazia back under Tbilisi's rule. A line of argument in this is that the Abkhaz cannot afford to jeopardise their financial and military support from Moscow by making even a modest gesture toward the Georgian government. At the end of yet another long Tbilisi day the same as it has been over the previous decade - the *real* Russia-Georgia conflict is over NATO. Moscow has long

declared that it would prevent Georgian membership by any means necessary. Having created expectations of improved ties with Russia, the new government now faces the stark reality that little tangible change is possible.

### *Georgia and the European Union: The European Neighbourhood Policy and Eastern Partnership Dialogues*

The European Neighbourhood Policy (ENP) was developed in 2004, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbours and instead strengthening the prosperity, stability and security of all. The ENP is based on the values of democracy and human rights, the rule of law, good governance, market economy principles and sustainable development as articulated in the Charter of Fundamental Rights of the European Union.[44] The ENP framework has been proposed to the EU's 16 closest neighbours – Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine. The ENP is chiefly a bilateral policy between the EU and each partner country. It is further enriched and complemented by regional and multilateral co-operation initiatives: the Eastern Partnership (EaP, launched in Prague in May 2009),[45]

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[44] Charter of Fundamental Rights of the European Union. (2000/C 364/01). 18 December 2000.

[45] The Eastern Partnership (Prague, 7 May 2009) includes 6 partners (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine and the European Union) and two tracks: bilateral and multilateral. The goals of the Eastern Partnership are to: 1) bring the partner countries closer to the EU both politically and economically; 2) promote security, stability and good governance, 3) foster partnership of Civil Society Organisations and governments in partner countries; 4) encourage people-to-people contacts through visa liberalization; 5) strengthen energy security; and 6) promote sector reform and environmental protection. The values of the Eastern Partnership are based on commitments to the principles of international law and to fundamental values as are enshrined in Council of Europe conventions, including: 1) democracy & rule of law; 2) respect for human rights & basic freedoms; and 3) Free market economy with sustainable development. The European Neighbourhood Policy (Barcelona, 27-28 November 1995) is a foreign relations instrument of the EU which seeks to tie those countries to the east and south of the EU into the EU. These countries, primarily developing countries, include many which seek one day to become either member states of the European Union itself, or generally more closely integrated with the economy of the European Union. In 2013, the ENP includes 16 partner countries. The EU offers ENP countries financial assistance so long as they meet the strict conditions of government reform, economic reform and issues surrounding positive transformation. The ENP does not cover countries that are on the current EU enlargement agenda, the European Free Trade Association or the western European microstates. In May 2012, the EU reconfirmed the

the Union for the Mediterranean (the Euro- Mediterranean Partnership, formerly known as the Barcelona Process, re-launched in Paris in July 2008), and the Black Sea Synergy (launched in Kiev in February 2008). Within the ENP the EU offers its neighbours a privileged relationship, building upon mutual commitments to common values. The ENP includes political association and deeper economic integration, increased mobility and more people-to-people contacts. The level of ambition of the relationship depends on the extent to which these values are shared. The ENP remains distinct from the process of enlargement although it does not prejudge, for European neighbours, how their relationship with the EU may develop in the future, in accordance with Treaty provisions.

On 9 February 2013, only two days before the second Foreign Ministers' meeting of the Informal Eastern Partnership dialogues in Tbilisi, quite interestingly, Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the Commission, and Štefan Füle, issued the following statement:

> *The High Representative and the Commissioner are concerned at signs of deterioration of the power-sharing arrangement between the Georgian Dream and United National Movement parties in Georgia - the ongoing stand-off around constitutional issues and most recently around the delivery of the President's annual address in the Parliament developed into open confrontation yesterday, with United National Movement lawmakers facing an attack by demonstrators outside the site for the President's annual address. The EU considers it of paramount importance for the future of Georgia's democracy that all political actors and institutions in Georgia be accorded due respect, in line with our shared European values. The High Representative and the Commissioner call on all actors in Georgian politics to refrain from instrumentalising the processes or institutions of the state for partisan or for party political purposes. They are deeply concerned by the violent incidents in front of the National Library and call upon all parties to act in a responsible way, and to refrain from any violence.*[46]

The European Union has a vital interest in seeing stability, better governance and economic development in Georgia and its further Eastern borders (Frichova Grono, 2010). At the same time, a large number of countries in Eastern Europe and the Southern Caucasus seek to intensify their relations with the EU. Over the past years, EU enlargements have decreased geographic distance. At the same time, many Eastern neighbour countries,

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importance of the relationship with neighbourhood countries, pledging to strengthen its 'more funds for more reform' approach. http://www.eeas.europa.eu/eastern/index_en.htm.

