

Chapter 2

Security Sector Governance in Georgia (I): Status

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Security Sector Governance in Georgia is a field which is certainly not easy to explore. First of all there is no up-to-date literature, at least none which considers the entire complexity of the relevant aspects and elements influencing security sector governance and security sector reform (SSR) in the country. Secondly, research on issues relevant to security sector governance has the appearance of a patch-work quilt. There is no comprehensive assessment of security sector reform; studies mainly focus on disconnected aspects; the various threads are not brought together, at least not in a way which would allow an evaluation of the overall situation of security sector governance in Georgia. The closest to these needs is the work of Center for Civil Military Relations and Security Studies (CCMRSS) in Tbilisi. The research work of David Darchiashvili and Tamara Pataraiia provides deep insights and important background information on security sector relevant issues¹.

In order to bring the threads together and to gain a basic overview on the current state of security sector reform in Georgia, a stock taking, based on expert interviews was launched in September 2002. Up-dates have been made continuously, the latest carried out in January 2004.

¹ Recent contributions are for example: David Darchiashvili, Implementation of Parliamentary Control over the Armed Forces: The Georgian Case. In: H. Born, M. Caparini, K. Haltiner, J. Kuhlmann (eds.): Democratic Governance of Civil-Military Relations in Europe: Learning from Crisis and Institutional Change. Berlin: Lit-Verlag 2004 (forthcoming). And: Tamara Pataraiia: Civilians in National Security Structures in Georgia. Paper Presented at the Working Group Meeting: Civilians in National Security Policy, Geneva, November 2-4, 2002.

Overall, 24 interviews have been carried out with Georgian experts, involved in security sector related issues, working within the Georgian Ministry of Defence (MoD), the Ministry of Foreign Affairs (MFA), the Ministry of Internal Affairs (MIA), and the Georgian Military Academy. Furthermore, there were interviews with parliamentary staffers, including members of the Parliamentary Committee on Defence and Security, with members of Non-Governmental Organizations (NGO's), and with military journalists. Most of the interviews (13) have been carried out in Tbilisi, in September 2002, some (5) in Zürich, Switzerland during the 5th International Security Forum in October 2002, furthermore one interview during a Conference on Border Management in March 2003 in Geneva, Switzerland, two interviews at the Workshop on "Security Sector Governance in Southern Caucasus – Challenges and Visions", held in Reichenau/Rax, 21-24 November 2003. And finally three interviews have been carried out by e-mail communication in January 2004 in order to get an up-to-date picture of the situation after the "Rose Revolution" and the January 4 presidential elections.

Basis of the interviews have been several questionnaires used as frameworks for assessing SSR. The evaluation, presented within this study, is based on a small selection of broad and general questions on the current state of SSR in Georgia, prospects for the upcoming years and also on recommendations and priorities seen by the experts in view of the reform process². The objective was, to get a broad overview on the assessment of the state and prospects of Security Sector Reform in Georgia by local experts, working within the field of security policy. The picture given is deliberately focused on those factors and aspects of SSR, which are – according to the interviewees – currently relevant and therefore have an impact on the ongoing developments.

It is not the aim of this study to give a comprehensive overview on the state of all security sector institutions in Georgia and neither on the history of Security Sector Reform and the process of building up the Georgian Armed Forces. Details on state security services and institutions might be found within the White Paper of the MoD³. A broader background on developments in view of the reform of the

² Please find questionnaire: "General Assessment SSR in Georgia" attached to this article.

³ White Paper of the MoD, Georgian Ministry of Defence, Tbilisi 2002.

security sector and the building up of the Georgian Armed Forces can be found in the research work of David Darchiashvili and Tamara Pataraiia, without whose support and encouragement this project would not have been possible.

Problems, Challenges and Obstacles

Given the current situation in Georgia there is an overwhelmingly long list of difficulties, which can be seen as major challenges to SSR. The interviewees name most varied and different obstacles. Views and perspectives of the assessments are quite different, but in the main points agreements are obvious. The various issues can be grouped into three categories. There are the basic problems: the broader context of democratisation and reform; there are the general problems in view of Security Sector Reform as such; there are specific problems, relevant to the Armed Forces and other organisations, the Security Forces.

As to the basic problems—the broader context of reform—it is widely accepted that reform of the security sector can not be seen without the frame of general democratization within a country. This is why we have to look first into basic problems of democracy-building in Georgia before considering general problems of security sector reform, which will be dealt with in the a Chapter.

Democratic structures and national mentality

“The problem lies within the system”⁴

More than twelve years after the breakdown of the Soviet system, democratic structures have still not been adequately implemented in Georgia. The situation is quite similar to that in other transition countries: legislation seems to be principally sufficient and is formally based on Western models, whereas the real challenge lies in implementing and enforcing the law.

The implementation of democratic structures becomes even more difficult, since the whole system is determined by personal relationships

⁴ Quotation from an interview with a member of a Georgian NGO.

rather than by well defined democratic procedures. (The details on this phenomenon will be dealt with below). The majority of the interviewees stressed that the mentality and with it the whole ethos in the country has to change before it might become possible to built up sustainable democratic structures⁵.

Another factor is the general weakness of state management culture which makes the situation considerably worse: Those in power have basic problems to properly manage the system⁶. State structures support corruption, i.e. the existence of only one account for each ministry makes management and control of revenues and expenditures extremely difficult.

Clientelism and corruption

“The legacy of clannish thinking is one of the most significant obstacles to development”⁷.

