**Dana Geraghty Tbilisi, Georgia December 2013**

**Executive Summary**

My trip to Georgia shed light on the recent political and civil developments following the October 2013 presidential elections, and also allowed me to gain a better understanding of OSGF’s work and role in this changing landscape. I had the opportunity to meet not only with OSGF program staff, but also with representatives from government and civil society, which painted both a broad and deep picture of the environment for OSF’s work in Georgia.

It was clear that the Open Society Georgia Foundation differs greatly from the foundations I previously visited in Kyrgyzstan and Kazakhstan, and rightly so because OSGF operates in a vastly different environment. While they may be facing similar challenges, OSGF has much more room for maneuvering since the government change that began with the parliamentary elections of 2012. Whether or not this openness will be lasting is another story, but for the time being OSGF has the ability and capacity to play a large role in strategizing and facilitating the implementation of initiatives that will provide for a significantly more open society in Georgia. It is clear that the OSGF maintains a higher profile, which has its benefits and detriments, than the other foundations in mass media and the public sphere with a prominent influence in the small but highly developed pond that is the third sector. Moreover, OSGF’s influence has frequently bled over into the political sphere, and many former colleagues and grantees are currently working in or directly with government. We visited after decisions on the budget and strategy were made in 2013. Despite the budget cuts that were issued to the foundation, staff morale appeared to be high, and there weren’t as many complaints concerning the strategy and budget process on part of staff and the Executive Director than in other foundations. That being said, the staff changes that will be made as a result of the budget cuts had not yet happened at the time of our visit.

Noticeably, the Executive Director is highly capable and knows everyone in both government and civil society circles in Georgia. However, as in the past, there has been an influx of former government officials into civil society and former civil society leaders into government following the parliamentary and presidential elections of 2012 and 2013. While this can be beneficial, there is also the danger of retributive action against former officials in the style of “restorative justice” and the challenge to create sustainable institutions that would prevent absolute power from corrupting the current regime remains.

**Political Developments:**

The presidential elections in October 2013, almost a year after the hotly contested parliamentary elections, marked the final transfer of power from Saakashvili’s United National Movement Party to the Georgian Dream coalition. Giorgi Margvelashvili, the Georgian Dream candidate, won the presidency in the first round with a significant majority marking the end of the Saakashvili era. Since the elections, Saakashvili has been traveling outside of Georgia for fear of being prosecuted for suspected crimes committed under his administration. In another significant development, Bidzina Ivanishvili, the creator and glue of the GD coalition, resigned from his Prime Minister position, fulfilling his promise to retreat from politics after the presidential elections. He designated Irakli Kharibashvili, a very young politician with limited political experience within the Interior Ministry, as his successor. Many colleagues voiced their concerns about Kharibashvili as Prime Minister, because of a combination of his lack of experience and a perceived lack of intention to engage fully with civil society. This lack of confidence in Kharibashvili also stems from his political career previously being solely concentrated in the Interior Ministry, not a governmental institution known for its cooperation with and commitment to civil society initiatives. Civil society representatives, and colleagues within OSGF, have cited some of Kharibashvili’s previous statements as indicators that he may pose a challenge or be resistant to working with civil society in the future. However, one of the main impressions that I received from my many conversations with OSGF staff and partners alike was the lack of prior interaction and personal knowledge of the new Prime Minister, given his youth and relative inexperience. Not many working in civil society know Kharibashvili, and that makes them uneasy or hesitant about his character and goals. However, he has not given any clear or concrete indication that he will not be open to working with civil society to develop a more open society in Georgia.

While civil society representatives may not have full confidence in PM Kharibashvili, one thing is certain: there is an overwhelming assurance in Davit Usupashvili, the current speaker of Parliament and leader of the Republican Party component of the Georgian Dream coalition. Many program staffers at OSGF, and also outside civil society sources (both former UNM and not) expressed this confidence and seem to view Usupashvili as the champion of progressive initiatives or buoy of hope for civil society interests in government. However, some also suggested the threat of Usupashvili and the Republicans’ eventual marginalization by other less savory factions, conservative holdovers from Shevardnadze’s government inhabiting the Georgian Dream coalition, which should be avoided at all costs.

Another resounding question that repeatedly came up in our meetings concerned the future of the United National Movement: will it collapse, or rebrand itself and continue to act as a strong opposition in Parliament and politics? There is concern that the UNM will collapse, and leave in its place a political vacuum and lack of real opposition, which will be detrimental to the quality of Georgia’s representative government and the continuing democratic consolidation process. This view was especially espoused by former government officials and UNM members who naturally felt that it should be a priority to preserve the UNM as a main source of opposition to the current government in order to maintain a semblance of political plurality. However, many OSGF staff with whom we met felt that the UNM will more likely than not endure the political transition, as its current members have been working fervently in the interim to move away from the Saakashvili legacy, and rebrand its politics so as to remain relevant in the current environment.

The most pressing need currently facing government and civil society is unanimously viewed to be institution building. Despite the positive changes in government since the last parliamentary elections, there is still an urgent need to build lasting institutions in all spheres of government, and especially the criminal justice system. All of the positive changes that have thus far occurred can be chalked up to good political will on part of the ruling coalition, and are not the result of any lasting systemic changes. On the contrary, the possibility for regression is high and the positive steps that have been taken could just as easily be reversed if institution building initiatives aren’t undertaken in the near term. This view has been the overwhelming consensus not just among civil society representatives, but also among those progressive forces working in government, such as Tamuna Chugoshvili, who indicated that this is a main challenge facing the current government and civil society alike.

So what do these political developments mean for the civil society landscape? Already, most with whom we met noted the increasingly open environment for civil society activists and more enthusiasm on part of government for cooperation. Georgia has already seen an increase in the ability for public opinion to shape the actions of government as demonstrated in government responses to public outcry and media coverage of particular issues over the past few months. Furthermore, there have been a number of initiatives undertaken through a partnership of civil society forces and government ministries including the local governance legislation, a human rights action plan and strategy, reforming the Georgia Public Broadcaster, anti-discrimination legislation, and criminal justice reform. In most if not all of these initiatives, OSGF has played a significant, if not seminal role.

