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The Enemy at the Gates
and the Enemy Within
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by Tamara Pataraia

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Georgian Security: The Enemy at the Gates and the Enemy Within
assesses the challenges, and proposes policy directions to strengthen Georgia’s preparedness to meet internal and external security threats.

Readiness to Meet Security Challenges and Threats

Georgia faces a variety of potential external security threats with internal dimensions – ranging from Russian military deployments in the occupied territories of Abkhazia and South Ossetia through information warfare to an escalation of the nearby conflict in Nagorno-Karabakh. The Georgian state needs to have in place the plans and resources in order to mount an adequate and timely response to such threats. The efficient functioning of state institutions, effective early warning systems and defence capabilities, overseen by a responsible, accountable, democratically elected government, can significantly increase Georgia’s capacity to respond to these threats.

KEY RECOMMENDATIONS

The government of Georgia should strengthen crisis prevention and crisis management capacity by embracing and prioritising the EU proposal set out in the 2015 review of the European Neighbourhood Policy on enhancing co-operation on security sector reform, and introducing new co-operation mechanisms between security sector institutions and the EU. The government should also work actively in the international arena to open access of international stakeholders to the territories of Abkhazia and South Ossetia, and to counter the Russian policy of distancing Georgia’s international partners from engagement in the resolution of protracted conflicts.

The government of Georgia and Euro-Atlantic partners should proactively work to counter anti-Western and anti-EU perceptions in Abkhazia and South Ossetia through innovative, international programmes to engage the local population. The government should also develop an effective strategic communications policy to counter Russia-led propaganda.

The government of Georgia should work together with EU member states to ensure that they recognise that Georgia has met the technical and political requirements of the Visa Liberalisation Action Plan, and grant citizens of Georgia visa-free travel to the Schengen area in the summer of 2016.

The government of Georgia should strengthen democratic oversight of the security sector, pursue more vigorously reforms to make the judiciary independent, and establish an independent investigative agency to deal with human rights violations in law enforcement structures, including investigation of alleged misconduct by prosecutors.

Georgian civil society should support the idea of a new Eastern Partnership Platform on Common Security and Defence policy (building on the establishment of the CSDP panel in Platform 1), and make every effort to place the issue of security high on the agenda, and to ensure serious policy reforms are put in place in the country.
A prerequisite of the ability of the Georgian state to face likely security challenges is democratic legitimacy. Fair and free parliamentary elections, scheduled to take place on 8 October 2016, are regarded as a matter of internal security and extreme importance in Georgia. The political climate is very confrontational and polarised, which makes it difficult to hold a dialogue between different political entities to forge a consensus around democracy and the rule of law, and even to accept the legitimacy of the election’s outcomes. In the run-up to the 2016 parliamentary elections, there are increasing fears of destabilisation and violence, a leading internal threat to Georgia’s security, which would diminish the country’s chances to achieve its principal strategic goal: the consolidation of democracy.

Over recent years, state institutions have been undergoing reforms aimed at introducing principles of democratic governance. The reforms have been oriented to sustaining the fight against corruption; to ensuring the independence of the judiciary; to protecting human rights and universal freedoms, pluralism, and minority rights; and to strengthening civil society and other democratic institutions. Although assessments differ as to the effectiveness of the implementation of reforms, there is a consensus that major international engagement and support will be needed to sustain the reforms and to accomplish democratic consolidation.\(^1\)

The declared national interest to integrate into the European Union and Euro-Atlantic structures reinforces this process, and enables Georgia to intensify its democratic transition; strengthens domestic stability; maintains peace and security; promotes European values in society; and broadens the space for citizens’ participation. In 2014, Georgia signed the Association Agreement (AA) and the Deep and Comprehensive Free Trade Area (DCFTA) agreement with the EU. In 2015-2016, the political agenda of the Georgian government focused on the implementation of the 2015 National Action Plan for the AA and Association Agenda, as well as the visa liberalisation action plan (VLAP). Following the positive assessment of the European Commission of the implementation of the VLAP, Georgia expects EU members of the Schengen zone to adopt a decision to lift visa requirements for its citizens in summer 2016. There are high expectations among the Georgian public that the process will be concluded without delay.