“If there wouldn’t be any corruption, Georgia would be fine within 10 years”⁸.

The most detrimental elements which prevent a continuous transition to democracy are certainly clientelism and widespread corruption, two intertwined phenomena which run like red threads through the entire Georgian state sector, political system and society. Their dangerous presence is not only contra-productive to any democratization but they also shape the broader context of security sector reform. They require a closer look.

In Georgia the soviet totalitarianism produced a bizarre symbiosis of the specific bureaucratic system mixed with traditional values and a certain *modus vivendi* in the population, which is determined by traditional clannish relationships. As a result, the interdependence of social mentality--mirrored especially in the way of thinking and behaving of the public officials and also society at large--

⁵ Referring to an interview with a member of a Georgian NGO.

⁶ Referring to an interview with a member of a Georgian NGO.

⁷ Koba Liklikadze, David Losaberidze, Institutionalism and Clientelism in Georgia. Unpublished article. Tbilisi, 2002, page 2.

⁸ Quotation from an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

and institutional development of the state system is converted into an essential dilemma⁹. Relationships between officials and their subordinates determine the state structures as well as the state authority¹⁰. Those "...client relationships in Georgia ... still play the most important role both in everyday life and in the political processes of the country"¹¹. As a result, policy objectives tend to support the development of oligarchic groups rather than encourage national development and as a consequence the political system is degraded and constricted¹².

The primary problem, resulting from clientelism is corruption, which has an obvious systemic character and is in Georgia generally seen as "the rule of the game"¹³. Whereas corruption has been grown significantly since the end of the Cold War¹⁴, the phenomenon is well known already since the first years of soviet rule and grasped at the latest from the beginning of the 1960s all levels of Georgian society, especially the ruling "nomenklatura" and the "red directors" of the state enterprises¹⁵.

The clientele and corruptive structures may most illustratively be described as a pyramid, with a very small level at its top which is formed by the president and his family clan and then the biggest and broadest levels at its bottom which are formed by those elements of the society which have the least power and authority. "Money making" depends on the level within the pyramid: The higher the level, the more authority and the more money can be made. Those in power are depending on this pyramid, since this societal structure is helping them to stabilize their position. Therefore it seems understandable that a real intention to fight corruption can not be stated yet. Deeply rooted corrupted interests throughout the political and societal structure prevent serious and effective measures¹⁶. Whereas some state, that there is hope to fight

⁹ Liklikadze, Losaberidze 2002, op. cit., p. 2.

¹⁰ Ibid., p. 3.

¹¹ Ibid., p. 20.

¹² Ibid., pp. 7-8.

¹³ Ibid., pp. 4 and 7.

¹⁴ Ibid., p. 7.

¹⁵ Alexandre Kukhianidze, Criminalization and Cross-Border Issues: The Case of Georgia. Paper presented at the Workshop "Managing International and Inter-Agency Cooperation at the Border", held in Geneva, March 13-15 2003, p. 2.

¹⁶ Referring an interview with a member of a Georgian NGO.

corruption, since the pyramid seems to get “holes”¹⁷, others say, that there is no way to fight it at the current stage and that the only way is, to wait for an alternation of generations¹⁸. There is no doubt that only a long term process may see first positive results¹⁹.

Public involvement in the democratization process

“They do not clearly understand what democracy means”²⁰

During the last twelve years “democracy” has been tiptoeing around Georgia like a shy and obscure ghost, who does not want to come in, sit down and make itself visible. At least for Georgians this is a picture that might be envisaged. The golden word “democracy” has been repeated by western advisors like a magic incantation and still it is not clear what is behind this abstract phenomenon, which sneaks around and still is prudently hides behind quite obvious and dominant fellow travellers: economic crisis, corruption and political chaos. No wonder that something which is as vague and obscure, which does not bring any obvious incentive or benefit, is clearly seen as something that one might easily do without. In other words: the tiptoeing ghostly visitor may – in the eyes of the one or the other Georgian - best stay outside.

After the hardships of the last decade it seems to be understandable that society at large sees “democracy” as a failure and “democratic values” as nothing that is worth striving for. Even if those values would be accepted and understood as something valuable, the citizens would not feel that their involvement could help implementing those values in societal life²¹. This mentality is a part of the soviet legacy which still has not been overcome.

¹⁷ Referring to an interview with a member of a Georgian NGO.

¹⁸ These prognoses are referring to “lessons” from history, i.e. on the transition of states towards capitalism. The US is an example in the 20th and 30th of last century. According to these prognosis, the only hope is offered by the time passing by: The mafia-members are increasingly investing their money in “clean” and legal businesses, which help to create new and legal jobs. They send their children to renowned universities abroad. The children get accustomed to another “style” of living and behaving and of “making money”. Later on they bring this “style” back home and the mafia-structures slowly recede.

¹⁹ Referring to interviews with several members of Georgian NGOs.

²⁰ Quotation from an interview with a member of a Georgian NGO.

²¹ Referring to an interview with a member of a Georgian NGO.

Furthermore it seems to be quite understandable that in their fight to survive economic and political crises people look first of all after their own needs and requirements, are generally oriented towards family, relatives, and friends, rather than towards public life²². Consequently, society is quite “nuclearized” and as a result there is a weak socialization of citizens in terms of understanding “community”²³.

Another reason for the public’s retreat from engagement in any reform and democratization processes is to be found in the general lack of the rule of law in the country which is going along with a widespread mistrust in the government²⁴. For those, not being already entirely indifferent to political developments, the government is mainly seen as direct enemy to the general public²⁵.