[46] European Union Press Release, Brussels, 9 February 2013 A 74/13. Joint Statement by the spokespersons of EU High Representative Catherine Ashton and Commissioner Štefan Füle on developments in Georgia.

including Georgia, have progressed a long way on the path of transformation towards democracy, transparency and stability. Reforms supported by the ENP have brought Eastern countries politically and economically closer to the EU. Yet, the rise in tension in Nagorno-Karabakh and the August 2008 conflict in Georgia have displayed the vulnerability of these changes and how much the EU's Common Foreign Defence Policy (CFDP) does not end but commences at its own borders. Therefore and through the Eastern Partnership, the EU goes beyond the European Neighbourhood Policy in sending a clear political message of EU solidarity to its Eastern neighbours, alongside additional support for their democratic and market-oriented reforms and the consolidation of their statehood and territorial integrity.

Within two weeks after the 2012 elections, on October 15, 2012, the Georgian National Platform of Eastern Partnership Civil Society Forum (currently the largest NGO forum in Georgia) held a EU-supported conference at Tbilisi's Hotel Courtyard Marriott on Freedom Square. The conference was entitled "The Political Processes in the Aftermath of the Parliamentary Elections and Future Prospects" and hosted representatives of the parliamentary political parties, international organizations and diplomatic missions. At the event, views about ongoing political processes and steps taken towards democratic consolidation were discussed for the first time after the forming of the new cabinet. The conference highlighted the issues pertaining to the format of interaction and cooperation among the parliamentary forces, the priority tasks of the political agenda and the engagement strategy of civil society in fostering democratic reform. It also brought forward the visions and priorities of the international community, partners and donors with respect to Georgia's democratic development and European and Euro-Atlantic integration course. Alongside the representatives of civil society, members of Ivanishvili's Georgian Dream Coalition and the chairman of the Republic Party of Georgia, Davit Usupashvili, a member of the United National Movement, Giorgi Baramidze, as well as the head of the EU Mission in Georgia, Philip Dimitrov, the US Ambassador to Georgia Richard Norland and the Swiss Ambassador Guenther Baechler were invited to contribute to the conference. The major conclusion of the conference was that the Georgian National Platform, with its 106 members constituting various NGOs, agreed that EU integration offers the most prospective way for economic, social and political development. At the end of the conference, a joint statement was given out between the Georgian National Platform members and the EU representatives to take responsibility over the promotion and realization of the Eastern

Partnership goals initiated in the Eastern Neighbourhood Policy under the constellation of the new Georgian political theatre.[47]

Only four months later, on 11 February, 2013, the Commissioner for Enlargement and European Neighbourhood Policy, Štefan Füle, and the Deputy Secretary General of the European External Action Service (EEAS), Helga Schmid, travelled to Tbilisi to take part in the second Foreign Ministers' meeting of the Informal Eastern Partnership dialogues, conveniently being held in Georgia's capital. The Foreign Ministers' Meeting was aimed at bringing together Foreign Ministers and high-level officials of the seven Eastern Partnership countries. For the first time, the Foreign Ministers' meeting was followed up by a sectoral ministerial meeting (this time dedicated to transport), where the European Commission was represented by Vice President Siim Kallas. The Informal Eastern Partnership dialogue meeting formed an important occasion for the Foreign Ministers of the partner countries to meet with the new cabinet of Georgia. It also offered them the opportunity to engage in discussions about the implementation of reforms in Georgia related to the European agenda. In addition, the meeting allowed Deputy Secretary General Helga Schmid to engage with the Foreign Ministers in discussions on foreign policy issues such as the political and security situations in Syria, Iran, Pakistan, Afghanistan and Mali. Füle and Schmid also used their participation at the Informal Eastern Partnership dialogue for bilateral meetings with Georgian partners. As such, they met with President Saakashvili, Prime Minister Ivanishvili, Foreign Minister Maia Panjikidze, the Chairman of Parliament, David Usupashvili, the Chairman of the Parliamentary Minority, David Bakradze, the Minister for European and Euro-Atlantic Integration, Alexi Petriashvili, and representatives of the Georgian Eastern Partnership Civil Society Forum National Platform.

