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COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

GEORGIA

15 JULY 2008

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Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Georgia has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 15 July 2008.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Georgia is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

- vii The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UK Border Agency's country of origin information material. The APCI welcomes all feedback on UKBA's COI Key Documents, COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk

- viii In the course of its work, the APCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Key Documents, COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html
- ix Please note: It is not the function of the APCI to endorse any UKBA material or procedures. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information:**Email:** apci@homeoffice.gsi.gov.uk**Website:** www.apci.org.uk

2. Background information on Georgia

Full Country Name: Georgia

Area: Total area 69,700 sq km

Population: 4.4 million

Capital City: Tbilisi (population 1.5 million)

People: 71% Georgian (including subgroups of Svanetians, Mingrelians, Ajars), 7.7% Armenian, 6.5% Russian, 6% Azeri, 3% Ossete, 1.8% Abkhaz

Languages: Georgian 71% (official), Russian 9%, Armenian 7%, Azeri 6%, other 7% (note: Abkhaz (official in Abkhazia)) The Georgian group of languages is unique and does not belong to any of the major language families.

Religion(s): Georgian Orthodox 65%, Muslim 11%, Russian Orthodox 10%, Armenian Apostolic 8%, unknown 6%

Currency: Lari

Major Political Parties: National Movement (currently in power), New Rights, Labour, Industry will save Georgia, Republican's Democratic Front and Georgia's Way.

Government: Republic

Head of State: President Mikhail Saakashvili

Prime Minister/Premier: Lado Gurgendze

Foreign Minister: David Bakradze

Membership of International Groupings/Organisations: BSEC, CCC, CoE, CE (guest), CIS, EAPC, EBRD, ECE, FAO, IAEA, IBRD, ICAO, IDA, IFAD, IFC, IFRCS, ILO, IMF, IMO, Inmarsat, Interpol, IOC, IOM (observer), ISO (correspondent), ITU, OPCW, OSCE, PFP, UN, UNCTAD, UNESCO, UNIDO, UPU, WHO, WIPO, WMO, WTOO, WTrO (applicant). (Foreign & Commonwealth Office, 7 April 2008) [4a]

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GEOGRAPHY

Georgia is situated in south-western Asia, bordering the Black Sea, between Turkey and Russia. It covers a total area of 69,700 sq km, which is all land. Georgia borders with Armenia (164 km), Azerbaijan (322 km), Russia (723 km) and Turkey (252 km). Georgia is largely mountainous with the Great Caucasus Mountains in the north and the Lesser Caucasus Mountains in the south. (Foreign & Commonwealth Office, 7 April 2008) [4a]

MAPS





Administrative Map of Georgia, UNHCR, November 2006 [6c]

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ECONOMY

GDP: US \$16.0 billion

GDP per head: \$1,430 (calculated)

Annual Growth: 7%

Inflation: 6-10%

Major Industries: Agriculture (wine and water), financial service and construction.

Major trading partners: CIS countries, Russia (but see below) and Turkey.

Currency: Lari

Exchange rate: 1 US\$=1.79 Gel and 1 UK= £3.10 (March 2007)

“Georgia was hit badly by the Russian financial crisis of August 1998 and it took the country a long time to start recovering. Since 2003 the economy has grown rapidly. Agriculture is the largest sector of economy, accounting for 21% of total GDP, although several other industries have high growth rate, including construction (33%), financial services (20%), communication (19%), hotels and restaurants (17%). The construction of the Baku-Tbilisi-Ceyhan (BTC) oil pipeline has also helped boost the economy. Traditionally Georgia has exported most of its goods throughout the Former Soviet Union and to Turkey, however the recent deterioration in relationships with Russia (the

main market) has seen a halting of the export of most agricultural goods including wine and mineral water on health grounds which led to a rapid attempt to diversify markets that has included trade missions to China and throughout the EU. Tackling corruption and reforming the Tax codes have been major achievements. Tax revenues continue to rise following a more systematic collection system. [4a]

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RECENT HISTORY

“Georgia's recorded history spans over 4,000 years. Georgia was well known to both the ancient Romans and Greeks and featured in the Greek legend of Jason and the Argonauts, who travelled there in search of the Golden Fleece. Much of Georgia's early history was linked to the struggle between Rome and Parthia (Persia), and later the Ottoman and Mongolian empires. Georgia's long line of kings and queens helped shape modern Georgia. King David the Builder and his daughter Queen Tamar the Great are amongst the most famous. In 1122 AD King David made Tbilisi Georgia's capital and the reign of Queen Tamar was known as the golden era – the peak of Georgia's cultural and military strength.” [4a]

