“JIHAD” video case solved
– but who is Samar Chokutaev?

The Ministry of Internal Affairs has announced that following intensive investigative and technical operations the so called “JIHAD” video case, in which a videotape was released which threatened acts of terrorism against Georgians, has been solved.

What does the six billion dollar co-investment fund offer investors and the Georgian economy?

“The new Co-investment Fund will play a special role in the development of the Georgian economy,” its Executive Director Giorgi Bachiashvili stated at the Sheraton Metechi Palace hotel last week. Established on the initiative of Prime Minister Bidzina Ivanishvili, more than six billion dollars has been invested in the fund – two and a half times more than Georgia’s national budget.
The Ministry of Internal Affairs has announced that following intensive investigative and technical operations the so called “JIHAD” video case, in which a videotape was released which threatened acts of terrorism against Georgians, has been solved.

The MIA has decided to make public several details of the investigation, as there has been great public interest in this case. However, due to the character of this investigation, the information released will be limited.

The MIA states that a citizen of Kyrgyzstan, Samar Chokutaev, born March 6, 1989 was the perpetrator of the crime. Chokutaev is employed by a mobile communications company in Sukhumi.

Chokutaev is now being prosecuted under article 338 of the Criminal Code of Georgia. His specific charge is “Publicly disseminating information encouraging the commission of a terrorism act and creating a threat of the commission of such a crime.”

“After collecting conclusive evidence it was established that the accused person, Samar Chokutaev, is a highly qualified IT specialist and committed this crime on one of the occupied territories of Georgia. On June 4, 2013, Samar Chokutaev published the video. “TALIBAN JIHAD AGAINST GEORGIAN TROOPS IN AFGHANISTAN” under the username of Hammad TROOPS IN AFGHANISTAN”.

On June 4, 2013, Samar Chokutaev uploaded the video to a remote server, previous-ly set up in Malaysia. By using an encrypted line from a remote server, previously set up in Georgia, Chokutaev was able to upload the video to a remote server. The video was then distributed through the internet to several private Georgian companies, in order to mislead the investigations and create the impression that this crime had been committed in places located near those companies.

“During the investigation it was ascertained that Samar Chokutaev had access to the Georgian internet network from Abkhasia by using an encrypted line from a remote server, previously set up in Georgia. Thus he managed to upload the video through the routers of two private Georgian companies, in order to mislead the investigation and create the impression that this crime had been committed in places located near those companies. We also took the liberty of reminding you that at a preliminary phase of this investigation Georgian law enforcers located these IP addresses, owned by the mentioned companies,” the MIA stated.

Georgian IT specialists have evaluated the capabilities of Samar Chokutaev. Web developer Liubatits stated that a high level qualification was not necessary to upload this video. “You can buy a server like this. It costs 10 USD and is sold in any country. You can buy such servers and connect, and it will appear that you are in a particular country when you are not. To do this only a small qualification is necessary. But if he had bought it beforehand, he would be a specialist of a higher level,” Liubatits stated. But despite this, the head of parliament’s Defence and Security Committee, Irakli Sesiashvili, reckons that this investigation was difficult and information it was established that this crime had been investigated a month ago. At least that is the impression which was given to the public then, that a person had been arrested and sentenced to jail. It turns out that he has not been arrest-ed, he is not a citizen of Georgia and Georgia did not commit the crime,” said Ugulava.

However Archil Khibladidvili, the Chief Prosecutor, considers that the information about the case was disseminated within a reasonable time. “If a case contains some element dangerous to the political structure the distribution of information about it may be delayed for some time, before the facts are finalised and some counter-options have been identified. So I think this information was spread within a reasonable time period,” said the Chief Prosecutor.