Civil society is still ill developed and only very marginally involved in democratization and reform processes. One of the main problems is, that a “disorganized NGO community²⁶ and mostly incompetent and still insufficiently developed media²⁷ lack necessary resources to exercise decisive influence over the government”²⁸.

²² Kukhianidze 2003, op. cit., p. 3.

²³ Referring to an interview with a member of a Georgian NGO.

²⁴ The United States Information Agency (USIA) carried out opinion polls, showing the dramatic increase of public mistrust towards the government during the last few years.

²⁵ Referring to an interview with a member of a Georgian NGO.

²⁶ “There are some 5,000 civilian associations and 500 foundations registered in Georgia, however, only 10 to 15% can be considered true Non-Governmental Organizations (NGOs).” See NATO PA: Background Document to the Rose-Roth Seminar, Tbilisi, Georgia, 27-29 September 2002, p. 6. “Only 50-60 of them are active. Most often they are very small.” Quotation by member of a Georgian NGO. Even the most well-established and powerful organizations face financial problems, and depend entirely upon foreign grants or donations. Most NGOs are based in the capital while outlying regions are often ignored. Despite these weaknesses, the NGO sector in Georgia has gained influence both over policymaking and public opinion in the past few years.” NATO PA 2002, op. cit., p. 6.

²⁷ “There are approximately 200 independent print outlets nationwide, some eight TV stations in the capital and more than 45 regional TV stations, 17 of which offer daily news. Radio and a few daily newspapers remain the major source of information for peripheral regions that lack electricity. Poor finances force most print outlets to labour under the influence of political ‘sponsors’ while television is the most popular source for news broadcasts.” NATO PA 2002, op. cit., p. 7.

“Georgian media operate with a greater level of freedom compared to counterparts in most post-Soviet countries. However, there are cases of state-sponsored breaches of freedom of speech as well as incidents of violence against journalists.” NATO PA 2002, op. cit., p. 7.

²⁸ Archil Gegeshidze, Security Strategies for Georgia. A Georgian Perspective. Remarks to the AGBC Forth Annual Conference “Development Strategies for Georgia”. Washington: 2001, page 3.

Furthermore, the society ignores the reform process, since “reforms are, as a rule, launched and implemented by upper echelons or nomenklatura. The society is not much involved in this process and perceives any change as an action directed against it”²⁹.

Civil-society building, a task which has been taken up by several NGO’s, suffers from a lack of cooperation, coordination and continuity within NGO involvement³⁰.

The engagement of public involvement in the democratization process is a Sisyphean task, which has to deal with the major challenge to explain to society-at-large, that “democracy”, which is perceived as failing on a day-to-day base, is nevertheless in the long run not a failure, but a vital value to strive for.

Influence of the security environment

Beside the above mentioned internal aspects, external threats and influences upon the security environment also determine the broader context of security sector reform in Georgia. Those threats, most of all the Russian threat to Georgian territory, but also the frozen conflicts in the autonomous regions, are seen as basic negative factors to SSR in Georgia. A permanent pressure above all precludes that enough capacities and energies are available for reforms³¹.

On the other hand, those factors may imply certain ambivalence. Incidents, like the Russian bombing of the Pankisi gorge, also seemed to have enforced Georgian will to further cooperate with the West and to come as close to NATO integration as possible, which is for the time being the most important incentive for the Georgian government to implement required reforms.

Moreover, security threats enforce a desire for general security and for a strong and professional army. Therefore, they also positively influence the will to reform the Armed Forces, but at the same time hinder a consequent reduction to their present size. A negative influence certainly is a constricted focus on reform of the Armed Forces, which

²⁹ Liklikadze, Losaberidze 2002, op. cit., p. 34.

³⁰ Referring to an interview with a Member of a Georgian NGO.

³¹ Referring to an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

precludes the necessary reform of other security forces--border guards, internal troops, and police forces.

General problems in view of Security Sector Reform

Having had a look on the broader context, we may shift our attention towards general problems of security sector reform itself. The following section reflects the most forcefully and repeatedly stressed points of those questioned.

Lack of a security strategy and a reform concept

”The biggest problem is that the reform process is not well understood. There is no consensus what SSR would mean for Georgia and there is no precise programme for reforms. Only recommendations from foreign experts”³².

The lack of a national security strategy and a precise concept for SSR in Georgia is probably the most fundamental obstacle to any effective reform. Whereas some individual statements³³ allude to an internal, not yet published long-term plan for reforms, most of the interviewees³⁴ insist that there is still no concrete reform programme but only recommendations of foreign experts from the International Security Advisory Board (ISAB)³⁵ are available³⁶.

³² Quotation from interview with a member of the Defence and Security Committee of the Georgian Parliament.

³³ Referring to interviews i.e. with a member of the Georgian Defence Academy and a member of a Georgian NGO.

³⁴ Referring to interviews with a member of the Defence and Security Committee of the Georgian Parliament and a member of the Georgian Ministry of Defence (MoD).