In addition, Georgia faces severe foreign security threats. The starkest threat is posed by an aggressive Russian foreign policy, and the continued violation of Georgian sovereignty and territorial integrity. The clearest example of the conflicting national interests of Georgia and its northern neighbour, Russia, is the existence of the occupied territories of Abkhazia and South Ossetia, and the heavy Russian military presence in these territories. Moreover, Russia’s overwhelming conventional war capabilities are compounded by the Russian model of hybrid war, a multi-layered effort designed to destabilise a functioning state and polarise its society internally. The current standoff between the two countries makes it impossible to restore diplomatic relations.

The threats towards Georgia are exacerbated by the close proximity of the ongoing conflict between Azerbaijan and Armenia over the territory of Nagorno-Karabakh; the war in Syria; threats of possible attacks by ISIS fighters; and terrorism in general. In 2015, the EU offered its support in the area of conflict prevention, counter-terrorism and anti-radicalisation policies in full compliance with international human rights norms.\(^2\) However, only a limited number of Association Agreement (AA) priorities address co-operation in the security sector: while it covers areas such as non-proliferation of weapons of mass destruction (WMD) and regional stability, the AA does not contribute significantly to the building of security institutions and the promotion of democratic oversight over the security sector in Georgia.

In response to these external and internal threats, Georgia has been reforming its security institutions to improve their democratic governance and decision-making practices. For more than 10 years, special attention has been paid to the transformation of the defence sector, in particular modernisation of Georgia’s defensive capabilities with the support of existing bilateral and multilateral co-operation.

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1. Georgia’s framework agreements with the EU and NATO represent the main platforms for democratic reforms and close co-operation. The EU-Georgia Association Agreement and NATO-Georgia substantive package are the main framework agreements.

2. Joint Communication to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions, Review of the European Neighbourhood Policy, European Commission, Brussels, 18 November 2015
mechanisms. The principle of supremacy of civilian authority over the military is enshrined in the current Constitution and laws, which are consistent with democratic principles. The current task of the government is to complete the transformation of its AF to a fully professional service in 2017 in order to be better prepared to deter possible military aggression, to respond to provocations along the administrative boundaries of the occupied territories, and to meet its commitments in international missions and peace operations as well as to prepare Georgia’s army for participation in the NATO Response Force (NRF). Nevertheless, the modest defence budget (2.2% of GDP in 2015) places major constraints on the accomplishment of these tasks.

“\nThere are high expectations among the Georgian public that visa liberalisation with the Schengen zone will be concluded without delay.\n”

A strengthened Georgian military – with well-trained forces, strong intelligence and early warning systems, and precision anti-tank and anti-aircraft defences – would be better placed to deter Russian aggression, raising the costs of any Russian invasion, but the ability to sustain its defences against a major Russian attack could not be achieved without security guarantees provided by NATO membership.

In the immediate term, NATO-Georgia cooperation represents the main tool for Georgia to support its defence sector reform. During the past few years, mechanisms have been established for this purpose, in particular NATO-Georgia commissions, the NATO military committee with Georgia, and the NATO Liaison Office in Georgia. Cooperation in this area was given a significant boost at the 2014 NATO Summit in Wales, where NATO leaders endorsed a substantial package for Georgia. The package represents a set of measures and initiatives aimed at strengthening Georgia’s defence capabilities and developing closer security co-operation and interoperability with NATO members.²

In particular, key projects of the Substantial Package in progress are the establishment of the NATO-Georgia Joint Training and Evaluation Centre (JTEC) and the Defence Institution Building School (DIB School), as well as the introduction of the Logistics Facility and an increase in the strategic communication capabilities of the Ministry of Defence and army.

According to Transparency International’s Government Defence Anti-Corruption Index 2015, corruption risks in Georgia’s defence sector had fallen in comparison with previous years.¹ In 2013, Georgia was ranked in the “D” category, among countries with a high risk of corruption in the defence sector. In 2015, the country was placed into the “C” category, alongside such countries as France, South Korea, and Argentina. One of the main factors that helped Georgia to improve its defence anti-corruption index rating was the increasing involvement of the Ministry of Defence (MoD) in national anti-corruption initiatives and NATO’s Building Integrity (BI) programme. Georgia became a BI member in 2013 and has actively participated in the programme ever since. In February 2015, the MoD set up an integrity building and anti-corruption council, which works in close cooperation with the North Atlantic Cooperation Council (NACC) and NATO in the framework of the BI programme.