Post-communist Georgia, 1990–2003

“On 28 October 1990, opposition pressure resulted in open, multiparty and democratic parliamentary elections. These were won by the ‘Round Table’ coalition headed Zviad Gamsakhurdia, who became the head of the Supreme Council of the Republic of Georgia. On 31 March 1991, Gamsakhurdia organised a referendum on independence, which was approved by 98.9% of the votes. Formal independence from the Soviet Union was declared on 9 April 1991.

Gamsakhurdia (deceased 1994) was elected president on 26 May 1991 with 86% of the vote. He was subsequently widely criticised for what was perceived to be an erratic and authoritarian style of government, with nationalists and reformists joining forces in an uneasy anti-Gamsakhurdia coalition. The situation came to a head on 22 December 1991, when armed opposition groups launched a violent military coup d'etat, which led to Gamsakhurdia to flee Georgia. The new government invited Eduard Shevardnadze, formerly Soviet Foreign Minister under Gorbachev, to become the head of a State Council in effect, president - in March 1992.” [4a]

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RECENT POLITICAL DEVELOPMENTS

“On 2 November 2007 over 50,000 people participated in peaceful demonstrations against the Government. By 7 November, with numbers of protesters significantly less, the authorities took measures to clear demonstrators off the road using methods that included tear gas, rubber bullets and truncheons. The Georgian Government has defended these actions, claiming that a coup was imminent. Late on 7 November a State of Emergency was declared, some opposition members were arrested and there were accusations were made about Russian attempts to influence opposition leaders and inspire a coup. The State of Emergency was lifted on 16 November, and most of those arrested were released shortly afterwards. Presidential elections, which were expected to be held in mid-2008, were brought forward to 5 January.”

"The elections were held on 5 January 2008 in a relatively calm atmosphere. On 6 January, the International Election Observation Mission (IEOM), led by OSCE/ODIHR, reported in their preliminary findings that the election process "was in essence consistent with most OSCE and Council of Europe commitments and standards for democratic elections, [but] significant challenges were revealed which need to be addressed urgently". The opposition claimed widespread irregularities and fraud, notably in regions inhabited by national minorities, and on 8 January, Levan Gachechiladze, candidate of the United Public Movement (UPM), and several supporters, stormed into the Central Election Commission (CEC) to confront the CEC Chair. Their principal demand was that results found to have been falsified be annulled."

"On 13 January the Central Election Commission (CEC) announced the final results. Saakashvili avoided a second round by obtaining 53.5% of the vote. Saakashvili was inaugurated as President for a second 5-year term on 20 January in rather more low-key celebrations than those which followed the Rose Revolution. In his speech he set out a 50-day plan to deal with poverty, boost the creation of new businesses and ease hardship in rural areas. He praised the opposition's participation in the elections, promising them a greater role in future." [4a]

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AJARA

"Relations between the Georgian government and semi-separatist Ajarian leader Aslan Abashidze deteriorated rapidly in 2004, with Abashidze rejecting Saakashvili's demands for the Tbilisi government to extend its power in Ajara. Saakashvili's ultimatums eventually forced Abashidze to resign and flee Georgia for Moscow in 2004, and Ajara is now a fully integrated part of Georgia." [4a]

ABKHAZIA

"In February 1992, the provisional Georgian Military Council announced Georgia's return to its 1921 constitution. The Abkhaz Supreme Soviet was concerned that Abkhazia's status was not adequately taken into consideration and so a draft treaty outlining plans on federal relations was sent to Tbilisi. Tbilisi did not respond and in July 1992 the Abkhaz Parliament reinstated the 1925 Abkhaz Constitution. From summer 1992 to summer 1993, Georgian troops controlled much of Abkhazia, including Sukhumi, while fighting continued, causing great civilian hardship. On 27 July 1993, Russia mediated an agreement in Sochi for a cease-fire and the phased demilitarisation of Abkhazia. However, on 16 September Abkhaz troops broke the cease-fire and opened an all-front surprise offensive from Gudauta, north of Sukhumi, with support from North Caucasus volunteers.