³⁵ “The International Security Advisory Board (ISAB) was established by a memorandum of Understanding dated 14 April 1998. ISAB is an independent body, working directly to the Government of Georgia. In accordance with the MOU, ISAB submitted a draft Report, with recommendations, to the national Security Council at the six-month point. After out-of-committee consideration the Secretary of the National Security Council informed ISAB that the content and recommendations of the draft Report were broadly acceptable. He also requested ISAB to elaborate an outline schedule for implementation of the recommendations, and to submit the final Report at the twelve month point.” See: <http://www.cpirs.org.ge/Archive/ISAB.html>; 06.04.2003. The report is to be found at: <http://www.cpirs.org.ge/Archive/ISAB.pdf>

Nevertheless, first tentative steps towards a reform plan have been taken. There is a White Paper of the Ministry of Defence³⁷ that includes brief outlines on Georgian defence policy, defence structures, personnel policy, logistics, defence budget and the relation between Armed Forces and society. Furthermore it contains information on the missions of the Armed Forces, military co-operation, the various defence and security forces, the General Staff, civilian personnel, the military service and education system, information on defence planning, defence finance and military legislation. The White Paper takes stock of the current state of institutional changes, and gives a very broad idea in which direction a general reform should go.

However, the White Paper is far from being precise enough to provide clear guidelines and priorities. It has obviously been drafted in order to demonstrate a certain transparency in giving an overview of the current state of the security sector. It obviously lacks a national vision and concrete information how the very broad defined goals should be transferred into missions³⁸. Georgia's strategic interests are set out briefly on only one page and are vaguely, partially and rather inconsistently mentioned within the introduction of the paper. Following the White Paper, interests are regional stability and cooperation, a modernization of its Armed Forces and an interest in "moving Georgia closer to the Euro-Atlantic community of nations"³⁹. Merely stating that the Georgian Armed Forces should be "NATO-compatible" leaves open how this will affect the allocation of scarce fiscal resources or the priority of reforms. The rest of the White Paper is descriptive and does not provide guidance for further reforms. According to an expert, the "White Paper 'puts the cart before the horse'. Without the delineation of Georgia's strategic interests and objectives the paper is void of any indication of where Armed Forces reform should be heading"⁴⁰.

³⁶ Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

³⁷ White Paper of the MoD, Ministry of Defence Georgia, Tbilisi 2002.

³⁸ Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament

³⁹ See White Paper of the Georgian Ministry of Defence, Tbilisi 2002, page 3.

⁴⁰ An assessment by Marina Caparini, Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, Switzerland.

Another effort towards the conceptualization of SSR has been taken in view of the elaboration of a reform of the Security and Law Enforcement Services of Georgia. Problems and challenges are different here, *as will be related below*, but they enforce the impression of the creation of a patchwork quilt rather than a strategic implementation of a clear national security strategy.

One could put it in the following fashion: Georgia has a lot of general recommendations in view of SSR, provided by international advisors. What Georgia does not have is an adaptation of these recommendations to the country's situation and background and it also lacks concrete directives in view of a practical implementation of the reform.

Nevertheless there are signs of improvements⁴¹: A member of the International Security Advisory Board recently⁴² confirmed that a draft of the National Security Strategy is being. However it is not published yet, presumably, it will be considered by the Parliament, but we cannot tell if the new government will agree on the extant version.

For those involved in the reform process it is still extremely difficult to understand what SSR should mean for Georgia and how an implementation could look like. For those, having at least a broad idea what a reform could or should imply, there is an obvious lack of consensus. Take for example the Armed Forces: on the one hand it is an accepted fact, that the reform should imply a downsizing to its acceptable and affordable strength. On the other hand, taking the current security threats into account, the readiness of the Armed Forces should be increased⁴³.

As a next important step it to agree on a common concept which is based on a broad consensus within the country, having in mind that "SSR implies that the national leadership has gone through a process by which the strategic interests of the country have been assessed, and implications identified for key sectors of the state. That is, there is an understanding and consensus on which areas need to be tackled for

⁴¹ See also pp. 75

⁴² At the Workshop on Security Sector Governance in Southern Caucasus in Reichenau/Rax, November 21-24 2003.

⁴³ Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

reform that flows from the highest levels of the political leadership, based on a comprehensive view of the strategic and national interests of the state”⁴⁴.

A consistent guideline in view of security structures and institutions as well as in view of goals and missions would be a basic starting point to SSR in Georgia. As long as those guidelines and directions are absent, effective reforms will remain a crucial challenge⁴⁵. Most of the experts agreed that it is not a lack of expertise or experience but the absence of political will which prevents the implementation of a national security strategy⁴⁶.

Lack of political will of the executive power

“The most important obstacle is the lack of political will”⁴⁷

“Certain people do not have any interest in a concept”⁴⁸

Following the views of some interviewees, it was clearly the lack of political will of the former government that hindered a serious progress of the reforms⁴⁹. The experts explicitly stressed the negative role the president himself played in this regard. Whereas Shevardnadze publicly proclaimed the reforms in view of meeting the MAP requirements, he was obviously in no hurry to give consistent directives to implement them. This brings us to another factor: the role of the president in defence and security issues versus the role of the parliament. The head of the executive power clearly dominated political life in Georgia. The parliament was much weaker than the presidential power:

⁴⁴ An assessment by Marina Caparini Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, Switzerland.

⁴⁵ Referring to an interview with a member of a Georgian NGO.

⁴⁶ Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

⁴⁷ Quotation from an interview with a member of a Georgian NGO.

⁴⁸ Quotation from an interview with a member of the Defence and Security Committee of the Georgian Parliament.

⁴⁹ Referring to an interview with a military journalist and several members of Georgian NGOs.

...The President can and does ignore the opinion of parliamentarians concerning various issues of security and defence policy⁵⁰.

Whereas legislation speaks for parliamentary control of the security sector, reality shows a different picture, for example in view of the oversight on defence spending:

The parliament hardly fulfils its main obligation in security and defence policy: budgetary control⁵¹.