Samar Chokutaev has been sentenced to pre-trial detention in absentia by the Tbilisi City Court. Further investigation is being conducted both in Georgia and abroad and the public will be informed of its outcomes gradual-ly. The Ministry of Internal Affairs said that it would like to express its gratitude to the spe-cial services of partner countries for their assistance in investigating this case.
MANY THINGS ARE CLEAR WITHOUT WORDS

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Adresse: Tbilisi
119/1D, Agmashenebeli Ave.
Manufacture: 5 Politkovskaya str. (former Jikia)
Tel: 253 65 17; 94 00 00

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What does the six billion dollar co-investment fund offer investors and the Georgian economy?

By Eka Gazdeliani, GT

“The new Co-investment Fund will play a special role in the development of the Georgian economy,” its Executive Director Giorgi Bachiaishvili stated at the Sheraton Metechi Palace hotel last week. Established on the initiative of Prime Minister Bidzina Ivanishvili, more than six billion dollars has been invested in the fund – two and a half times more than Georgia’s national budget.

The investors include the Abu Dhabi Group and Ras Al Khaimah Investment Authority from the UAE, Milestone International Holdings from the People’s Republic of China, Batumi Industrial Holding, the daughter company of KazTransoil, Chalik Holding from Turkey, the State Oil Fund of Azerbaijan, Mr. Alexander Moshekevich, the Estate of Badri Patarkatsishvili and Mr. Bidzina Ivanishvili himself, who has contributed approximately one billion.

Giorgi Bachiaishvili explained that the mentioned investors are limited partners, meaning that they do not actively participate in the fund’s management. Its goal is to implement various development projects, worth about 10 billion USD, with co-investors.

Bidzina Ivanishvili promised the establishment of such a fund in December last year, seeing it as a means of improving Georgia’s economy and business environment. The PM has now fulfilled his promise, and his initiative has generally been received positively, but some scepticism has also been expressed.

Paata Sheshelidze is one of the sceptics. He says there are many unanswered questions about the Co-investment Fund. Sheshelidze maintains that Ivanishvili should only invest his own finances in projects after he resigns as PM, and his participation in such mechanisms whilst Prime Minister is not legal. Furthermore, the fund’s four partner companies are state controlled entities.

“These companies are controlled by the governments of Kazakhstan, Azerbaijan, China and the United Arab Emirates. These countries are not distinguished by the respect for democracy and transparency, and consequently we should not expect to be able to better the offers made by their financial institutions. But although they have the resources, heaven knows how effectively they will be used and how commercially oriented they are. Moreover, these companies have already been active here for a long time. So why are they interested in participating in this fund? Were they forced to become partners?” asks Paata Sheshelidze.

Another question is what financial conditions the fund will operate under. For example, will it receive tax allowances? “They say it will be a LTD type fund, but I wonder whether all the laws on LTDs will apply to it, particularly those concerning tax. Will any special allowances be given to the fund or its investors? I do not object to such allowances but they should be the same for all. If this organisation is privileged, if the PM has created beneficial conditions for his fund and will receive tax allowances he has given himself after his resignation,” says Sheshelidze, who also suggests that presenting the fund in this way might have simply been an election stunt.

Bidzina Ivanishvili insists that although the fund is private it will be transparent and increase the amount of capital available to the country. The Executive Director of the fund asserts that its primary tasks are to ensure the implementation of important and commercially profitable projects, ensure high rates of return, attract big international companies onto the Georgian market, provide Georgia with long-term capital, successfully complete projects after 7-9 years (implying alienation of part of these projects by one of the partners) and make initial public offers on the local and international stock markets.

The fund has defined its basic areas of interest: energy, industry, agriculture, logistics, tourism and real estate. Giorgi Bachiaishvili explained why these sectors have been selected as priorities: “First of all the sector should be attractive for investors. It should be of strategic importance for the country and be growing globally. It should also allow us to be competitive. – Georgia should have advantages in this sector compared with other countries in the region. Finally, there should be a great demand on capital in that sector. Our strategy does not involve controlling full segments of markets,” he said.

“At present we are discussing six projects. They include a hydropower project, a new coal mine, a milk enterprise in west Georgia and several hotels, two in Tbilisi and the rest in the region,” said Giorgi Bachiaishvili, adding that the fund will not participate in speculative ventures such as trading in raw materials, currency or real estate, though it is ready to discuss potential projects. The minimal cost of an investment project entered into will be 5 Million USD and the fund will contribute 25-75% of this cost.