**Adaptation of OSGF’s work to the new environment**

I received the impression that OSGF can be rather more political and more centrally engaged in initiatives that can be perceived as political, than our other National Foundations. While this could be attributed to the vastly greater opportunities that exist for OSGF to constructively engage with the government on initiatives that further the goals of strengthening civil society and supporting the progression of open society values, historically, this has proven to be a problem. There was a time when OSGF was viewed to be too strictly aligned with Saakashvili’s government during and following the Rose Revolution of 2003. This stemmed partly from a number of OSGF colleagues moving from the civil sector into government following the Rose Revolution. Since that time, OSGF has had to work hard to assert its nonpartisan nature, maintain a balance and engage with the government while keeping arms-length from any particular political party or personality. I think that OSGF will once again have to work hard to find and maintain that balance in the current environment. Not surprisingly, after Georgian Dream won the majority of parliamentary seats in last year’s election, Georgia experienced another mass exodus from government into civil society and vice versa. This time, fewer of our OSGF colleagues left to work in government, but the threat of being perceived as aligned with a particular political party still looms given past experience. In order to avoid this fate, OSGF has worked hard to continue to engage with stakeholders across the political spectrum and to include representatives from all sectors of civil society in their activities.

Since the change of government from the Saakashvili led UNM regime to the new semi-parliamentary system headed by the Georgian Dream coalition, OSGF has taken advantage of many openings and opportunities to advance the objectives of civil society and an open society in Georgia. In doing so, OSGF has worked with other NGOs to conduct research and put forth legislative projects and action plans for the government. Some of these proposals have centered on issues linked with the problems and scandals of the past government, including criminal justice reform and a local governance legislative project. OSGF has also been taking the lead with a Media Advocacy Coalition to reform the Public Broadcaster. I believe that this particular initiative should not necessarily be spearheaded and primarily funded by our foundation, as it should fall under the realm of the government. This project demonstrates the need for OSGF to find the line between supporting initiatives that further civil society goals and stepping in the place of government where it is not or should not be necessary. Instead of working to reform the Public Broadcaster, a government owned media entity, I think that the OSGF’s efforts would be better aimed at supporting new or existing independent media initiatives.

OSGF has focused many efforts across its programs on the issue of EU integration. Various programs have been working with Parliament and other government ministries to develop advocacy initiatives, legislative projects, and other reforms. The Human Rights and Good Governance program at OSGF has been working with a coalition of NGOs on an anti-discrimination law to present to parliament for approval, a prerequisite for signature of the Association Agreement. The foundation has been working with government and other civil society representatives to overcome the challenges to passing this law, and have been working on a public awareness campaign in order to dispel the myth that it is a law that will push for the legalization of gay marriage, and has been working to present it in a real light— as a law that guarantees and supports equal rights for all citizens, preventing discrimination on the basis of gender, ethnicity, race, sexual orientation or socioeconomic status.

OSGF has also taken the lead on the local governance legislation project that was presented to Parliament. OSGF and its longtime partners worked to develop legislation that would establish a more decentralized system of governance in the regions, with a greater number of directly elected mayors and greater local representation. The original document presented a strong system for decentralization with new localized methods of direct election and budget oversight. However, after the Church’s negative statements, and also as a result of dissention among specific factions in government, the bill was watered down, and the new text is far less effective in promoting real change, in my own opinion. However, program staff and partners working on this initiative remain hopeful and still believe that while the new iteration of the law is significantly watered down from the original intentions, it is still a step in the right direction, and they continue moving forward. Looking back, our partners regret not including government officials in the initial conversations and drafting of the local governance reform bill in its first iteration. This would have helped to better assure support for the bill as is, and perhaps would have produced a stronger final result.

Program staff members working on the issue of EU integration have also begun to further conceptualize an educational awareness effort focused on educating the general public on what signing the Association Agreement will actually mean for Georgia. There is a recognition that the majority of Georgian citizens, especially in the regions, do not have a full (or any) understanding of the process or what it will mean for them on the local level. I think that this particular initiative is especially important, given the immense effects (both positive and negative in the short term) that EU integration will have on the population given the general dearth of real understanding. It is therefore essential that the general population have an actual understanding of what accession to the EU actually entails, in order to generate further support for the initiative and also present a clear balance sheet of pros and cons in relation to joining the Customs Union.

The OSGF staff has been working closely with other NGOs, international organizations, and the government on this issue of EU integration. Like Armenia, Moldova, and Ukraine, they expect that the Russian government will attempt to pressure the Georgian government to forego signing the Association Agreement in favor of a deal to join the Russia-led Customs Union, most likely beginning after the Sochi Olympics. However, OSGF for its part has been working with its partners to strategically identify in what areas the Russian government could potentially use pressure in order to come up with a preemptive plan for engagement. The Russian government could potentially use labor migration and deportation of Georgian migrants from Russia as one means of pressuring the government. A significant portion of the population in Georgia, and especially in the regions, depends upon labor migration. Strategic deportation of Georgian labor migrants could therefore be harmful to the Georgian government’s agenda to push through with EU integration.

Another of the main areas where our colleagues see the potential for Russian influence is through the Georgian Orthodox Church. As a body with over a 90% approval rating amongst the Georgian population, the Church is a powerful body in Georgia. The leadership of the Georgian Orthodox Church also has had a very close relationship with that of the Russian Orthodox Church, and through this relationship, the Kremlin may be able to exert its influence and mobilize the Georgian Orthodox Church to thwart the efforts of the Georgian government and its civil society partners to move forward with EU integration. Already, the Georgian Orthodox Church has been wielding its influence to thwart specific progressive legislative projects by issuing negative statements. These statements have targeted both the anti-discrimination legislation and the legislative project on local self-governance. In the case of the latter, the Church’s stance worked to buoy the conservative forces in parliament who are against any real decentralization and resulted in the hearing of a significantly watered down version of the original civil society sponsored bill in Parliament. Because of this potential, and given the immense influence that the Church has as a whole, there is a pertinent need for civil society to engage with Church representatives on some level going forward. This fact was repeated throughout many of the meetings that we had with program staff and partners in Georgia. Many recognized the potential challenge they are facing, and the need to engage, but not many had concrete ideas for how to go about working or dialoging with the Church. This is therefore an area in which our strategic work could be—and needs to be— strengthened in the coming months.