"The May 1994 Moscow Agreement, which formally ended the military conflict was signed under UN auspices. The Moscow Agreement, facilitated by Russia provided for a ceasefire, separation of forces and the deployment of the CIS Peacekeeping Force (CIS PKF). In June 1994, the entirely Russian CIS PKF deployed in the conflict zone and their mandate has never been modified. There has been little progress on agreeing the outlines of a comprehensive political settlement based on a possible division of constitutional competences between Georgia and Abkhazia. Progress on the return of refugees and improving the security environment has also been slow.

“Although some Georgian internally displaced persons (IDPs) from the conflict have returned to Gali district, an estimated 200,000 IDPs remain in temporary accommodation, awaiting a political settlement that would guarantee their safety. The Georgian Government has often linked any political negotiation with the return of IDPs ensuring that they remain a poignant reminder of the unresolved conflicts. In 2006 the Georgian Government reaffirmed their control of the upper Kodori valley (also known as upper Abkhazia) and installed the local Georgian government which had been exiled during the 1992/3 campaign. The Government has pledged to redevelop the area under its control and has built schools, hospitals and entertainment facilities.” [4a]

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SOUTH OSSETIA

“South Ossetia was granted the status of an autonomous region (oblast) in the Georgian Soviet Socialist Republic in 1923. In spring 1992, fighting escalated, between Georgian and Ossetian forces. Yeltsin and Shevardnadze signed a ceasefire agreement in Sochi on 24 June 1992. The devastation resulting from the war included over 1,000 dead, 100 missing, extensive destruction of homes and infrastructure, and many refugees and IDPs being forced to flee their homes.

“A Joint Peacekeeping Force (JPKF) was established in 1992 made up from a battalion (around 500 men) from North Ossetia, Russia and Georgia. The JPKF is mandated to restore peace and maintain law and order in the zone of conflict and security corridor, as well as in districts and villages not in the zone of conflict.

“Since 2003 the Georgian Government has maintained pressure on the Tskhinvali regime to reintegrate with Georgia. In 2004, Georgia mounted a limited, unsuccessful operation to restore territorial integrity. The current Georgian peace plan focuses on demilitarising the conflict zone and economic development ahead of a final political settlement. To support this approach the OSCE launched a 10 million Euro economic reconstruction project (to which the UK is contributing).

“On 8 May 2007 the Georgian parliament passed a resolution to set up a provisional administrative entity in South Ossetia. President Saakashvili appointed Dimitry Sanakoev as its head.” [4a]

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INTERNATIONAL RELATIONS

Georgia's Relations with Neighbours

President Saakashvili visited Moscow early in 2004, on his first official state visit. Since then Georgia's relationship with Russia has deteriorated rapidly. The relationship plummeted in 2006 following accusations of Russian involvement in shutting off gas supplies prompting concern over the political and financial cost of Russian energy supplies. Later Russia banned Georgian and Moldavian wine and mineral water. The low point followed Tbilisi's public humiliation of suspected Russian spies that saw a backlash against Georgians in Moscow leading to mass deportations from Russia. Relations remain tense. [4a]

EU

A Partnership and Co-operation Agreement (PCA) between the EU and Georgia was signed on 22 April 1996. Georgia has now become a member of the European Neighbourhood Policy (ENP) and has longer-term aspirations to EU membership. In November 2006 the ENP Action Plan was signed in Brussels committing Georgia to a number of significant reforms. [4a]

US

Relations with the US are strong. On 9-10 May 2005, President George Bush visited Georgia. [4a]

Georgia's relations with the UK

The UK recognised Georgia on 23 March 1992. Diplomatic relations were established a month later. 1995 saw the opening of both a British Embassy in Tbilisi and a Georgian Embassy in London. [4a]

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HUMAN RIGHTS

Reports published in 2008 by Human Rights Watch, Amnesty International, the Foreign & Commonwealth Office and the US State Department indicated that the government's record on human rights was uneven, with improvements in some areas but serious problems remaining.