Despite the fact that significant reforms are underway, these NATO-supported efforts in the defence sector have not spread to other security institutions, such as the Ministry of Internal Affairs or the State Security Service.

Georgian civil society and the country’s political elite have been actively debating the role and influence of the security services on democracy, advocating reforms in the security sector. For example, while the State


Security Service (SSS) was decoupled from the Ministry of Internal Affairs (MIA) in July 2015, the process was not transparent and public engagement was limited. As a result, serious concerns remain regarding the division of investigative powers and the power of the SSS to detain citizens and perform other law enforcement tasks. The extended power of the SSS creates a potential risk of abuse of power and a duplication of traditional policing functions.

It is essential to establish democratic oversight over the security institutions in order to avoid human rights abuse and excessive use of power by law enforcement bodies, as well as to ensure individual freedoms. However, the level of confrontation and polarisation in the political environment harms the ability of parliament to function as an efficient watchdog. Due to the sensitivity of issues relating to defence and security, both the ruling parties and the opposition refrain from voicing strong criticism or exercising direct oversight. While Georgia has introduced good legislative instruments to carry out democratic oversight, the flawed political culture undermines the practice.

The Georgian parliament has never been able to act as an institution that takes important political decisions. As a rule, the most important political decisions have been taken inside a close circle of political leaders from the ruling party and representatives of high-level executive government bodies, especially leaders of security sector institutions. Today the close circle and decision-making bodies also include a former prime minister, Bidzina Ivanishvili. Accordingly, executive authorities are facing a challenge in terms of informal influence, which can affect the functioning of democratic institutions.

Civil society, together with the media, can be regarded as one of the stakeholders that can significantly contribute to the democratisation process in Georgia. The role of civil society and independent institutions in overseeing the security sector has increased in the recent years.

NATO and other Western donor organisations promote dialogue and support the establishment of communication mechanisms between parliament, defence/security institutions, the media, and civil society, although these mechanisms have not yet been realised and the EU co-operation framework does not cover security-related issues. The EU can play a crucial role in promoting co-operation mechanisms between security sector institutions, the EU, civil society and the media, which will empower and enable the government to prevent and better manage crises in full compliance with the rule of law and international regulations, including international human rights law.

The Most Urgent Internal and External Threats to Georgia’s Security

Threats from Russia

Russia is listed as the number one threat to Georgia’s national security in the National Security Concept of Georgia 2011, which was adopted after the war in August 2008. Since then, Georgian and Russian interests have remained largely irreconcilable. The issues of discord are Georgian territories occupied by Russia, Georgia’s declared foreign policy goal to integrate with the EU and to join NATO, the decision to sign the AA with the EU and to establish free trade relations with the EU. In addition, Russia does not support Georgia’s energy policy, including its aim to join the European Energy Community.

Two new developments have emerged in Russia-Georgia bilateral relations since 2013: trade relations with Russia have improved and Georgia has changed its official rhetoric toward Russia. However, these developments have not had any real effect: Russia has remained an unreliable partner for Georgian business and continues to criticise Georgia’s foreign policy direction, which makes it hard to predict how long this fragile balance will last.

The most severe threats emanate from Russia’s overwhelming influence over security dynamics in the region, as well as the existence of Russia-occupied territories in Georgia. Russia recognised the independence of Abkhazia and South Ossetia on 26 August 2008 and signed numerous agreements.
with them as sovereign states, including treaties on friendship, co-operation, and mutual assistance. Under these agreements, military bases and offensive weapons have been deployed in the occupied territories. Although experts argue that it is unlikely that Russia will stage a military attack from these installations, Russia’s military presence reduces the time within which an offensive action could be launched, thus raising the threat assessment for Georgia.7

Furthermore, the Russian military contingent present themselves as de facto guarantors of peace and independence for Abkhazia and South Ossetia. The Russian military are deployed close to the administrative border lines (ABL) with Georgia and constitute a source of permanent tension. The potential for violent clashes remains high as the Russian military frequently installs barbed-wire fences along the ABL, known as the so-called borderisation process.8 There have also been regular instances of the Russian military arresting residents from neighbouring Georgian villages in the vicinity of the ABL.3

Western engagement in Abkhazia and South Ossetia is limited due to Russia’s policy to limit the ability of Georgia’s international partners to engage with the de facto states. In addition, Russia does not encourage the de facto governments, and residents, of Abkhazia and South Ossetia to accept services from the Georgian government in the sphere of healthcare and education. The unarmed civilian monitoring mission of the European Union, EUMM,10 is the only international presence that regularly checks the situation near the occupied territories. Nevertheless, EUMM’s scope of responsibility is limited by the fact that it has been denied access to the territories of Abkhazia and South Ossetia.