Time will show if the fund achieves its goals, but economists agree that if it does it will greatly influence the economy and become a reliable and strong partner for investors.
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The Government of Georgia, according to the new Constitution

Guided by the resolutions of the State Commission created to discuss “the revision of the Constitution with reference to the branches of government, with the aim of creating an effective, balanced system", the authors of the 2009-2010 reforms sought to create a rational and intelligible system of state bodies which would ensure that the state functioned, recognising that the state authorities always aspire to expand their powers and strengthen their presence everywhere and that this leads to arbitrary rule.

According to the new Constitution, which will enter into force from the moment the new President elected later this month takes the oath of office, the newly elected President rules of operation and specific rights and powers of the various branches of government have been reconfigured. Unlike the situation under the “old” edition of the Constitution (in which the Government of Georgia implemented the executive politics of the state, the President had the Prime Minister), in the new edition, the President has supreme executive authority, the Government of Georgia will now conduct the external and internal policy of the country. Furthermore, according to the old wording the Prime Minister was Chairman of the Government, but according to the new leader of the Government. Although they seem minor lexical differences, they carry a lot of meaning. In particular, they abolish the so-called bicameral system of government, in which the Government has two managers, the President and the Chairman.

The President will no longer “convene and lead the government” and nor will a decision adopted at a meeting be issued as an act of the President. (old version of the Constitution of Georgia, article 81 - paragraph 4). According to the new wording, the organisation of the work of the Government, including the convening of Government meetings, is the prerogative of the Prime Minister. The President may request to participate in a government meeting, and to raise an issue in such a meeting, but any decisions taken are issued as an act of Government.

In the context of systematic relations the extent of the responsibility of the government is a very serious issue. According to the new edition of the Constitution, the government is not “owned by two masters”, the President and Prime Minister. It is an independent branch of government (even if with so-called “secondary legitimisation”) and accountable only to Parliament.

The formation of the government

In the old edition of the Constitution the President possessed effective discretionary powers during the formation and absence of a government, but in the new version the formation of the government, though formally in the hands of Parliament, really depends on the voters. The new law is so different from the old that it is advisable to discuss it for readers. On the basis of Article 80 of the new edition of the Constitution, we can delineate how the Government of Georgia should be formed following the presidential elections of October 2013.

1. From the moment the newly elected President takes the oath of office the powers of the government are considered to be null and void.

2. The newly elected President will appoint the same government (within Constitution (Ivanishvili) to temporarily perform the duties of the government until the new one is formed.

3. The political bloc achieving the best result in the last parliamentary election (October 1, 2012), that is the Georgian Dream Democratic-Georgian coalition, will submit to the President a candidate for Prime Minister, who will presumably be the leader of this bloc.

4. The President is obliged to accept the nominated candidate.

5. The person thus elected prospective Prime Minister will choose their prospective ministers.

6. The Prime Minister will submit to Parliament the composition of the prospective Government and its programme.

7. The confidence of Parliament is considered to be received if the prospective Prime Minister is supported by more than half of the total number of MPs in parliament (i.e. 76), neither merely those present and voting.

8. After the candidate receives the confidence of Parliament the President appoints them Prime Minister, and the Prime Minister then appoints the other members of the Government.

9. If the prospective Governor presented does not receive the confidence of Parliament, within 30 days Parliament will vote once more on the same or different composition of the Government.

10. If the majority of MPs express their confidence in the prospective Government this time, the President will appoint the Prime Minister and the Prime Minister will appoint the ministers in whom Parliament has expressed confidence.

So ends the procedure of forming a government from the majority or largest bloc in parliament. If this cannot be achieved, the parliamentary minority will try to form a government. In this case, the following procedure is followed.