Two reasons for the neglect of this obligation might be mentioned: At first there is still little knowledge and understanding on how defence resources are allocated and spent⁵². A second reason is, that the “Parliament does not have the right to amend the budget without the consent of the president, who is the only person authorised to submit official budgetary drafts or amendments. The legislature has only two options – to agree the overall figures or to reject the entire draft. To reject the draft would require enormous political effort and compliance with numerous conditions, and so far legislators have not resorted to such measures. Nor was any action taken on the many occasions when the parliamentary taskforce responsible for reviewing the power ministries’⁵³ spending on classified activities found that it knew no more than the other deputies”⁵⁴.

Generally it can be said that the authoritarian style of Shevardnadze’s leadership definitely played a considerable and negative

⁵⁰ Hans Born, Recipients’ Views on Interparliamentary Assistance: A Short Report on the Czech Republic, Ukraine, Georgia – Three Case Studies; In: Hans Born/Marina Caparini/Philipp Fluri (eds.), Security Sector Reform and Democracy in Transitional Societies. Proceedings of the Democratic Control of Armed Forces Workshops at the 4th International Security Forum, Geneva, November 15-17, 2000. Baden-Baden: Nomos 2002, p. 61-67; p. 65.

⁵¹ Ibid., p. 65.

⁵² Ibid.

⁵³ The defence ministry, ministry of internal affairs and the ministry of state security are the so called “power ministries”.

⁵⁴ Darchiashvili David, 'Georgia: A Hostage to Arms' in Matveeva, Anna & Duncan Hiscock (eds.), 'The Caucasus: Armed and Divided - Small arms and light weapons proliferation and humanitarian consequences in the Caucasus', London: Saferworld, 2003, p. 86.

role in security sector governance in Georgia. The crucial importance of the presidential elections on January 4, 2004 as well as of the role the new Georgian president will play in security sector governance need not be stressed.

Furthermore the “Parliament’s weak role is one indication that democratic control is still incomplete. The civilian element of control is also underdeveloped, as the Ministers of the Interior and of Defence, and the heads of the security departments are all generals⁵⁵. The President and the Secretary of the National Security Council are almost the only civilians with any real power at the top levels of the executive”⁵⁶. It can be stated that one of the basic pre-conditions of a democratic oversight of the security sector⁵⁷, a “dividing line” between the political and military leaders, does not exist in Georgia.

Lack of civilian expertise

The above-stated lack of civilian oversight was not only caused by the strong authoritative role of the president and the partly militarized leadership. A second reason is also to be found in the lack of civilian expertise on security and defence related issues. This holds true for civilians in the ‘power ministries’ as well as for the Members of Parliament. As example might be mentioned the apparent lack of knowledge on defence resources allocation by Members of the Parliamentary Defence and Security Committee which hinders to fulfil their oversight and control functions. This absence of knowledge and expertise on security sector related issues is deeply rooted in former soviet times, when there have not been any civilian experts on defence issues at all. In many transitional countries it is still a basic challenge to build up the necessary expertise from the ground up⁵⁸.

⁵⁵ Until recently, the first exception to this rule was the new Minister of State Security Valery Khaburdzhania.

⁵⁶ Darchiashvili 2003, Op. cit., p. 86.

⁵⁷ For background information on the theory of civil-military relations, see i.e. the classical works of Samuel Huntington, *The Soldier and the State: the Theory and Politics of Civil-Military Relations*. New York: Vintage books 1964, 1st edition 1957 and Morris Janowitz, *The Professional Soldier: A Social and Political Portrait*. New York: Free Press of Glencoe 1960.

⁵⁸ Referring to an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs and with a member of a Georgian NGO.

Problems in defence budgeting

It goes without saying that the lack of adequate financial means forms a major obstacle to SSR. Nevertheless some of the interviewees clearly see financial problems as painful but as secondary compared to other factors, which have been mentioned above, i.e. the lack of political consensus and will to implement the reforms⁵⁹.

In view of the Defence Resources Management Department within the MoD, the lack of adequate resources forms of course a continuous hardship with the budgetary process. However, it is only one in a long queue of various problems: “It is hard to argument for funds if they do not have a basis”⁶⁰.

A first basic challenge to determine a clear defence budget is caused by the already-mentioned lack of a clear and binding security concept. Therefore those, working on the budget within the MoD state the urgent need of a clear security strategy and a binding concept in order to be able to argument for funds and to get a guideline how to set defence resources priorities.

A second problem in defence budgeting is, that there are no clear and reliable figures on the state income, microeconomic prognosis and socio-economic parameters available. This is why it is extremely challenging to set a frame for the budget. Generally military expenditures only take a very small proportion of the rather vaguely calculated Gross Domestic Product (GDP)⁶¹.

A third challenging factor is, that the Georgian state has only one main treasury, one account for all ministries. This makes transparency extremely difficult and gives free way to corruption.

Furthermore a fourth obstacle is that personal influences within the Defence Resources Management department negatively affect the budgetary process: “Personal influence is the disease of the moment”⁶².

⁵⁹ Referring to an interview with a member of a Georgian NGO.

⁶⁰ Quotation from an interview with a member of the Georgian Ministry of Defence (MoD).

⁶¹ 0,2-0,3 percent in comparison to the average 2-3 percent of NATO states.

⁶² Quotation from an interview with a member of the Georgian Ministry of Defence (MoD).