Georgia’s Western integration course has also been accompanied by an increase in anti-Western and anti-EU feelings in Abkhazia and South Ossetia. This trend has been reflected, inter alia, in their response not to accept Georgian passports or the neutral travel documents issued by Georgian government, which could simplify their travel abroad, to EU member states in particular. This means that, in the context of limited Western engagement, Georgia maintains little power to counterbalance the current Russia-influenced perceptions in Abkhazia and South Ossetia.

Regional Threats

The escalation of the Nagorno-Karabakh conflict may have a serious impact on stability in Georgia. It is important for Georgia not to take sides in the conflict, as this could create problems for Georgia vis-à-vis its sovereignty and control over its own territory.11

“A strengthened Georgian military would be better placed to deter Russian aggression, but the ability to sustain its defences against a major Russian attack could not be achieved without security guarantees provided by NATO membership.”

First of all, the conflict can cause the radicalisation of Armenian and Azeri communities in Georgia. The smallest incident between the neighbouring states might spark

7 Interviews conducted with former government officials, May 2016
10 The EUMM was deployed after the Russia-Georgia war in September 2008
Since summer 2015, there have been a couple of disputes over the ownership of media outlets in Georgia. Recent and former owners of one of the leading private television channels, Rustavi 2, are seeking to reclaim their shares in the company. Members of the former ruling party, the United National Movement (UNM), as well as some other opposition parties, believe the lawsuits represent an attempt by the current government to take control of the most popular and opposition-minded television station in the country.

A similar court dispute is underway concerning the ownership of the popular TV company Maestro. In the current situation, judicial independence – especially the authority of the courts – can play a decisive role in bringing more clarity to the process and ensuring guarantees of media freedom in the country.

“"The lack of an independent judiciary, and the lack of public trust in the institution, diminishes the results of successful anti-corruption policies."

These developments have been taking place in the context of Russia’s increased efforts to influence the media in Georgia – through local media outlets and its own media projects. Russia is using its soft power and information propaganda, which concentrates mainly on communicating messages promoting ideas on anti-Americanism, the decline of Europe, and the crisis of Western liberal values.

Currently, there is at least one TV company, a couple of Internet television stations, several

Internal Security-Related Threats

Although Georgia’s international ratings for media freedom have slightly improved over the past few years, the freedom of the media remains a challenge to Georgia’s stability.

12 After Turkey downed a Russian Su-24 that had briefly intruded into its airspace in November 2015.
13 Man Found Guilty of Recruiting for IS Group, Sentenced to 14 Years in Jail, news website: Civil.ge, 7 March 2016, www.civil.ge

14 Interviews with former ruling party and opposition party members, May 2016; President: Developments over Rustavi 2 TV ‘Damage Georgia’s Reputation’, news website Civil.ge, 6 November 2015, http://civil.ge/eng/article.php?id=28755
Concerning the civil service, the new Law on Civil Service adopted in 2015 explicitly guarantees protection from discrimination and politically motivated dismissal, but to date there has been little respect for the non-partisanship principles in practice, and the law will enter into force only from 1 January 2017.

The new law also addresses another problem concerning conflicts of interest: currently there are frequent reports in the media of nepotism and abuse of position, but there is no effective follow-up by law enforcement bodies.

Civil society, as one of the main drivers of the democratic transition process in Georgia, has long-standing experience working on policy-making and developing the reform agenda; in recent years, it has also taken a key role in monitoring the implementation of EU-Georgia agreements.

"Georgia was the first Eastern Partnership signatory country of an Association Agreement to involve CSOs in the planning process around the National Action Plan."

Currently, the mobilisation of Georgian civil society around the Eastern Partnership Civil Society Forum national platform positively influences the democratisation process and the monitoring of the implementation
of different reforms. Georgia was the first Eastern Partnership signatory country of an AA with the EU to involve civil society organisations in the planning process around the National Action Plan.

Although the liberal legislative and political environment is favourable to conduct impartial and value-based activities for civil society in Georgia, there is a pressing need for the government and the EU to support initiatives that can strengthen the sustainability of the sector. Civil society’s financial stability depends largely on the support of foreign donor organisations and there are limited opportunities for human and institutional development.