11. If the political bloc with the greatest presence in Parliament cannot or does not present to the President a candidate for the post of Prime Minister, or Parliament fails to grant the prospective Government its confidence for a second time, a bloc of no less than 2/3 (i.e. a minority) of the MPs is expected to present to the President a new candidate for the post of Prime Minister. Parliament will declare its confidence not in the Prime Minister and Parliament declares its confidence not in the Prime Minister, but both the Government as a whole and its programme (Constitution of Georgia, Article 80) and withdraws its confidence from the Prime Minister but the Government (Article 81 - new edition). The President’s actions require the countersignature of the Prime Minister (which the President can only avoid when he demands to prevent issues at a Government meeting), and must also act with the government’s consent and on the government’s advice, etc. (Article 73 - new edition).

If Parliament still does not believe in confidence of the Government presented to it, meaning that it is no longer possible to form a government, the President will dissolve Parliament and call pre-term parliamentary elections.

Under these circumstances, the formation of the government will take a maximum of 75-76 days.

The Prime Minister

Reducing the powers of the President has left some people feeling that a President with excessive authority will be replaced by a Super-Premier. Despite the fact that in countries such as Germany, which is often called a Chancellor Republic and where head of government Chancellor Angela Merkel is likely to win a third term of office, the holder of the really serious powers of the Chancellor does not abuse them, we in the Supreme Constitutional Commission tried to vest supreme executive authority not in the Prime Minister but in the Government.

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It should also be noted that the Government of Georgia, like any other collective body, is significantly impacted by the person of its leader, and the role the leader actually plays is not defined merely by constitution-policies, but provides little or no influence on the leader's presence. The Government of Georgia is such (the basis for everything is the constitution. If we add to the above constitutional amendments the prime responsibility tosubmit important changes in its composition to Parliament for a vote of confidence, we can conclude that the new edition of the Constitution does not provide the basis for the establishment of an authoritarian Prime Ministership.

Chairman of the Regional Centre for the Research and Promotion of Constitutionalism
Avamid Dimetrevashvili
Executive Director of the Regional Centre for the Research and Promotion of Constitutionalism
Vakhtang Zhvania
The Georgian Prime Minister reads lectures to journalists, teaches them how to conduct their TV shows and tells them not to use “hardworking” ministers. He then tells the media to praise his team rather than make “incorrect remarks”, and at the same time assures us that the press is no longer under pressure.

After a year at the helm of the government Georgian tycoon Bidzina Ivanishvili feels he is equipped to edify jour- nalists. At a meeting held on October 2, 2013 the PM chose to talk media professionalism, accusing them of “dilatissfer” and “lack of knowledge.”

“Very often the statements made by journalists leave the impression that they are ama- teurs and do not know the is- sue they are talking about,” he said, citing certain TV anchors, among them Alexander Elisash- vili, the Kavkasia TV present- er, as being guilty of this. Ac- cording to the Prime Minister, Elisashvili once said that the Georgian economy is stagnat- ing but “he had not have a deep un- derstanding of the subject.” Ivan- ishvili also said that he had felt insulted by Elisashvili’s remark that his impending withdrawal from politics might be tanta- mous to “being”. “When have you seen the fleeing of the winner? The loser flies the field, as a rule. We will see if the winner flees the field, as a rule. We will see if the loser would have the right to criticise journalists, rather than make “incorrect evaluations” when something good is done, though this “of course” doesn’t mean that journalists can’t criticise the government.”

The media representatives, in their turn, then attacked the PM. They asked him why nei- ther he nor his ministers had visited the conflict region to see the ongoing “demarcation” pro- cess along the breakaway South Ossetian administrative bound- ary line. Ivanishvili admitted that this was a justified critici- cism, but said that a visit by him would change nothing and he had “too much other work to do”. The Prime Minister’s com- ments did not meet with the approval of the NGO representatives, experts and journalists present. Merab Metreveli, the Media Palitra presenter, said that he had gained an impression that the PM wanted to stir up the pub- lic against them. “Everyone has the right to criticise journalists, but it is not appropriate for the Prime Minister to do so,” he emphasized whilst talking to colleagues.