**One Hundred Days of Parliament**

One hundred days have passed since the new government of Georgia took over the reins of the country. The developments and trends that have taken place in the Domestic and Foreign Policy of Georgia during this period have been challenging and diverse. To summarize what has occurred in one sentence: the new Ivanishvili-led government has maintained the main

[47] Statement of the Georgian National Platform of the Eastern Partnership's conference held on 15 October 2012 "Parliamentary Elections and Georgia's EU integration prospects".

priorities in Foreign Policy, however delaying certain significant processes and decisions. Time and the identities of Georgia's new political figureheads will show where Georgia will go next.

*Ambassadors of Change*

Early on January 13, 2013, the Georgian Parliament decided to replace a large number of its ambassadors. Salome Samadashvili, Georgia's ambassador to the EU, at first claimed that a total of 18 ambassadors would be replaced (Democracy & Freedom Watch, 17 January 2013). Some days later, Foreign Minister Maya Panjikidze said the number would only be five. Panjikidze added that there is nothing strange in a new government wanting to appoint its own candidates to diplomatic posts. However, some of the ambassadors who will have to hand in their letter of resignation say that they feel accused of having too narrowly represented the interests of their own party. In response, Foreign Minister Panjikidze explained that ambassadors whose tour of duty is ending will leave and that the process is not politically motivated (Tandempost, 20 January 2013). Panjikidze also mentioned that it was already known who the new candidates will be, but she thinks that it is not correct to name them yet. Countries and bodies which are said to receive a new Georgian ambassador include the Czech Republic, the UK, Belgium, Luxembourg, Hungary, the Council of Europe and the EU. According to Georgian law, ambassadors are appointed and dismissed by the President, which is why, a while ago, the new government attempted to negotiate with the President about releasing detained former officials in return for proposing its own candidates as ambassadors.

The question will now be how this will affect the country's Foreign Policy in the years to come. The mass replacement of diplomats has never benefited Georgia much before. In 2013, it will be just as probable that this move on Georgia's Foreign Policy chessboard will not prove beneficial for the future either. In 2004, it was equally incorrect for the previous government to replace ambassadors on political grounds when they first came to power. Ten years on it is embarrassing that the new government is repeating these same mistakes. Despite the missteps that Saakashvili's government initially made (which included a number of inappropriate appointments of ambassadors with no experience of diplomacy), over the past few years the previous government did manage to rectify its mistakes and dramatically increased the share of career diplomats among its ambassadors. In any case, it is of the utmost importance for the government to exercise extreme caution in its treatment of the diplomatic corps. Wasting that resource would deal the hardest blow to the security of the country. Ambassadors, as

a rule, follow instructions and if they receive speaking points from Tbilisi they will follow that material. If the new government is not fond of the guidance that ambassadors received before the 2012 Parliamentary Elections, it does not mean that the ambassadors themselves must be punished. After all, "don't shoot the messenger". Despite all that has happened, the good side is that the former diplomats, who are now in abundance in the new government, know perfectly well what a shortage in the diplomatic cadre means and what problems the wrong personnel policy can mean for on the country's foreign policy. May they act according to this knowledge.