The Human Rights Watch 2007 report on Georgia stated that:

"After several days of large-scale peaceful opposition demonstrations in November, the Georgian government initiated a violent crackdown on protesters, causing a serious human rights crisis. This crisis occurred in the context of an emerging but dominant view among the governing political elite and its supporters that short-term, supposedly minor sacrifices in human rights are justifiable to build a stronger state, which can better protect human rights in the long term. This approach, however, is leading Georgia away from international standards and represents a gamble with freedom. Prison conditions remain poor, and fair trial and property rights are restricted. Against international recommendations, in 2007 Georgia lowered the minimum age of criminal responsibility.

"The truncated pre-election period, the restrictions on assembly and media imposed during the state of emergency, and the absence of one of Georgia's key alternative media outlets all marred the pre-election campaign. Despite a presidential pardon of 772 inmates in November 2007, overcrowding persists in almost all of Georgia's penitentiary facilities, leading to many human rights violations, including inadequate nutrition, medical care, and exercise.

"In May 2007 the government lowered the minimum age of criminal responsibility from 14 to 12 for certain crimes, further weakening the protection of children in conflict with the law. Although the decrease will come into effect in June 2008, Georgia has yet to build a juvenile justice system capable of rehabilitating young offenders." [5a]

The 2007 Amnesty International report on Georgia recorded that:

"In October the UN Human Rights Committee expressed concern about torture and other ill-treatment, prison conditions, interference with the independence of the judiciary, domestic violence, reports of forced evictions of internally displaced people and violations of the rights of ethnic minorities. The Committee called on Georgia to draft and implement a comprehensive action plan against torture and other ill-treatment, to investigate allegations and bring perpetrators to justice, and to ensure that victims had access to reparation including compensation. It urged Georgia to investigate women's complaints of violence and bring perpetrators to justice, and to establish sufficient shelters for those escaping domestic violence.

"The authorities took some steps to implement the May 2006 Law on Domestic Violence, for example issuing protection and restraint orders, but some key provisions were not implemented swiftly or fully. The number of shelters was insufficient and the government did not provide financial support for shelters run by NGOs. The government failed to establish an independent mechanism to prevent torture and other ill-treatment, although, as a party to the Optional Protocol to the Convention against Torture, Georgia was required to do so by July 2007.

"The internationally unrecognized territories of Abkhazia and South Ossetia retained the death penalty in law. In January the Parliament of Abkhazia established a moratorium on executions during peacetime. At the end of 2007, there was one prisoner on death row in Abkhazia. South Ossetia continued to have a moratorium on death sentences and executions." [11a]

The US State Department Report on Human Rights Practices 2007, published on March 11, 2008 noted that while the government's human rights record improved in some areas during the year, its record worsened in other areas, especially during the fall, and serious problems remained.

The USSD report further noted that cases of torture and mistreatment of detainees, abuse of prisoners, excessive use of force to disperse demonstrations, poor conditions in prisons and pretrial detention facilities, impunity of police officers, continued overuse of pretrial detention for less serious offenses, lack of access for average citizens to defense attorneys, lack of due process in some cases, and reports of government pressure on the judiciary.

"Prior to the fall political crisis, the government took some significant steps to improve the human rights situation. For example, Parliament adopted legislation that prohibited communication between judges and parties about cases outside the courtroom, adopted a Code of Ethics for Judges, and the government opened the High School of Justice to train judges as part of the continued broad reform of the judiciary.

"De facto authorities in the separatist regions of Abkhazia and South Ossetia remained outside the control of the central government; ceasefires were in effect in both areas, although incidents of violence, including deaths, occurred in both areas. In both Abkhazia and South Ossetia, deprivation of life, arbitrary arrest, and detention continued to be serious problems. The de facto authorities in Abkhazia continued to restrict the rights of citizens to vote and to participate in the political process through a 'citizenship' law that forced ethnic Georgians to give up their Georgian citizenship in order to vote in local elections." [2a]

A report published in October 2007 by the International Federation for Human Rights (FIDH) express their deep concern over the ongoing human rights violations in Georgia. This assessment is especially disappointing in the light of the achievements

of the peaceful Roses Revolution which brought to power its leader Mikhail Saakashvili, and with him a promise of respect for democracy and the rule of law.

“Violations of human rights regularly occur before and during the trials. Proceedings are often disrupted in Tbilisi City Criminal Court and are also common in other parts of the country. It is almost impossible to know in advance when hearing will be held timetables displayed in the courts are often not respected and hearings take part at different times, while parties are not informed of the changes.