**Meeting Recaps**

Meeting with Khatija Jinjikhadze, Media Program Manager

I was extremely impressed by our meeting with Khatija. It was clear that she is an enormously energetic professional with many good ideas. She spoke to use about the current media environment in Georgia and the positive changes she sees within it. Access to information has improved considerably, journalists and NGOs are able to keep a much closer eye on government, and they are seeing results because the government is responding to concerns and reports put forth by civil society groups. Despite the positive changes, the response from government to civil society concerns is not always adequate, certain ministries and ministers are not as active or willing to cooperate. Khatija cited the chairman of the Parliament, Davit Usupashvili, as one of the most adequate politicians in terms of responding to civil society concerns. The president, Giorgi Margvelashvili, has also been adequate, albeit less active. Khatija mentioned, however, that they had serious concerns about the new Prime Minister, Kharibashvili, because of his background in the Interior Ministry, relative inexperience, emerging authoritarian tendencies and a lack of interaction with him thus far. Khatija mentioned that while some of the politicians have been very supportive throughout the whole process, there are issues of concern with key figures in government brought back under Ivanishvili’s coalition who are consistently opposed to anything progressive. She stated that all of OSGF’s lobbying efforts have been met with resistance by this group. Now that Ivanishvili has stepped out of the spotlight, there is no mediator controlling this group.

Khatija also mentioned her belief that public opinion can now indeed shape government actions. She cited a case that happened recently where the Parliament Chairman in Ajara, who was notorious for having someone carry his umbrella for him, was planning on buying a very expensive car with government funding. Thanks to massive coverage by the free media and a lot of commentary by the public, it was announced that Beridze was stopping the tender to buy the car due to the outcry of public opinions. In terms of the general media environment, she noted that some media outlets are still slightly pro-opposition (Rustavi) and others are slightly pro-government, but Maestro, is no longer under any influence and no longer has funding from Ivanishvili. In this sense, Maestro and its leadership have chosen a difficult but good path coming out of political deadlock. Furthermore, there is an emerging market for television advertising. A few laws have also been passed to govern the sector, such as one promoting transparency of media ownership, and another on financial transparency which requires media outlets to declare if they receive any political money. This new law has subsequently caused debates in the public about sources of funding now that it is public knowledge.

Among the projects that the Media Program has engaged in over the past year are pre-election media monitoring which showed very little bias in the reporting, a media conference with the Media Advocacy Coalition, and reforming Georgia Public Broadcasting. The results of the monitoring project showed that while television outlets were toeing the line of equal coverage and hyper aware of the monitoring project, they still did not ask the right questions or do in-depth work and analysis. The conference discussed issues currently facing the media sector in Georgia including journalistic standards and the need to diversify programming. For the reform of Georgia Public Broadcasting, OSGF has been working with the government and parliament to develop a new mechanism for selecting the Board of Trustees and the director. The new selection process was implemented beginning in December and consisted of an application process where any individual interested and qualified could apply for selection by a 9 member committee made up of civil society representatives. The Committee is then charged with selecting a list of 27 candidates to put before Parliament to decide; the minority in Parliament will then choose three trustees, the majority will choose three, the ombudsman will choose two and the Ajara Supreme Council will choose one.

Khatija also praised the work of regional journalists and media outlets for doing great work over the course of the last two years. She believes them to be good examples for other media on how to be real journalists. The regional journalists did not take sides but instead acted as a “media for the people” and focused on problems facing local communities. Many of the regional journalists and media outlets that OSGF invested in have therefore brought back major returns in her opinion. However, the digital transition brings a big challenge for local broadcasters. OSGF is currently focusing a lot of effort on its local partners to ensure that smaller regional broadcasters are not discriminated against in the transition. This is also an area where the government is not very active—OSGF has been pushing government to be more active in this sphere.

Meeting with Vano Chkhikvadze, Civil Society Support Program Coordinator

While our meeting with Khatija was a tough act to follow, our meeting with Vano also provided interesting insights in the post-Vilnius atmosphere in Georgia. He indicated that there are currently three trajectories facing Georgia: (1) a political association with the EU; (2) negotiating trade issues with the DCFTA; (3) liberating visa regimes and borders (which is what would attract major support for EU integration since visa refusal rate is very high right now). Vano broke down the stages ahead for Georgia post-Vilnius regarding signing an Association Agreement. The first stage is completed; Georgia initialed the language of the agreement in Vilnius and the text of the agreement has been settled. The second stage in the process will be the signature of the Association Agreement scheduled for September 2014. The final stage of the process will be ratification of the agreement in Georgia, in the EP, and in all EU member-state parliaments. The DCFTA will come into force following the signature of the agreement in September 2014. After this signature, Georgia will be locked into EU integration definitively because the DCFTA and the Russian-led Customs Union are fundamentally incompatible and therefore mutually exclusive. In terms of Russian pressure on Georgia to forego signing the Association Agreement, Vano believes that they will only begin to exert pressure after the Sochi Olympics are over. They also have identified which tactics they believe Russia will use such as the influence of the Georgian Orthodox Church and the Patriarch, which are very close to the leadership of the Russian Orthodox Church. This could have major influence over the population if coopted by Russia because it is the most trusted institution in the country with over a 90% approval rating. Russia might also try to exert economic pressure by deporting Georgian migrant workers in Russia. Official remittances total $1.2 billion in Georgia and 45% of that comes from Russia—this would heavily affect those in the regions and villages especially in Western Georgia.

Vano also mentioned his concerns regarding the new government. Both the Prime Minister and the President have limited experience in government which leaves big questions in terms of managing the socioeconomic situation in the country. In 2013 there was a planned 6% GDP growth but the actual growth was around 1.2%, resulting in a shortfall in fulfilling the state budget. This leaves the question of how to grow the budget and fulfill pensions with little real economic growth. There will be local elections in May and Vano indicated that OSGF will be looking at these elections closely in order to see how the new leadership deals with elections. Vano also expressed concerns about the new Prime Minister. He does not think that it will be easy to work with him because of his past comments regarding NGOs and the Young Lawyers Association and also because of his history in the Ministry of the Interior.