The budgeting process is still influenced by problems of communication and information sharing amongst those in charge. Some people in the MoD understood how inconvenient the increase of transparency might become and started to fight against new and more transparent budgeting system⁶³. Personal influences are currently a major problem not only in view of defence budgeting but generally a widespread phenomenon within the country⁶⁴. Nevertheless some signs for improvements could be found in the introduction of the new budgetary system:

The Planning Programming Budgeting System (PPBS) was started in 2001. It can be seen as a first step towards more transparency on defence spending. Until 2001 defence budgeting contained only amounts without any explanations. In 2001 for the first time exact and clear defined categories for expenditures were introduced. The MoD has been one of the first ministries, introducing the system and counts on positive experiences made within other countries with the new system, i.e. within the Baltic States. During 2003 British advisors supported the Georgian MoD in implementing the PPBS system.

When talking to a MoD official in September 2002, the assessments on the prospects of the new system have been quite positive: Despite having a strong opposition within the particular department and in the Ministry itself, the new system was generally seen as irreversible. “There is no way back, the implementation will continuously proceed”⁶⁵.

One year later the situation proved much less promising: The Parliament did not adopt the programming budget, because of a row between the MoD and the Ministry of Finance. The Ministry of Finance cut the budget, which had been prepared according to the new system in a way that it had to be drafted from requirements, not preceding budgets. The 2003 budget which had been proposed as 129 million Georgian Lari by the MoD was finally adopted with 78 million Lari. After these severe cuts, the MoD failed to prepare a revised budget applicable to the PPBS

⁶³ The PPBS (Programme Process Budget System) has been implemented in 2001 and gives hope for more transparency in defence spending. See details in following section on achievements.

⁶⁴ Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

⁶⁵ Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

approach. The defence expenditures are currently spent according to the old procedures. The development is obviously in the interest of MoD officials not to change the established soviet-type procedures and therefore not to help reducing the level of corruption⁶⁶.

Misuse of international assistance

“50 per cent of EU funds simply vanished in Georgia”⁶⁷

Whereas international aid is supposed to have a quite positive influence on SSR, it is on the other hand confronted by major obstacles and problems: The apparent misuse of international assistance and an obvious lack of coordination in those programmes can be considered as essential draw-back in view of a reform of the Georgian security sector. Just as a small example of the disastrous dimensions of the above described corruption in the country, it might be mentioned, that about 50 per cent of international donor’s contributions tend to vanish in private pockets instead of being used for the sake of democratization and development of the country⁶⁸. Ammunition and equipment, originating from international assistance programmes, have for example been found quite often on bazaars rather than in the barracks; trucks and special transport equipment have been used by the General Staff instead of units within which they were needed and originally supposed to be used. Coordination problems also hindered efficient results: Ammunition and equipment has been delivered, but there was no infrastructure to store it properly⁶⁹.

As a cause of misuse and lack of proper results the interviewees stated a continuous fear that international assistance would break off and leave a chaotic and hopeless situation behind.

⁶⁶ Referring to a recent assessment by a member of a Georgian NGO.

⁶⁷ Quotation from an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

⁶⁸ Referring to an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

⁶⁹ Referring to an interview with a parliamentary staff member.

Specific problems in view of reforming Armed as well as other Security Forces

Since it is not possible to look within this Chapter at all developments in view of building up as well as reforming security forces in Georgia, just some selected sectors concerning the three main actors: the Armed Forces, Police Forces and Border Guards will be considered.

Generally the picture in Georgia is quite similar to those which are well-known from other transitional countries: the personnel size of security forces is twice or thrice as large as necessary and useful, effectiveness at the same time thrice as low as one can even imagine. This helps bring about various problems: the lack of discipline, low professionalism⁷⁰, deficient education and training⁷¹, extremely low salaries, low morale. Low payments and the lack of basic social securities encourages personnel of law enforcement bodies to abuse their power positions for private income generation by bribery, corruption and other illegal activities⁷². This is why society-at-large is far away from even considering to trust or to respect the country's security forces.

Given the long list of challenges, the question arises: where exactly to start with a reform? When looking at western models or when checking out security sector success stories, one might rather get depressed: how should this gap be bridged? To underscore the point: it is hard to imagine how Georgian security forces may become strong, disciplined, knowledgeable, prosperous, and respected in one go. Starting with the reforms step by step might sound a little bit more realistic but at the same time it is not quite possible. There is no strength without discipline and education, no discipline and motivation without appropriate pay, and no respect without all other aspects taken together.

The Armed Forces

The reform process of the Georgian Armed Forces (GAF) gives some reason for hope in prospective positive results--most of all because of the immense international assistance. (This issue will be dealt with at

⁷⁰ Referring to interviews with several members of Georgian NGOs.

⁷¹ Referring to an interview with a military journalist.

⁷² See also pp. 70.

more length in the following Chapter). Nevertheless still fundamental problems have to be overcome; the absence of a national security strategy as well as the lack of professional experience negatively influences the reform process: “The current military still lacks both professional experience and a coherent strategy addressing national threats”⁷³.

Furthermore, the formation of the military did not follow any strategic considerations but rather personal influences: “...The Georgian army has been developing according to individual politician’s or the military commander’s ambitions rather than to a state programme”⁷⁴. Moreover, the “army suffers from frequent structural and staff changes. Finally, what is currently built up follows yesterday’s, in particular the Soviet army’s, model in miniature”⁷⁵. Thus, “Today’s Georgian army is not ready to check possible threats to the country’s national security”⁷⁶.