*US-Georgia Relations*

The United States maintained quite a tough tone when assessing the events unfolding in Georgia. US Secretary of State Hillary Clinton openly declared that the US was keeping a close eye on what was going on in the country. Clinton also did not mince her words when talking about the unacceptability of recent politically motivated arrests.[48] The success of cohabitation in Georgia is a top priority for the US. Thus far, the Georgian government has failed to fully listen to the US and take into account the recommendations from Washington. Ivanishvili noted in an interview on Georgian national television (10 January 2013):

> *Washington has starkly different opinions on many issues, but the new Georgian government has managed to stand up to the pressure from the US. What the result of this difference in opinions will be, and whether the criticisms from the US will intensify, depends primarily on the activities of the Georgian government.*

When reviewing US-Georgia relations, one cannot ignore the statements which the Prime Minister first made concerning paying a visit to the US before the end of 2012 and then about delaying it because of his busy

[48] Within days after Ivanishvili was sworn in as Prime Minister, the authorities arrested a former Minister of Defence under Saakashvili, Bacho Akhalaia, together with Georgia's military chief of staff, charging them with abuse of military personnel. More than fifteen arrests followed, including Tbilisi's Deputy Mayor and ten officials from the Ministry of the Interior accused of carrying out illegal computer surveillance of Ivanishvili's election campaign and blackmailing one of his bodyguards. Concerned that Georgia's bitter political transition could turn into a wave of political reprisals, US and EU officials urged Ivanishvili to stop the arrests of officials who served under President Saakashvili, warning that politically motivated prosecutions could jeopardize Georgia's chances of joining NATO. On November 12, 2012, the court in Tbilisi decided to leave twelve Interior Ministry officials in detention pending their trial. Thereupon, allies of Saakashvili accused Ivanishvili of pursuing a witch-hunt against the former leading party that could undermine Georgia's fragile democracy. (New York Times, December 18, 2012).

schedule. These statements can be attributed to the Prime Minister's lack of political experience, leaving American partners to treat Ivanishvili with understanding. But, if the Prime Minister's end of 2012 visit was indeed scheduled with high-level meetings having been agreed upon (presumably with the US President, the Vice-President, the leadership of Congress, the Secretary of State and the like) and if it was the Georgian Prime Minister himself who postponed the visit, then this is – even for a novice Prime Minister – not very expected or respected behaviour, to say the least. If such meetings that had been said to have been agreed, had in fact not been agreed (which some sources claim was the case), then the picture becomes more clear. For Ivanishvili to admit that frankly would have been a loss of face to a certain extent. On the other hand, it would have been much more acceptable and transparent for Georgian (and US) society.

Within the framework of the US-Georgia Strategic Partnership Charter, meetings of working groups for economic and energy relations, defence and security as well as people-to-people cultural exchanges were held right up until the end of 2012. For the coming years, it is commendable that Georgia as one side in this partnership manages to keep on conducting the meetings. So far, no concrete new agenda issues have been brought forward. Yet the mere fact that consultations have continued is a positive sign. Moreover, Georgia's Foreign Minister Maja Panjikidze visited the US (on November 28, 2012) while US high officials (the State Assistant Secretary for European and Eurasian Affairs Philip Gordon,[49] the Deputy Assistant Secretary for European and Eurasian Affairs Eric Rubin, and the Deputy Assistant Secretary for Democracy, Human Rights and Labour Thomas Melia) travelled to Tbilisi (on November 16, 2012). All in all, it seems that relations between the US and Georgia have continued as before during the first one hundred days of the new reign.

*Multilateral Diplomacy*

In November 2012 Georgia, quite reasonably, voted in favour of the UN General Assembly resolution to grant Palestine non-member observer

[49] Upon his November 16, 2012 visit to Tbilisi, the State Assistant Secretary for European and Eurasian Affairs Philip Gordon said: 'The US is impressed with Georgia's democratic development involving free and fair elections and democratic and peaceful transfer of power. It is in some ways a model for the region and beyond." In this, Gordon's words echoed those of Georgia W. Bush on May 10, 2005 (Financial Times): "Georgia; a beacon for democracy".