Since Ivanishvili’s retreat from public life, the glue of the Georgian Dream Coalition is missing. While European integration is very popular in both the majority and the minority with 80% support, there are real challenges facing the government on the path to fulfilling this goal. One of these challenges is sorting out the minority issues in the country and passing anti-discrimination legislation. The implementation of this law, which has been developed by civil society with support of OSGF, will be extremely important and monitoring government activities geared toward protecting minorities from discrimination will be essential. These reforms along with the others required in order to sign an Association Agreement will be painful for lawmakers and for Georgia. Vano argues that it will be important to engage people and push the government to implement the reforms. OSGF worked with civil society representatives to prepare a common strategy for European integration which has been adopted by the government as the official strategy going forward. But it is also important to raise public awareness to the reality of joining the EU in order to dispel the romanticism of the idea. One way to really reach people would be to emphasize the visa liberalization aspect of the agreement because it is something that would affect the daily lives of everyday people.

Vano also discussed the impact that Ukraine and Armenia potentially falling off the EU integration track will have on Georgia. He noted that Georgia expressed solidarity with the Maidan protests in Ukraine three times, and acknowledged that the Eastern Partnership was created essentially for Ukraine, not Georgia. If Ukraine turns back to the EU and continues on the integration path, Georgia will have much more leverage. However, if it doesn’t, it is unclear what will happen with Georgia’s accession into the EU. Armenia’s decision to join the Customs Union also did not just only affect Armenia but Georgia as well. Georgia is now the last country in the region clearly on the path to EU integration and it is in an interesting position because it stands between Armenia and Russia geographically.

Meeting with Koba Turmanidze, CRRC Director

Our meeting with Koba proved to be very interesting. We mainly spoke about the current political environment and what opportunities and challenges that would pose for civil society going forward. In his opinion, the current environment involves politics without “chiefs,” which provides for both opportunities and challenges. The opportunities include the ability for civil society organizations and government to establish “new rules of the game” with the potential for greater civil involvement in governance. However, he also stated that there have already been signs that power corrupts and the new government is lacking in internal controls because it is very compartmentalized and has become decentralized. In his mind, this means that there is a huge chance that corruption could increase. Another potential threat he sees to the new government is that of inefficiency because the new horizontal structure may not be able to get things done given the weakness of institutions in Georgia. Despite his concerns about the new government, he did also point out that the government’s inclination to be more engaging and open with civil society and the public gives the opportunity for CSOs to play a major role in shaping the new system through research, recommendations and advocacy.

Koba’s organization works doing data analysis and formulating recommendations and policy papers for government. In doing so, it hopes to strengthen the external monitoring of government activities in order to maintain a system of checks and balances (accountability). One of his main criticisms of other civil society organizations is that they do not specialize in one sector of the field but instead try to do everything themselves. His organization on the other hand recognizes that its specialty is data collection and analysis and they then rely on other organizations to do large policy research projects and advocacy for policy change. Recently, they have been developing and proposing a project that would verify and fact check statements made by politicians and disseminate this information to the broader public. They feel that this type of initiative could be used as a very effective tool to keep MPs who are xenophobic etc. in check. In terms of European integration, he believes that it is an initiative that is wholly supported but not at all understood—that there is an imbalance between what people think and what is the reality.

Meeting with Tiniko Bolkvadze, Human Rights and Good Governance Program

Over the past year, the OSGF HRGGP program has been working on mostly pre-trial justice and decentralization reform. The program has helped to draft a law on self-governance in partnership with 65 other NGOs and 35 experts which has been heard in Parliament. This particular legislation has been the subject of debate and controversy and the Patriarch even made a statement against the bill, saying it would never support local self-governance. Those political parties who were in opposition to this bill made statements saying that they support the position of the Church and indicating that the reason they are against regional councils is because they could lead to separatism. The original language and provisions of the bill have been significantly watered down and this version has made it to Parliament and passed in the first hearing. Despite the watering down of the bill, the HRGGP feels that this is still a step ahead because it devolves some of the power into the regions and provides local representation. Under the proposed legislation, there will be 120 municipalities and each municipality will have its own budget. Additionally, mayors will now be directly elected in 12 cities and leaders will be elected in each municipality.

The program has also been focusing efforts on making an individual law on freedom of information, since currently it is part of the administrative code. In order to do this they have set up a working group with the Ministry of Justice, other NGOs, and two independent experts to draft the free-standing law. Thus far they have had one success—the Ministry of Justice has adopted the proactive disclosure of public information.

HRGGP works on disability rights as well. They have been advocating for the ratification of the UN Convention pertaining to disability rights. At this point, it is not yet ratified but they have reached an agreement with the government and the government has agreed to ratify the Convention in January. In terms of implementation, they have agreed to work with EMC on a project focused on this aspect of the project. The government has also announced a tender to buy 100 buses that are handicapped accessible for the country and have focused on promoting more accessible public transportation. HRGGP is also monitoring closed institutions to account for how many disabled people are currently in closed institutions and criminal justice penitentiaries. This is especially important because over 150 people in the penitentiary system became disabled after being incarcerated. This effort also ties into their project on torture in prisons. They plan to develop a report describing the facts and analyzing the role of torture in the criminal justice system. They will be investigating how systematic torture was and how it happened by interviewing 600 former prisoners and 600 current prisoners, and will also provide recommendations in how to manage the prison system to ensure that this does not occur going forward.

Meeting with Tamuna Chugoshvili, Human Rights Adviser to the Prime Minister

Our meeting with Tamuna was extremely fascinating and very informative. She has been working with the new Prime Minister as an adviser on Human Rights, and previously worked with the Georgian Young Lawyers Association. During the last year she feels that there has been considerable progress in terms of human rights and there have been significant improvements in political rights, freedom of expression, freedom of the media. Those working in government are more critical and thoughtful in her opinion. In the judiciary, there has also been significant progress made in her opinion and the courts are now much more independent from the prosecutor’s office and the other branches of government. Despite the progress that has been made, Tamuna is still of the opinion that there are many challenges the government still needs to tackle. She noted that the political system in Georgia is currently founded on very weak institutions. The progress made thus far has been largely thanks to good political will, but these changes could quickly be reversed should the personalities in government will it. In order to ensure that the progress made thus far is sustainable, Tamuna stressed the need to develop institutions. This will admittedly be a very big challenge especially for law enforcement because they find control over their work to be a weakening force due to the lingering Soviet mentality. However, they are trying to combat this tendency by holding trainings and educational activities for police officers and investigators on modern investigation methods (questioning witnesses, getting testimonies, interrogation tactics), and hopefully by further professionalizing and modernizing the police force, they will be able to overcome this obstacle to broader institutional reform.