The combat readiness of the Armed Forces is quite low and given the lack of professionalism and the strength of forces, the public at large has little respect for the Georgian military”⁷⁷. Financial problems still crucially affect the restructuring process of the Armed Forces. Downsizing implies financial and social impacts, which cannot be properly addressed yet. Retired militaries’ integration into civilian life often fails and results in their participation in corruption and other illegal activities. Beside the lack of financial resources, the absence of motivated and educated officers is also seen as a major problem to a reform⁷⁸. As an interviewee stated: “A hungry, untrained army cannot defend its country”⁷⁹.

The financial situation aggravated in a way that not only the reform process is affected but also very basic aspects of maintaining the army. Desertion rates increase greatly since conscript soldiers face

⁷³ Shukuko Koyama, Security sector reform in Georgia. Saferworld, London, 2002, p. 7.

⁷⁴ David Darchiashvili, The Army-Building and Security Problems in Georgia. Tbilisi 1997, p. 3.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Referring to an interview with a military journalist.

⁷⁹ Irakli Seshiashvili, director of the Georgian NGO “Rights and Freedom”. Quoted after Maia Chitaia and Nino Zhvania: Hunger, Desertion plague Georgian Army. Georgia’s national security at stake as conscript soldiers face chronic hunger. In: Institute for War & Peace Reporting IWPR’s Caucasus Reporting Service, No. 176, April 25, 2003, p. 3.

chronic hunger. The families of the conscripts have to organize food supply in order to prevent their sons from starving. Those who do not get any help from at home have to steal food in order to supplement their meagre rations.

Hunger is certainly one of the main reasons – but not the only one – for the high level of desertion within the Georgian Armed Forces. Soldiers face poor nourishment, shortage of uniforms and medical supplies, low wages and unsafe accommodation.

Under those circumstances military units can no longer afford to be fully manned. Even in conflict prone and security priority regions like the Pankisi Gorge, units are manned to only thirty or forty per cent of the required strength. In 2002 the military recruited just one third of the conscripts in need. Young Georgians on their part try to avoid military service by all means, i.e. by buying an official 12-month deferral⁸⁰.

A member of a Georgian NGO sums it up by stating that the military leadership recognizes that an army which is manned by starving soldiers cannot fight effectively. “So they never train them...As a consequence, the army is not battle-trained. A hungry, untrained army cannot defend its country”⁸¹.

Police Forces

“Why die for nothing?”⁸²

According to statements of the deputy minister of the Interior, there are currently up to 60 000 police officers in Georgia. Other estimates range about at least 40 000 policemen⁸³. An urgent necessary reduction of the personnel implies the same financial and social impacts as mentioned above in regard to the Armed Forces.

Since the official salaries of police officers are extremely low it is widely accepted that they make money by bribery and corruption and

⁸⁰ See Chitaia, Zhvania 2003, op. cit., p. 2.

⁸¹ Irakly Seshiashvili quoted after *ibid*.

⁸² Quotation from an interview with a member of a Georgian NGO.

⁸³ Referring to an interview with a member of a Georgian NGO.

that they carry out extortion and racketeering against individuals and small business⁸⁴.

Opportunities for illicit income-generation make the profession of a police-officer quite attractive. Since there are no major obstacles to becoming a police officer (usually it can be done by bribing the officials in charge), the number of police personnel continued to grow. It seems to be self evident that a policeman who does not even earn enough to support his own family, would not fight corruption or illegal mafia activities, following the motto: “Why die for nothing?” Economic problems are therefore closely related to a basic absence of a professional ethic and also a crucial lack of motivation. The result is a high demoralization of Georgian police⁸⁵.

The lack of appropriate professional qualifications to enter the profession also means the absence of adequate training and education.⁸⁶ Foreign assistance programmes started to offer training courses for Georgian police officers. Most of the courses focus on Human Rights related aspects. OSCE Training Programmes started to broaden the perspective and offer training courses on specific issues, i.e. domestic and gender-based violence⁸⁷. Human rights training courses for police officers have been organized by the Swedish government in cooperation with the United Nations Development Programme and the Public Defender’s Office. Donors and human rights oriented non-governmental organizations promoted human rights issues among police officers. Still, police academy classes on human rights are not compulsory for graduation or promotion in the police organizations⁸⁸.

Basic consequences of the lack of professionalism and education, along with frequent criminal activities are the crucial absence of a trustful and respectful relationship between citizens and police. Lack of professionalism and corruption among police officers is named as one of

⁸⁴ Darchiashvili 2003, op. cit., p. 76.

⁸⁵ “Violations of human rights, torture, illegal arrests, extortion of money from business people, drivers and criminals, bribery, falsification of the results of investigations, involvement in crimes and assassinations became the usual practice of the police forces.” Kukhianidze 2003, op. cit., p. 6-7.

⁸⁶ Referring to an interview with a member of a Georgian NGO

⁸⁷ See: OSCE begins training for Georgian Police Officers on combating domestic violence. To be found at: http://www.osce.org/news/show_news.php?id=3330

⁸⁸ Koyama 2002, op. cit., p. 13.

the major reasons, why government lacks legitimization, respect and reliability from the general public⁸⁹. For many Georgians, police forces mainly exist in order to support the state authority and those in power rather than the citizens⁹⁰. Since the state law enforcement bodies fail to establish the rule of law within the country, the clan system and other mafia structures started to provide their own informal justice mechanisms⁹¹.