state status in the United Nations. Although this proved that Georgia could make tough decisions under pressure, it is now important to ensure that the support of this resolution does not sour Georgia's relations with Israel. Hopefully the government will settle this problem. The second noteworthy issue is the deepening of multilateral relations within the framework of the GUAM Organization for Democracy and Economic Development. In mid-December 2012, the UN General Assembly passed a resolution on cooperation with GUAM. At the beginning of 2013, Georgia also became the chair of the organization. In this regard, Georgia definitely did well. The third issue worth noting is the OSCE ministerial meeting held in Dublin (December 7, 2012), which the Foreign Minister of Georgia attended. The ministerial meeting itself was not marked by anything extraordinary. However, it did take a decision on launching the "Helsinki + 40 process"[50] which Georgia supported. Judging by the number of meetings the Foreign Minister conducted in Dublin, Georgia worked quite intensively to actively represent itself within the framework of the OSCE.

## Bad Cop, Better Cop? Conclusions

At the end of this tale, let us return to Nino and Shalva for a moment. How did the couple do on E-Day and thereafter? As for Nino's university work, and the work of Shalva at the hospital; during the pre-election day agitations nobody really seemed to care about the cancelled classes. Students used the empty hours by hanging out on the premises until their teacher returned. Patients also waited calmly in their wards before the next round of medical inspections would take place. Because for them, there were no other options than to accept what was happening. Surely, some civil servants tried to get away from the unpleasant job? Most. However, slavishly did as was dictated, without any real remonstration. Yet, as has become

[50] "Helsinki+40" is the strategic road map for the OSCE's future direction. It is intended to make the OSCE more effective and to address security challenges in the OSCE region. This includes support for the newly invigorated talks on the Transdniestrian settlement process giving new political impetus to the official negotiations, which resumed in 2011 after a six-year hiatus. "Helsinki+40" sets out a clear path from 2013 until 2015 for work which will significantly strengthen the OSCE. "Helsinki+40" also aims at consolidating the OSCE's efforts to address transnational threats, adding an anti-terrorism framework to earlier decisions negotiated on threats from information and communication technologies, drugs and chemical precursors and on strategic policing.

clear from the previous pages, on election day itself people found a way to make their voices heard. As it was there where the voice of the people echoed loudly from the ballot boxes. Unexpected even by the most experienced of commentators on Georgian issues, the true thoughts of the people became heard when at midnight, on October 1, 2012, the results of the elections were made public showing the immense victory on the side of the opposition causing a political landslide of a magnitude that was hitherto unseen in Georgia.

Today, the stakes remain high. For Nino, for Shalva, for their adolescent daughter Teona (a business major at Nino's university) and for the country of Georgia. As the politicians and parties battled over their spots in Parliament, the everyday lives of everyday Georgians went on as they had been going on, without so many immediate changes. What had changed, though, was the fact that the new Parliamentarians and Prime Minister, from October 1, 2012 onwards, had been endowed with increased powers – compliments of the constitutional amendments that are to come into force fully during the two months after the 2013 Presidential Elections. Once these amendments come into force, the balance of power will shift in favour of the new Parliament and Prime Minster, away from the President. While the President will remain the Head of State, he – or she – will lose control of policymaking in certain areas, among other responsibilities, to the Parliament and Prime Minister. The intention of the changes has been to promote more balance of power between the branches of government and to limit the possibility of Georgia's President exceeding his or her authority. All this constitutes major changes with far-reaching effects. Effects that most likely Nino and Shalva are not going to benefit from; however, their 20 + daughter might do so more strongly if Ivanishvili's promises of a more stable, more prosperous and more democratic new Georgia will hold true.

On the streets of Tbilisi, one hundred days into the reign of the new government, there is an air of optimism amongst many people. This holds especially true when it comes to the youth. The hope is that the Georgian Dream becomes a Georgian reality. The disappointment might otherwise be shattering. But in the spring of 2013, the new leadership offers new opportunities for Georgia. It can improve its democratic system and economic growth and establish a dialogue with Russia and the breakaway districts of Abkhazia and South Ossetia. This would alleviate the frozen conflict and tense security dilemma on the boundary lines. Yet, if the transition of power does not go well, there will be prolonged power struggles that

could cripple policy making and cast Georgia back to pre-Saakasvili times. Elections or no elections; Saakashvili's United National Movement is a significant player in Georgian politics and it is important for the Georgian Dream Coalition and the United National Movement to find a way to co-operate.