Tamuna noted her belief that Georgia has been presented with a lot of opportunities with this new government. She does not have many misgivings about the new Prime Minister and believes him to be young, active with a desire to improve the situation and willing to do good things for Georgia. Despite the need for institution building in Georgia, she believes that there will be a lot of pushback within government against any reforms aimed at institution building. A focus of the past few months has been transitional justice and the restoration of justice post-Saakashvili. The public feels that not enough charges were filed against former government affiliates and violations of the past have not been brought to justice. There have been twenty-thousand applications sent into the prosecutor’s office concerning the restoration of justice, yet there has been no proper assessment or analysis of these statements.

Currently Tamuna is working on a human rights strategy and action plan for the government covering the period of 2014-2020 and 2014-2015 respectively. The process in formulating this plan has included input from Hammerburg, the Special Adviser on human rights sent by the EU, and it has been a very transparent and inclusive process which has also included participation by OSGF and other NGOs. They hope to finish formulating the strategy and action plan by the end of January and they hope that these documents will serve as the basis for an institution building process. Tamuna has also been working on topics related to the EU integration issue, such as minority rights. She believes that raising public awareness and education are keys to solving this problem. The anti-discrimination law will establish a special anti-discrimination ombudsman with a high mandate. However, there may be challenges to passing this law stemming from an active campaign against the West, the EU and EU values thanks to Russian influence in Georgia and the attempts to portray anti-discrimination efforts as part of a Western oriented same-sex marriage crusade. This is especially why she feels that education about equality issues will be extremely important, particularly given the lack of secularism in schools and the extensive influence of the Church. She also suggested the need to engage with the Church. While there are conservative hardliners within the Church, there are also liberals with whom it might be easier to work.

One of the main issues that the government has been focusing on resolving following the scandals under the Saakashvili regime is mistreatment and torture in prisons. Thus far, Tamuna states that there has been incredible improvement in treatment of prisoners. In the past year, 60% of prisoners were released on amnesty. While some incidences of violence between inmates have continued, there have been little to no incidences of intimidation and mistreatment of inmates by guards. However, as the conditions in prisons have gotten better, there has been a correlated resurgence of prison gangs resulting from the lack of intimidation. Tamuna argued that the challenge here will be to maintain a balance so that prison gangs do not have managing power but also prison staff do not engage in torture to keep inmates in check.

Meeting with the Media Advocacy Coalition

Our meeting with the Media Advocacy Coalition was informative and insightful, but also made me question why we were supporting certain projects. The Coalition has been working to adapt its position and role in the new post-Saakashvili environment. One of the major projects that they have been working on is the reform of the Georgian Public Broadcast. While I think that reform is necessary, as the GPB has found itself in a crisis situation, I do not think that it falls on OSF to be the primary funder of this reform. This should ideally be taken care of by the government since it is a government run broadcasting service which is overseen by what will continue to be a government-appointed Board of Trustees. However, the Coalition has been working with the government to establish a procedure for selecting the new board members. On their recommendation, Parliament set up a committee comprised of civil society representatives (including 3 members of the Coalition) which has been charged with collecting applications from all interested and qualified people for membership in the board. Of the 68 applications they received, they had to form a candidate list of 27 applicants to send to Parliament which will then decide final selection. Despite the progress, the Parliament members have been complaining about the pace of selection being too quick, and the Coalition sees the cause of these complaints to be that Parliament members do not see “their” candidates in the pool of applicants. They are also trying to free the Public Broadcast from political influence. Previously, two companies ran the broadcast. However now there is a law which prohibits any public official from owning stakes in a public broadcasting company, and this law will hopefully prevent the exertion of political influence over the GPB in the future.

Another project that the Media Advocacy Coalition has been working on is the digitalization of cable in Georgia, writing a strategy for the digital switchover and sending it to government since the government has not created any strategy. To prepare their strategy, they conducted an international comparative analysis and advocated for regional and local broadcasters to be given support in the process of transition to ensure their continued competitiveness. The government strategy being adopted will be based on these recommendations. The Media Advocacy Coalition is also trying to raise public awareness toward the digital switchover. They have set up an informational website for public access.

Meeting with David Losaberidze and George Meskhidze- experts on local governance

One of the topics of discussion that I found particularly interesting was local governance reform. This meeting, therefore, was particularly enlightening for me. David Losaberidze and George Meskhidze helped to explain the history and process surrounding the issue of local self-governance reform in Georgia. David Losaberidze has been working on the topic of local governance for the past twenty years. In 1995 when the first civil society organizations were really established, he received his first grant from OSI to focus on local self-governance. At the time there were only a small number of NGOs working on this and the government had no vision for how to establish local governance and consequently not much progress was made. In the late 1990s, David created a common plan for decentralization in cooperation with other NGOs, but at the time this was not a popular idea in government and there was no funding or willingness to pursue this project. When the United National Movement led by Saakashvili came into power following the Rose Revolution, they too decided to continue with a centralized governing system. During Saakashvili’s tenure, Losaberidze became a persona non grata in Georgia for a time among international donors and OSF was the only donor willing to continue to fund work on local self-governance reform. From 2005 until 2010 Losaberidze worked on formulating an ideological/research basis for local governance reform, and after Ivanishvili became Prime Minister, the government began using their vision and concepts for decentralization. The government created an advisory council which allowed Losaberidze and his colleagues participate in drafting new legislation on local self-governance. This process took into account all opinions in government and civil society, which on the one hand was a good thing, but it also slowed down the process significantly because various experts tried to halt the process altogether. After the first draft of the law was completed, many ministers in the Ministry of the Interior and Ministry of Finance forced the council to accept new compromises and amend the provisions of the law.

Unfortunately, according to Losaberidze, the general public knows almost nothing about the issue of self-governance and so part of the process has been to raise public awareness that this project is a Georgian vision rather than a Western imposition. Currently, the outcomes of this project and how local self-governance will be implemented remains unclear. While there is a strong will on part of the decision-makers in government to follow through with reform, there have been many attempts to revise the law and halt the changes the law calls for from being actually implemented. For the time being, civil society and the authors of the project are waiting on the process of adoption in Parliament while also planning for civil society’s role in the implementation of the law when it is passed. In order to garner broader support for this project, especially in light of the disheartening comments made by the Patriarch, they have been using success stories from pilot areas as good P.R. to show the public that this is a worthwhile initiative.