The Georgian Prime Minister read lectures to journalists, but it was not only officers of state who should feel a sense of accountability but jour- nalists as well. In his opinion, an increase in responsibility would “hopelessly” increase journal- ists’ professionalism.

Ivanishvili said that media professionals were demanding from the new government things which can’t be done in the short period of one year and never talk about the achievements of his team. “I have come here to tell you how effective our government was last year... we scarcely made any mistakes. As for the promises we made, we have kept them to overflowing. Even correct evaluations when something good is done, though this ‘of course’ doesn’t mean that journalists can’t criticise the government.”

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The Prime Minister then criticised journalists for not ask- ing President Mikhail Saakash- vili awkward questions, saying that “this is not correct jour- nalism”. “Should a journalist agree his questions with the government prior to asking them?” Irina Grigolla, a popu- lar TV journalist, asked. Ivan- ishvili responded by saying that she hadn’t got his point, as all he meant was that they should ask reasonable questions based on arguments. The PM also complained about the “irresponsibility” of the Georgian press and stated that it’s not only officers of state who should feel a sense of accountability but jour- nalists as well. In his opinion, an increase in responsibility would “hopelessly” increase journal- ists’ professionalism.

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Analyst Ramaz Sak- vareishvili assured The Georgian Times that Bidzina Ivanishvili as an individual was entitled to rebuke journalists for their “bad work” and this would be nor- mal, “but from the head of the Cabinet it sounded weird”. Fel- low analyst Soso Tsiskarishvili said that the PM should not be telling off people who express their opinions, especially dur- ing an election period. He also called into question the idea of holding a four hour meeting with journalists aired on only a few TV channels, saying that this is not the best example of democratic government.
The hustle and bustle surrounding Georgian Public Television, the old First Channel, will seemingly have no end. The Georgian public long ago lost count of the number of times it has advertised for a new Director General. The last was appointed after the parliamentary elections in 2012, and now there will be yet another.

The fate of this station, which as a public television station must belong to the people, is still unclear. It is financed from the state budget and every citizen pays for it, whether they like it or not, but the idea of a “People’s Television” remains just an idea for many.

So we ask: what is going on?

The public pays for Georgian Public Television, so it belongs to the public. Guided by this principle, everyone: the government, the opposition, the public etc., has always had a place on this channel and considered it their outlet. Special Forces have never broken into its studios but on many occasions opposition parties have disrupted it. A “corridor of shame”, a “city of tents” and other “performances” have been conducted by opposition parties and so-called “civil society” activists in front of its headquarters. For Forces have never broken into these debts but did not have enough time to do so. Media expert Zviad Koridze says that GPB has already spent its budget for 2013 and now has a serious financial problem. Emzar Goguadze says merely that the First Channel has taken a new logo resembling the Soviet era fact it is funded by the state. It seems Georgian society still does not know what Public Television is and why it is necessary.”

In 2005 The Parliament of Georgia elected a board of trustees for Georgian Public Broadcasting, which the station is part of, which consists of nine members. The board determines programming priorities by taking into consideration the results of public opinion polls and the main directions and priorities of the state policy on broadcasting. It must ensure its activities are transparent and must meet civil society organisations periodically and take into account their opinions. It also elects the Director General, as it has an obligation to maintain the organisation’s independence and prevent any political party using it for propaganda purposes, despite the fact it is funded by the state.

On March 2013 the board announced that it had lost confidence in the latest Director’s woes. The troubles of the Public Broadcaster began when former President Eduard Shevardnadze made this statement at a cabinet meeting on November 19, 2003: “G egregiously continues to make more for us, as does Mze and other channels, but I will never give thanks to the First Channel. You are the governmental, state channel, so you should act in the state’s interests. I do not agree that the First Channel belongs to the government, but rather that it belongs to the people. His decision was supported by Mikheil Saakashvili, and after the Rose Revolution he was reappointed to his post. However after the board of trustees was elected in 2005, for a period of six years, of the original trustees, Tamar Kintsurashvili from the Liberty Institute, became its Director General. Appointed for nine years, she resigned after three following widespread dissatisfaction at her appointment within opposition circles, which saw the Liberty Institute as the main ideological driver of the new regime. Her “optimisation of the working staff”, which involved firing professional journalists with great experience, hardly helped matters. Levani Kuhneishvili, a fellow supporter of the Rose Revolution government, succeeded her until 2009, but like Kintsurashvili ultimately resigned to avoid making a tense situation worse. Gia Chanturia then took over, until he himself was dismissed by the new government in 2012.