“Torture and Inhumane and Degrading Treatment is widespread in Gorgia. The establishment of a 24-hour hotline for victims set up by the Prosecutor General’s Office and the Ministry of the Interior in 2005. However, the Ministry of the Interior does not keep any records of the number of calls received or on any action taken in response, which weakens the argument that the hotline is an effective way to prevent violations.

“The majority of Georgia’s prisoners—some 63% of whom are held in pre-trial detention live in overcrowded, poorly ventilated, filthy cells. FIDH and HRID would also like to point out that the number of dead prisoners has increased in the last six years. Statistics show that, thirty-one prisoners died in 2001, fiftytwo in 2003, forty-six in 2005 and seventy-one from January to September 2007.

“Minority groups in Georgia are particularly vulnerable to recurrent human rights violations, both civil and political and social and economic. Despite the European Framework Convention for Protection of Minorities and the European Charter for Regional and Minority Languages there is no official, government-lead strategy in place to protect these groups. This creates a vacuum where human rights violations against Azeri and Armenian minorities are on the rise.

“FIDH and HRIDC also express their deep concern over the situation of refugees, especially from Chechnya and of internally displaced people (IDP) from Abkhazia and South Ossetia. Forced evictions of IDP from their temporary residences are widespread. On 28 June 2006 evictions were carried out by the police in the Meskheti hotel used to accommodate IDP in the city of Batumi... The Ombudsman for Georgia, Mr. Sozar Subar, failed to appear despite the many requests from the IDP.

“FIDH wish to express their concern over the new law on reserve service, adopted by the Georgian Parliament on 27 December 2006, which entered into force in March 2007. As a result, all men between the ages of 27-40 have to perform 18 days compulsory military training every second year. Anyone who avoids his service will be either fined (up to 1000 GEL), sentenced to 180-220 hour labour or imprisoned for one year. Deserters will also be heavily punished and can face imprisonment from three to seven years. If the person does not pay his fine he will be imprisoned for fifteen days. No alternative service is available for reservists.

“On 23 May 2007, Georgian President Mikhail Saakashvili signed three laws Amendments which lower the minimum age of criminal responsibility (MACR) from 14 to 12 years of age for certain crimes. The amendments will enter into force 1 July 2008. By lowering the minimum age of criminal responsibility, Georgia has gone against International standards: the amendments mean that children as young as 12 can be sentenced as adults for such crimes as murder, grievous bodily harm, rape, most types of robbery, assault, and possession of a deadly weapon. Children would face the same punishment as adults, but would be allowed to serve their prison terms in separate institutions which the Georgian authorities promised to build especially for that matter.”

[34a]

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3. Index to key source documents

(KB users – Click source number to access document directly)

KEY FACTS AND GEOGRAPHY	[1] Europa World Online, Location, Climate, Language, Religion, Flag, Capital, Country Statistics, accessed on 30 May 2008 http://www.europaworld.com/pub/ [2a] United States Department of State (USSD), Report on Human Rights Practices 2007: Georgia, 11 March 2008 http://www.state.gov/g/drl/rls/hrrpt/2007/100560.htm [2c] United States Department of State (USSD), Background Note: Georgia, last updated February 2008 http://www.state.gov/r/pa/ei/bgn/5253.htm [4a] Foreign and Commonwealth Office, Country Profile: Georgia, last updated on 7 April 2008 http://www.fco.gov.uk/en/about-the-fco/country-profiles/europe/georgia/ [7a] British Broadcasting Corporation (BBC), Country Profile: Georgia, last updated on 8 July 2008 http://news.bbc.co.uk/1/hi/world/europe/country_profiles/1102477.stm [10a] Central Intelligence Agency (CIA), The World Fact book: Georgia, last updated on 15 May 2008 https://www.cia.gov/library/publications/the-world-factbook/geos/gg.html [14] Library of Congress – Federal Research Division: Country Studies: Georgia, March 1994 http://lcweb2.loc.gov/frd/cs/getoc.html [17a] United Nations Common Country Assessment 2004: Georgia http://undp.org.ge/new/files/24_171_223382_cca.eng.pdf [31] World Bank, Georgia Country Brief 2007 http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/GEORGIAEXTN/0,,menuPK:301755~pagePK:141132~piPK:141107~theSitePK:301746,00.html
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