President Saakashvili, who remains in office but is not eligible to stand for a new term in the October 2013 elections, accepted the electoral defeat of his United National Movement and indicated that he would exercise his extensive constitutional powers with restraint to lessen the prospect of a destabilising confrontation. Prime Minister Ivanishvili has shown (at least on some, yet not on all occasions) that he is ready to work with his arch-rival. However, relations between the two sides remain deeply strained. Georgia's peaceful transfer of partial power as a result of the October elections presented the world with an encouraging and rare example of a post-Soviet government being changed at the ballot box. In order to consolidate the positive events, the immediate priority of the new government should be to build trust in the judiciary, the penal service and the powerful interior ministry.

Tensions have been growing between the old and the new government due to the arrest of former and current officials with ties to the United National Movement on charges ranging from abuse of office to torture, thereby fuelling the perception that political retribution is overtaking the vital need for institutional reform. So far there is no proof that the arrests have been politically motivated, but it is important to carry out the investigations and any trials transparently so as to maintain public confidence. OSCE/ODIHR Trial-monitoring will be instrumental in this. Georgia's government should also prioritise serious crimes, while establishing commissions to review criminal cases completed under the previous government and offering amnesties and compensation for lesser crimes so that it can concentrate on the vital need to implement institutional reform.

To build and maintain the necessary consensus for such reform, Georgia's Government needs to communicate its agenda firmly, clearly, regularly and with confidence to the public, for instance through cabinet meetings whose deliberations are reported in all media outlets. Periodic publicised meetings between the president and the prime minister would boost stability. Abuses in the prisons and the legal system were a major cause of the previous government's electoral defeat. In 2013, the courts, as well as prosecutors, must be given real independence from political pressures.

For instance, the highly influential High Council of Justice should be depoliticised and the Ministry of the Interior made more transparent and subject to civilian oversight.

Georgia is also faced with the difficult task of trying to repair hostile relations with Russia. The two countries fought a war in 2008 that in effect left Russian troops in control of the breakaway entities of Abkhazia and South Ossetia. To rebuild ties, efforts should centre on non-political areas where progress might be attainable in the short term. As a first step, even while diplomatic relations remain frozen, both countries might open trade liaison missions in Moscow and Tbilisi respectively. The government's focus should not be on the past but on strengthening institutions for the future, especially boosting Parliament's oversight. Georgia's friends should support the reform effort with sustained technical and political engagement, and help prevent any squandering of fragile democratic gains. A prolongation of the European Union Monitoring Mission to Georgia (EUMM) can be instrumental in this, as well as ongoing special attention by other international bodies, such as the UN and the OSCE.

Overall, it can be said that Georgia's unrivalled ballot-box transfer of power elevated the country to a category which is fundamentally higher in terms of democratic development than virtually all other post-Soviet states. This has been even more remarkable considering that Georgia, at least up to 2003, had been widely cited as an example of a failed state, with a destroyed infrastructure and economy, totally dysfunctional state institutions and something approaching anarchy as its governance model. However, what has been painfully earned in 2012 could easily be squandered if Prime Minister Ivanishvili, alongside President Saakashvili and together with their political allies, in the end turn out not to be able to forge a minimally constructive working arrangement during their complex cohabitation. Resisting the political temptation to engage in intrigue, score settling or retribution will be a real test of whether fragile gains can be maintained over the years to come. The new government needs to demonstrate that it is focused squarely on governing and pursuing urgent priorities. The top priorities will lie in creating an independent judiciary, without which other state institutions cannot develop properly. Hands-on diplomatic involvement by friends and allies and consistent support and concern that cannot be misinterpreted as meddling will also be vital to ensure Georgia's stability.