Significantly, the First Channel has become famous for changing its identifying logos as well as its Director Generals. The last Director General of GPB lasted long enough to change the logo again, but it has come under attack from the Public Initiative Coalition, which says that it too closely resembles the Russian First Channel’s logo.
The Georgian Operation-Combat Terrorism: State-sponsored terrorism?

By DR. VAKHTANG MAISAIA, GT

The issue of what really happened in Lopota Gorge on August 28, 2012 has again been raised due to the new terrorist menace deriving from the Jihad video-tape incident and the cyber-terrorism attack on Georgia it was part of.

“The story broke on 28 Aug. 2012, when the Georgian media reported that five men from the special service group of the Russian border had been taken after an attack on a special security force of the Russian and Tajik border. However, the incident was considered to be a special attack targeting five Russian special forces of the FSB. The hostages were released on the same day, when the seventeen heavily-armed militants started attacking a special group of the Russian border guards and the Russian border had been taken by other militant groups. The hostages returned to their families the next day.”

On July 30, 2013 Parliament held a special hearing under the auspices of the Office of the Georgian Public Defender (Ombudsman), currently, Irina Nakhmashvili, who gave a Special Report on the status of Human Rights Protection in 2012, summarizing many pressing issues. Special attention was given to Operational Planning, its ramifications, and what was described as the unnecessary loss of life. The report identified that the Chechen paramilitary group illegally deployed on Georgian territory, operating as a terrorist group, had been fully established, trained, equipped and armed by the FSB of the Russian Federation and the MIA and received its direct assistance through the Chechen Republic of Ichkeria. A series of incidents confirmed that the militants were trained at the same base in the Southern Kavkaz region in Russia. This accounts for the existence of a special terrorist group operating on the Russian border that has been fully equipped and armed by the FSB of the Russian Federation and the MIA and received its direct assistance through the Chechen Republic of Ichkeria.

The Georgian Parliament adopted a special law establishing an international arrest warrant for individuals involved in the above offenses.

The investigation into this matter was conducted by the special services of the Ministry of Internal Affairs of Georgia, with the assistance of the GRU and the FSB of the Russian Federation. The investigation was headed by the Head of the Counter-Intelligence Department of the Ministry of Internal Affairs, General George Muznicheli and his Deputy Otad Oshdohkidze.

Here is a chart outlining what goals the “State Sponsored Terrorism” was pursuing and what concrete steps were taken to achieve them.

This is the first comprehensive report by a reliable source on the above events.

Jihad Video-tape Investigation: What’s Up??

By DR. VAKHTANG MAISAIA, GT

The Georgian government has become something out of a story but a reality which have an impact on their lives. At this crucial stage of the Presidential race the Georgian public are not waiting to be told the truth, motives and political background of those who conducted this action and who stood behind them.

In technical terms, terrorism is defined as follows: “the use or threatened use of violence on a systemic scale for political or ideological objectives”. So what kind of activities was the so-called cyber-terrorism one of it?