Meskhidze made some really insightful remarks concerning the need for donors to fund localized projects in the regions rather than focusing on projects implemented from Tbilisi. He noted that the trend of many international donors, especially under Saakashvili, was to support government initiatives supporting civil society because of the professionalism, quality of reporting, and well documented nature of said projects. However, it is his belief that donors should not be focusing on funding centralized initiatives but should instead give attention to local projects such as establishing regional media centers and other initiatives that would catalyze regional civic activism and focus on local community building. He is also of the belief that the proposed law on local self-governance as it exists now is without its most innovative aspects. He believes that the current plan in place for transitioning to a decentralized system is very ambitious but also naïve. Instead of passing this huge law putting in place an entire system, he thinks that the government should work on a more focused set of individual laws, starting with the establishment of a system of direct election of mayors or something else that would really enact change and give power to local constituencies. I have to say that I agreed with Meskhidze on the issue of self-governance reform. While the original intent of the draft law was innovative and would have enacted real change, the current watered down version being heard in Parliament will not have nearly the same effects. Even while establishing municipalities with some directly elected mayors (dwindled down to 7 cities with elected mayors), there will still be very little autonomy of these mayors to make policies and influence governing on any level because the budgets, funding, and directives will still be coming from the center. All taxes will still be paid to the central government and budgets will be handed down. The system established by the new law while appearing to be horizontal, still seems like it will be a more elaborate power vertical.

Meeting with Sergi Kapanadze, Director of Georgia’s Reforms Associates (GRASS)

Sergi Kapanadze is a former member of Saakashvili’s government who moved to civil society along with his associates to found GRASS after Georgian Dream’s victory last year. They founded GRASS as a type of think tank that works to produce position papers and analysis. Kapanadze spoke to us about his (most likely slightly biased) views of the current political situation and also about the work of his organization. In his opinion, the political situation is still in limbo because of a decision making vacuum left when Ivanishvili retreated from politics. Contributing to this tenuous environment is an economic decline that has reached an unexpected point with a 10% budgetary deficit that resulted in an increase of the national debt. In terms of foreign policy, Kapanadze sees many dilemmas facing the government. While EU integration has thus far been successful with the initialing of the AA at Vilnius, the next steps in the process rely on the government’s not-yet-proven ability to reform. In his mind, leadership and vision will be important in securing the DCFTA, but thus far the government has not inspired confidence in its ability to face these large challenges.

Kapanadze mentioned that while he believes that the Georgian Dream coalition will hold together in government, he sees the very real possibility for the liberal parties in the majority, such as the Republicans led by Davit Usupashvili, to be quickly sidelined by other more conservative factions. This would not be an ideal development, given that everyone we talked to in Tbilisi seemed to have the most confidence in Usupashvili and the Republicans as the force within the majority most capable and willing to carry out reforms and engage with civil society. When talking about what he thinks will happen to the UNM, he indicated that there is a 40% chance that the party will collapse and a 60% chance that it will continue in its role as the main opposition party. According to Kapanadze, new faces in the party are trying to totally reform it, which has been causing internal conflict with a generational aspect. However, should UNM collapse, Kapanadze believes that this government is capable of doing very damaging things without the presence of a strong opposition party.

GRASS is a part of the new generation of Think Tanks and NGOs emerging in Georgia. These organizations are run by those affiliated with the former government, and so there is now a diversified landscape of civil society organizations in his opinion. Previously, the civil society sector was very anti-government but now there is a good mix of pro, anti, and neutral organizations. However there is a problem still existing in government because some ministries are very selective of which NGOs they are willing to cooperate with due to what Kapanadze gleans to be an inability to accept criticism. The government is therefore able and has shown a willingness to block the participation of certain experts in certain projects—but these are only warning signs rather than an emerging trend. In Kapanadze’s mind, one of the main challenges facing donors and civil society is ensuring the sustainability and viability of newly created NGOs. He argued that out of the hundreds of NGOs created last year only three have survived which is reflective of what he sees as “the troublesome plans donors have on the ground” including the decision to focus on a few actors instead of choosing a broader funding approach. However, the success of Kapanadze’s organization does not follow the story he tells regarding the failure of newly created NGOs, most likely because of his and his associates’ extensive foreign contacts. He describes GRASS as a multi-profile think tank that has worked on projects over the past year including a roundtable co-funded by Chatham House which brought together representatives of different political parties to exchange points of view on foreign policy, Russia, and the occupied territories. GRASS has also publiched policy papers, worked on outreach with Abkhaz people, provided training for youth party members and engaged in a fact checking project. It boasts staff experts in different fields and Kapanadze attributes the organization’s success and sustainability on its felixbility.

Meeting with Khatuna Ioseliani, Civil Society Support Manager

Our meeting with Khatuna was rather lackluster, and seemed to be reminiscent of other meetings we had had previously. She indicated that the priority for the Civil Society Support Program has been to generate civil interest in EU integration, and also to engage with youth on this and other issues. For 2014, the strategic goals of the program will be focused similarly on higher education support and also EU integration. She noted that they chose to focus on higher education because the education system as a whole in Georgia is extremely problematic, and other donors are currently focusing on the other education levels so higher education presented the most need. Khatuna, like her colleagues, began with an update on the changed political environment. She noted that the political landscape appears to be a bit quieter since the end of the “cohabitation” government and the swearing in of Giorgi Margvelashvili as president. She also voiced her concerns about Margvelashvili as president, noting that he has little actual experience in politics, little talent for speaking to ordinary people, and lack of general charisma in comparison to his predecessor. In her view, Margvelashvili’s words don’t resonate with ordinary people and they can’t quite grasp what he means most of the time.

In terms of foreign policy, Khatuna stated her belief that the direction has remained the same, and that Georgia continues to trudge down the path to EU integration. She also noted that the initialing of the Association Agreement at Vilnius was more about values and confirming that Georgia is a proponent of western values. Directly up until the initialing of the agreement, Khatuna noted that there were concerns about Georgia changing directions, like its other Eastern Partnership counterparts. Going forward, she noted that Georgia is expecting Russian pressures to be exerted including potential embargoes, deportation of immigrants and migrant workers, etc. Khatuna voiced the concern that the Russian government will attempt to use the Georgian Orthodox Church to propagate anti-Western sentiments in Georgia in an attempt to thwart further progress toward EU integration.