Four months after Georgia's October 1, 2013 Parliamentary elections, the landslide victory for the Georgian Dream and the significance of this for Georgia's political landscape is still sinking in. Not only has an incumbent

government in the region been defeated through the ballot box for the first time, and not only has the transfer of power been done in a, by and large, proper fashion. Very few saw the earthquake coming. Right now, on the side of the European Union, the task is to capture the moment and to ensure that the promises concerning democracy and human rights of the new government are strictly adhered to now that Ivanishvili has stepped into power. Conditionality is in that sense more important than ever. On the other hand, there is also an urgent need to ensure that promises made before the elections by European officials are now translated into actual benefits for the Georgian people. Georgia still has serious economic problems. Support for Georgia needs to be ongoing, effective and full of focus.

On March 25, 2013 Georgia's new parliamentarians unanimously passed their first Constitutional Amendment, removing the presidential power to appoint a new government without Parliament's approval. After much objection, the Georgian Dream coalition agreed to the United National Movement's request for a test vote beforehand, allowing the United National Movement to prove its indispensable role in the democratic process (this came after a bipartisan declaration on the country's foreign policy orientation, which Parliament adopted on March 7, 2013). President Saakashvili and Prime Minister Ivanishvili have dominated Georgian politics over the last 18 months. However, their public posturing has hindered progress within Parliament. Following the most recent Constitutional Amendment on March 21st, one United National Movement MP, Archil Bobokhidze, publicly criticised both political figureheads. That may be significant, since until recently, no United National Movement MP has criticized President Saakashvili so openly. In that light, Archil Bobokhidze's emphasis on Parliament as the legitimate representative of the Georgian people is very welcome, because in order to fulfil that role Parliament needs good and better people. Subsequently, on March 27, 2013 Prime Minister Ivanishvili criticised the quality of many of his own Georgian Dream Parliamentarians, quoting Davit Usupashvili, the Parliamentary Speaker, as saying "there are not even three persons in Parliament who can help". Today, the question whether the smooth transfer of power Georgia achieved after the October election sets a standard for democracy in the region depends on whether the new government can strengthen the independence and accountability of state institutions in what remains a fragile, even potentially explosive political climate. As Sinkkonen (2012) mentions, the victory of the Georgian Dream Coalition over the United National Movement has brought pluralism into Georgian policymaking.

However, this political pluralism also includes the awkward dual powers; Georgia's good cop and bad cop. Or will the story, in the end, offer Georgia a long aspired *Deus ex Machina – a* plot device whereby the seemingly unsolvable problem is suddenly and abruptly resolved, with the contrived and unexpected intervention of some new event or character, in this case, a bad cop versus a better cop? This could in the end be moving Georgia's magical, sometimes horrible but always captivating story to unexpected endings, on the day when the writer of Georgia's story has "painted himself into a corner". When at the very end, he sees no other way out, to the surprise of the audience and the world, it can – and might just as well will – after all bring a happy ending to Georgia's tale.

*Georgia's 2013 Challenges*

Will Saakashvili, after holding the position of President of Georgia for more than a decade, be able to lead a well functioning, strong and democratic opposition?

Will a strong and democratic opposition led by veteran-politician Saakashvili open the door to true democratic, pluralistic political dialogue in Georgia? (Good cops and bad cops after all?)

While Parliament's habit of forging consensus is admirable, the real challenge in 2013 lies where both parties deeply disagree. Planned reforms to the judiciary, jury trials, and local government are highly contentious. Changes in each area could deepen Georgian democracy, but could also reinforce single-party rule. Will, as ever, the devil lie in the detail?

Will the new Georgian Prime Minister Ivanishvili, after all, visit the United States? If so, what will be on his agenda?

Will international support for Georgia's resolution on internally displaced persons (both from the 'old' and the 'new' conflict) increase? The UN General Assembly will consider this at a meeting scheduled for June 2013.

Will the number of international "recognitions" of the Tskhinvali region and Abkhazia increase?

Will the EU Monitoring Mission – deployed in Georgia since September 2008 – be weakened, for example, by the replacement of its Head of Mission or a modification of its mandate (The "Six Point Agreement")?

Will new Georgian embassies open, including in the countries of Asia, Latin America, Africa and the Arab League? Which Ambassadors will be heading these embassies?

At what intensity will the bilateral dialogue between Georgia and the Russian Federation continue? How will the results from this affect Georgia's economic and political independence?

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