Since they range among the most important supporters of the ruling elite, police forces are consequently excluded from any serious reform attempts⁹². “For many years, the MoI was the stronghold of the ruling elite and enjoyed the unofficial right to engage in ... illegal activities”⁹³. “Until very recently, the state leadership took no effective measures to stamp out such practices. The Council for Anti-Corruption Policy set up by the president had little impact”⁹⁴.

An effort towards an improvement of the situation was finally taken in February 2002, when the Georgian president established an Interagency-Commission (based on a presidential decree, issued on 6th December 2001), which had to elaborate a concept for a reform of the Security and Law Enforcement Services of Georgia. The current version of the reform concept has been put online along with a series of recommendations by foreign experts and institutions (i.e. recommendations by the Committee of Ministers of the Council of Europe). The concept is publicly available via the website of the Georgian supreme court⁹⁵ and starts with the promising insight that “The process of democratization and reforms of the Police in Georgia can only be based on firm political will”⁹⁶ and furthermore states that “The police

⁸⁹ Referring to an interview with a Member of a Georgian NGO.

⁹⁰ Koyama 2002, op cit, p. 8.

⁹¹ UNDP Human Development Report: Georgia 2000, UNDP Country Office, Tbilisi, p. 72, cited after Koyama 2002, op cit, p. 9.

⁹² Refer to Koyama, op cit, page 8.

⁹³ Darchiashvili 2003, op. cit., p. 76.

⁹⁴ Ibid., p. 77.

⁹⁵ See: <http://www.supremecourt.ge/english/About.htm> →Public Information --> Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

⁹⁶ See concept of the Georgian Police Reform, page 1. Annex XI to the Concept of the reform of the Security and Law Enforcement Services of Georgia. To be found at: <http://www.supremecourt.ge/english/About.htm> →Public Information --> Reform

should comply with the demands of democratic society in order to represent the institution – the guarantor of the democratic state”⁹⁷.

On the one hand, the concept is much more precise in giving measures to improve the performance of Georgian law enforcement agencies than any other paper before; on the other hand, it has not been adopted yet as formal document. It still has to be approved and signed by the president in order to become a binding and official guideline. Even if the concept will be adopted, it won't guarantee a successful reform process, since the power ministries as well as the procurator's office are reluctant to any reforms within their agencies⁹⁸.

Nevertheless, statements of the Minister of Internal Affairs Narchemashvili on the need for reform raise some hopes. “Narchemashvili argues that he belongs to a new generation of lawyer-reformers and would like to leave a positive legacy. Some district police officers were dismissed. However it is difficult to say whether the reforms are genuine or if this is merely a tactical move by the police”⁹⁹.

The Border Guards

“The Pankisi Gorge incidents showed how much border incidents and a lack of efficient border controlling is affecting national, transnational and international security”¹⁰⁰.

Generally it can be concluded that poorly equipped, hardly trained and meagrely paid Georgian Border Guards are not able to sufficiently and effectively control the country's borders¹⁰¹. Failures in border-management had, recently, major impacts on the country's security: Chechen rebels crossed the borders, entered the Georgian territory and found refuge in the Pankisi Gorge. Russia, accusing Georgia of

Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

⁹⁷ See Concept of the reform of the Security and Law Enforcement Services of Georgia, page 13. To be found at: <http://www.supremecourt.ge/english/About.htm> → Public Information -> Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

⁹⁸ Quotation of an interview with a member of a Georgian NGO.

⁹⁹ Darchiashvili 2003, op. cit., p. 77.

¹⁰⁰ Quotation from an interview with a member of a Georgian NGO.

¹⁰¹ Referring to an interview with a member of a Georgian NGO.

supporting Chechen rebels and terrorists, started bombing Georgian territory. The incident has shown how many failures in border-management and -controlling may affect national as well as international security¹⁰².

Smuggling and trafficking at Georgian borders forms an additional and general problem, especially since Georgia does not confirm the secessionist territories Abkhazia and Ossetia as external territories. Georgian authorities do not employ Border Guards at these borders, because if they would do so it would be considered as recognition of the independence of the secessionist territories. Therefore those borders are not controlled as inter-state borders and especially prone to any trafficking, drug and weapon smuggling activities: “Corruption, organized crime, trafficking in drugs and weapons, terrorist acts and participation in smuggling through their territories became a profitable business for all sides of conflicts: Russian, Georgian and Ossetian criminals, peacekeepers, law enforcement bodies, and Georgian partisans in Abkhazia”¹⁰³. It has been clearly stated that “smuggling and organized crime through Abkhazia and South Ossetia can be minimized only in close cooperation between Georgian, Abkhaz and Ossetian law enforcement bodies”¹⁰⁴.

In 1999 the OSCE Mission to Georgia was mandated to observe and report on movements across the Chechen segment of the Georgian-Russian border. The mandate was enlarged to further segments in 2001 and 2003. Within the cooperation programme the OSCE border monitors are accompanying Georgian Border Guards while fulfilling their daily duties.

In June 2003 a 100 000 Euro grant from the European Union was used to purchase equipment for Georgian border guards in order to improve the joint border monitoring of the department of the Georgian State Border Protection and the OSCE Border Monitoring Operation. However those grants and aid programmes seem to be a drop in the ocean in view of the tremendous amount of illegal activities along mostly unprotected Georgian borders.

¹⁰² Referring to an interview with a member of a Georgian NGO.

¹⁰³ Kukhianidze 2003, op. cit. p. 8.

¹⁰⁴ Ibid.