When speaking of the new government, Khatuna echoed previous sentiments about the new Prime Minister, indicating that he is not well liked nor well trusted by civil society cohorts. She also echoed the belief that the Republican contingent of the GD coalition and Davit Usupashvili are the biggest hope for building a truly open society in Georgia. Despite the concerns about the new government and ministers, she noted that the human rights situation in the country has continued to improve and there has been much more interaction between civil society and the government—OSGF program staff receives almost constant invitations to consult and cooperate on various issues. She also recognized that civil society has been carrying the government in certain respects by doing their work for them.

In terms of EU integration, Khatuna’s program has been working heavily on the adoption of the anti-discrimination legislation. This legislation is required for the adoption of the visa liberalization plan with the EU and must be passed before Georgia can sign off on the Association Agreement. The Ministry of Justice has initiated a draft law on anti-discrimination and submitted this draft for consultation with civil society representatives who then submitted recommendations for detailed amendments. The presentation of the final draft of the law to Parliament occurred during the week we were in Tbilisi, and most of the comments given by civil society representatives were incorporated into that final version. The legislation does not give additional rights to minority groups but instead ensures the protection of minority rights. This is a key point that needs to be publicized widely in order to ensure public support for the legislation and to ensure that it is not branded as legislation that gives rights to same-sex couples to marry. They are expecting that there will be significant pushback to passing this law by conservative groups and the Church—which makes it doubly important to work on a public awareness campaign. They expect that the law will be adopted in the coming months and they will continue to work on monitoring its implementation. In the meantime, Khatuna’s program has been working to support minority rights organizations in helping to build their capacities, advance their campaigns and achieve financial sustainability through a USAID grant that the program received.

A particularly innovative initiative for the region that the CSSP has been working on is the introduction of a law on Philanthropy and Charity. Khatuna noted that while there has been some resistance to this initiative on the part of civil society groups, there has also been a push for support of it on the part of USAID and other large donors working in Georgia. The law itself would introduce mechanisms that would encourage businesses and citizens to make charitable contributions by providing both tax incentives for businesses doing charitable work and also allowing for workers to transfer 1% of their income or payroll tax that would go to the state to one of the NGOs on a national registry. However, the chances of a version of this law passing with all of the aforementioned initiatives are slim in my opinion given early resistance to the idea by the Ministry of Finance and the fact that the Georgian government has been operating on a budget deficit most recently.

Meeting with David Aprasidze, Professor at Ilia Chavchavadze State University

Our conversation with David Aprasidze focused mostly on the recent political developments and what he sees to be the main challenges facing the new regime. Previously, Aprasidze acted as a Board Member for OSGF but now he works as the Director of the Caucasus Institute for Peace and Development. Aprasidze noted the progress that has been made since 2012, and stated that the peaceful nature of the United National Movement’s departure from politics can be considered a breakthrough and there is the possibility that Georgia is ready to consolidate this new trend. Another good sign of breakthrough for Georgia has been the system’s survival through the very difficult and tense cohabitation period from 2012-2013. Notably, the minority (UNM) during this period agreed to adopt a constitutional amendment that limited the powers of the president following the October 2013 elections. This minority, the former ruling party, also survived the interim period and continues to be active in politics as a strong minority, which is a first for Georgia. Still, he noted that there is still a question as to whether the UNM will survive in the long term after losing administrative resources tied to the presidency. Aprasidze stressed the need to maintain a strong opposition party in the new system because “the fact that absolute power corrupts was proven after 2003.”

Regarding the new political leadership, Aprasidze noted that it seems to be trying to move away from a system of personality-based politics. However, his evidence in support of this assertion relied on the idea that this is the first time that there are no charismatic politicians in major governmental positions. Therefore, Margvelashvili and Kharibashvili’s lack of charisma means that Georgia has come to a stage of rational politics in his mind. I’m not quite sure I agree with his general sentiments, especially considering that when Georgian constituents voted for Margvelashvili, they were voting for the charismatic—if not eccentric and bizarre—Bidzina Ivanishvili. To his credit, Aprasidze noted that in order for a system of rational non-personality based politics to endure, there is a need for working institutions (ideologies, consolidated political parties and local self-governance) which are at this time weak or absent. Currently, he stated that the Georgian government is trying to “navigate the path between authority and authoritarian.”

Like others before him, Aprasidze opined that the number one problem right now in Georgia is the Church and dealing with this institution is going to be a major headache for the new government. The issue with cooperating with the Church is indicative of a larger issue of blending traditional Georgian culture and identity with the European ideals and values that will be ushered in during the EU integration process. We have already seen areas of conflict with the introduction of the anti-discrimination law and the local governance reform, when the church issued dissenting statements that influenced a lot of popular opinion on these two issues. While Bidzina Ivanishvili was a secular charismatic figure, he has retreated from politics, and of those ministers left, some are using religious sentiments in their political game. The strengthening role of the Church in politics and the evacuation of charismatic leaders has left a vacuum in the political sphere in Aprasidze’s view. He also views the Church as essentially pro-Russian and some requirements on the path to EU integration (anti-discrimination law, etc.) could be used by the Church as a means to try and influence a turn toward Russia.

A second major challenge facing the current government is economic decline. There has been a lack of transparency surrounding real economic data because statements from the government regarding this issue have contradicted each other. This in turn means that the government budget for 2014 was devised and implemented potentially on the basis of false data. Projected GDP growth for 2013 was much higher than the actual figures, which resulted in a budget deficit and an increase in the national debt. If the economic and budget issues are not sorted out over the course of the next year, there is a high risk for social problems to occur due to an inability to meet service obligations.

Meeting with Giorgi Chkheidze, OSGF Board Chair

Our meeting with Giorgi was over lunch, and I found him to be a very interesting person and thinker. Giorgi works for Human Rights Watch and spoke a lot of the issues in the justice system. We conversed about the current tasks facing the new government in the realm of criminal justice and especially concerning the miscarriage of justice under the former regime. The Georgian Dream-led government is currently trying to grapple with this issue. The previous government proposed a draft law creating a coalition of lawyers to analyze past cases in order to check for miscarriage of justice and reopen or review the case if necessary. However, this new government still needs to deal with the gross miscarriage of justice in order to achieve some semblance of reconciliation given the current climate. The problem with this process as it has been carried out thus far is that there has been a dearth of expertise involved and the whole process has been rushed. The new regime needs to slow this process down, bring in experts, and plan out exactly how the whole range of policy development initiatives will be implemented in practice to ensure their effectiveness. From the side of civil society, Giorgi suggested that a good plan of action will be to support a proper empirical data analysis in order to formulate a policy suggestion that could then be incorporated into a draft law. He also stated that the government and civil society need to disassemble the package of problems involved in criminal justice reform and in doing so need to come up with a systematic approach to address these problems individually.