**Recommendations**

**Priorities for the national government in engaging with other countries and international actors to improve security**

- Continue work together with the EU members of the Schengen zone to lift visa requirements for Georgian citizens in the summer of 2016. The Georgian public has high expectations that the process will be concluded without delay.

- Take more active steps in the international arena aiming to open access of international stakeholders to the territories of Abkhazia and South Ossetia, to counter the Russian policy of distancing Georgia’s international partners from engagement in the resolution of protracted conflicts.

- Continue work with Euro-Atlantic partners to counter existing anti-Western and anti-EU perceptions in Abkhazia and South Ossetia through innovative, international programmes to engage the local population.

- Support the engagement of major partners, such as NATO, the US, EU and other regional players, including Turkey, in stabilising the conflict in Nagorno-Karabakh with a view to creating the conditions for a sustainable, peaceful solution.

- Strengthen crisis prevention and crisis management capacity by embracing and prioritising the EU proposal set out in the 2015 review of the European Neighbourhood Policy on enhancing co-operation with the government on security sector reform, and introducing new co-operation mechanisms between security sector institutions and the EU.

**Priorities for action by the national government to improve internal and external security in line with democratic principles and human rights values**

- Strengthen the capacity for democratic oversight of security institutions by the parliament in order to avoid human rights abuse and excessive use of power by law enforcement bodies, as well as to ensure individual freedoms. Several steps can be taken in this regard:
  - Division of the defence and security committee into several independent sub-committees that will focus on other agencies of the defence and security sector (the Interior Ministry, the State Security Service, and so forth).
  - Invite and engage international donors, such as the EU and NATO member countries’ governments to strengthen capacity of democratic oversight in the parliament.

- Continue reforms in the security institutions (other than defence) to improve their democratic governance and decision-making practices; embrace co-operation mechanisms provided by the EU in the area of conflict prevention, counter-terrorism and anti-radicalisation policies, in full compliance with international human rights principles.

- Contribute to improving the political culture in the country, which currently undermines government accountability and the efficiency of parliamentary control; promote introduction of a code of ethics for parliamentarians to ease the hostile climate and the level of polarisation between opposing sides.
• Ensure that the executive authorities are not subject to informal influences that can negatively affect the functioning of democratic institutions.

• Support formalisation/institutionalisation of communication mechanisms between parliament, defence/security institutions, the media and civil society.

• Finalise the ongoing reform of the judiciary in order to increase the independence of the judiciary; make legislation more explicit to ensure free/proactive access to decisions taken in the courts.

• Establish an independent investigative agency to deal with human rights violations in law enforcement structures, including investigation of alleged misconduct by prosecutors.

• Counter the Russia-led propaganda campaign through an effective strategic communications policy.

• Contribute to the security and sustainability of the South Caucasus’ energy transit potential by active co-operation with the EU; join the European Energy Community in 2016 without delay.

Priorities for civil society in Georgia

• Support the idea of a new EaP Platform on Common Security and Defence policy (building on the establishment of the CSDP panel in Platform 1), and make every effort to place the issue of security high on the agenda, to ensure serious policy reforms are put in place in the country.

• Open a platform for dialogue with the government, with the active engagement of the EU, on the introduction of a new financial tool of government support to civil society in Georgia. The new legislative framework should ensure that the government provides support to civil society organisations based on merit, impartiality, and commitment to democratic values.

• Open a platform for dialogue among the security sector agencies of the government and civil society representatives, with the active engagement of the EU and NATO, to discuss reforms related to the building of integrity in security sector institutions and establishing a culture of integrity in the Georgian government as a whole.
The project benefits from the support through the EaP CSF Re-granting Scheme. Through its Re-granting Scheme, the Eastern Partnership Civil Society Forum (EaP CSF) supports projects of the EaP CSF members with a regional dimension that contribute to achieving the mission and objectives of the Forum.

The donors of the Re-granting Scheme are the European Union, National Endowment for Democracy and Czech Ministry of Foreign Affairs.

The overall amount for the 2016 call for proposals is 320,000 EUR. Grants are available for CSOs from the Eastern Partnership and EU countries.

Key areas of support are democracy and human rights, economic integration, environment and energy, contacts between people, social and labour policies.