One of the issues within the criminal justice system that requires reform is the law enforcement system. Giorgi argued that there still exists a legacy of the Ministry of Interior and KGB really governing the system in Georgia and this system was prevalent during the reign of Saakashvili. This legacy system is an immensely strong institution—too strong to be allowed to continue to exist as is in a democratic system. Most of the power, money and information are consolidated within the Ministry of Interior and security structure. It is necessary to reform both the Ministry of the Interior and the law enforcement system in order to get to the root of the problem and reclaim the balance of powers within the political system.

Meeting with Lina Gvinianidze, Human Rights Lawyer for the EMC

Lina Gvinianidze is a rather young human rights lawyer working for an organization which was founded in 2012. The Human Rights Education and Monitoring Center is composed of young professional lawyers as well as other young experts in the field and they focus on working with vulnerable groups. They have worked on 7 different projects with USAID, GPAC, OSGF, NDI, CoE, British Embassy, and US Embassy funding. The meeting with Lina was extremely interesting, and it is clear that she is an enterprising young lawyer with immense energy and dedication to human rights issues. She described to us one project the EMC worked on involving religious minorities. They did a study of religious conflicts which have occurred in Georgia and then used that study to analyze the legal and social aspects. They additionally provided legal aid to religious minorities experiencing violations of their rights and used strategic litigation to bring attention to the issue at the national and international level. They found that a major problem is that minorities do not know their rights and so they then developed an informational campaign where they went into the regions, residential areas and villages in order to bring that information to them where they live. Another aspect of the project was studying the degree of secularity in public schools. At the time of our meeting, the EMC was finishing up a study on the Ministry of Education policies and instances of indoctrination in schools. In their projects they have worked closely with Muslim minorities, given the backlash that is often experienced when Islam is openly practiced.

Lina noted that the current government is very careful and hesitant when working with religious issues because of the influence of the Georgian Orthodox Church and the prevailing idea within that sector that Georgian identity is linked with Christian identity. There is an unequal relationship between the government and the Orthodox Church in comparison with other religious institutions in the country. The Orthodox Church is the only religious institution which receives millions from the government budget in addition to tax incentives. This imbalance strengthens the Orthodox denomination at the expense of other denominations and religious institutions. The new government has not shown any indication that it will be altering this behavior, and it too gave a portion of the upcoming budget to the Church.

The EMC’s work is not limited to the protection of religious minorities. They also have worked and continue to work on projects focused on people with disabilities. They have been working with the government most recently to set a strategy plan for policy toward people with disabilities, in line with the UNCPD. The group has also worked on projects with NDI and CoE focusing on the electoral system and political party development.

When asked what could be done to begin to resolve some of these issues, Lina responded that a good start would be to reform the education system to be based on civic values and not traditional nationalistic values. She also sees the need to continue providing legal aid to minority denominations in order to further strengthen, educate, and build trust with these groups. Michael Hall mentioned that it might be helpful to put Lina’s organization in touch with a grantee of the Armenian Foundation which has undertaken similar work and could be of use in terms of network building and idea sharing. Additionally, she suggested that civil society groups in general should focus more on dialoging with local populations because the prevailing trend has been to focus heavily on dialogue with the government. This trend has created a disconnect between many civil society groups and the general population in her opinion—and I think that this is a very important insight.

Meeting with Korneli Kakachia, Professor at TSU and co-author of EaP roadmap monitoring report

Our meeting with Professor Kakachia was what you would typically expect from a meeting with an academic. He has been focusing closely on Georgia’s progression on the Eastern Partnership roadmap, and published a report on this process. His conclusions were that Georgia has been fulfilling the EaP requirements, but that the future of its EU integration process will hinge upon the stance of Ukraine to an extent. In his mind, Ukraine is one of the most important post-Soviet countries and will be very important for Georgia in terms of EU integration. Without Ukraine, the EaP is essentially a dead project because it was created for Ukraine, not Georgia. Georgia has been increasingly trying to disassociate itself from the rest of the South Caucasus countries, and instead associate with Ukraine and Moldova, but the EU has been trying to reinforce the South Caucasus as a region. Our conversation was not limited to his work on the EaP monitoring process, but we also spoke in detail about the civil society sphere as a whole, and what he views to be the current challenges. Interestingly, he noted that previously he thought that OSGF was a “closed circle” but now he sees that it appears to be changing, and becoming more open to working with new partners in terms of grantmaking.

Professor Kakachia has founded what he considers to be a think tank—the Georgia Institute of Politics. While he still works in the world of academia, he considers himself to be moving closer to civil society. Currently, he is trying to produce and public a book on Georgian Foreign Policy in England and also works with IRI on a young political leaders program. Through this program, he runs a summer school for conflict resolution in Batumi. In terms of his academic work, Kakachia hopes to begin working on the topic of borders, which he feels to be an underexplored area.

We discussed with Professor Kakachia the general issues and challenges facing further civil society development in Georgia. He noted that the biggest problem currently is that donors tend to fund the same circle of organizations, with little variation. This makes it extremely difficult for nascent organizations to grow and find funding. In Kakachia’s view, smaller pilot grants are not often available for recently established organizations and therefore only those starting out with personal connections (like GRASS) can hope to survive and thrive. In terms of his own small think tank, he has been trying to establish a niche and has been working with his former students using the European model for think tanks, and they have primarily been focused on producing policy papers and monitoring reports. I got the impression that Professor Kakachia’s “think tank” is less of a think tank and more of an academic group. He cites that there are very few quality think thanks in Georgia at this moment, and this is an area that should be developed going forward. There is remarkable talent coming out of the universities, but there is a lack of direction for these young thinkers—they do not know where to go. Many of the brightest of them do not stay in academia but instead go to international NGOs.