According to the definition accepted in political science, terrorist attacks may take one or more of the following forms:

- Assassination
- BOMBING
- Hostage-taking
- Kidnapping
- Hijacking and/or Skyjack- ing
- Seizure
- Raids and/or Attacks on Facilities
- Commercial and/or Indus- trial Sabotage
- Hacks
- Use of Special Weapons
- Hi-Tech Terrorism
- Ecological Terrorism

It is clear that cyber-terrorism constitutes two of these forms of terrorist attack - Hi-Tech Terrorism and Use of Special Weapons - and that these two forms of attack were com- bined against Georgia with the administrative border with Abkhazia, a former friend, and technology support. The total attack was directed against the uncontrolled territory of Abkhazia, a regional level, as a citizen of a Central Asian country was executed in the interests of training Afghan students, and an international level, as the Jihad video-tapes were uploaded to the two Georgian special service providers, and by and large, as a means of social engineering. This suggests many hands were involved, but at this stage only the executor of the attack has been identified, and he is currently waiting to be told the truth. From the story given it is dif- ficult to construct full “mosaic” of who was involved in the cyber-terrorism attack on Georgi- a, as we cannot identify the master or their client. In fact it seems to me that this identification will never occur, due to a combination of inter- esting factors.

In order to plan and execute a terrorist force main ele- ments need to be taken into con- sideration.

Tactics – how the attack will be implemented and coordinated Operational Planning – what actions will be taken and how resources, both financial and operational, will be mobilized to commit the attack Strategy – how targets will be identified, how tasks will be distributed and how victims will be selected

Politics – what political goals are being furthered and what is to be achieved.

The investigation into this attack has only addressed the first element. It has identified the tactics used, and put a name to the person who executed the ac- tion, but he was only acting on a level link in the chain. We do not know who Chekurenov was communicating with and answering to. Unfortunately, due to secrecy, none of these elements have not been ad- ditionally identified, and so the investigation should be de- clared false. Thanks to international in- volvement and the assistance provided by the special services of NATO member states, NATO itself (through the probable in- volvement of a new special ser- vice, the Emerging Security Challenges Division, Israel and the USA, the Georgian MIA has managed to track the point of making an initial disclosure rather than complete the investigation, but has to say that it is one. Probably, it is still on- going, and the search for an “Is- licnic” in the planning of this attack is not going to be dropped. Suggestions in the evi- dence that an international group was involved in this matter as well as local and national personalities will be identified. The involvement of foreign intelligence ser- vices, is must be underlined that special services are capable of conducting more sophisticated and well-coordinated warfare strategy i.e. cyberwar, than oth- er agencies. Both Georgia and Estonia have already experi- enced this. In 2007 the Russian Federation special services, prob- ably a combination of the GRU and the FSB, conducted a cyber attack on Estonian govern- ment facilities and the NATO Anti-Cyber Cooperation Centre and in 2008, during the Georgia- Russian war, the same services managed to destroy Georgia’s national electronic communica- tions devices and computer net- work. By and large, taking into ac- count that MIA is to be disposed on high mood, is necessary to mention that principle “Every- thing is possible”, as there is suffi- cient case-study for current Geor- gian reality and many missions are to be achieved in the nearest future in order to avoid such fa- tal accidents.

Dr. Vakhtang Maisaia Military expert, Associate Pro- fessor, Kavkaz University, Director, the GT Azer Strategic Studies Centre

The investigation into this matter was conducted by the special services of the Ministry of Internal Affairs of Georgia, with the assistance of the GRU and the FSB of the Russian Federation. The investigation was headed by the Head of the Counter-Intelligence Department of the Ministry of Internal Affairs, General George Muznicheli and his Deputy Otad Oshdohkidze.

Here is a chart outlining what goals the “State Sponsored Terrorism” was pursuing and what concrete steps were taken to achieve them.

This is the first comprehensive report by a reliable source on the above events.
Tick-tick tick-tock, the clock has struck twelve on the 1st of October and the U.S. government has reached a deadlock as representatives of the House of Representatives and the Senate for approval on the 30th of September. The standoff between conservative Republicans and the Democratic president Obama is over his landmark legislation to provide federally-sponsored health-care insurance, a government of two branches of the United States, former Sen- ator John McCain of Arizona, said on 15th of September 2008, that the day Lehman Brothers, a centu- ry-old investment banking firm, announced it was filing for bankruptcy protection. Lehman Brothers was sim- ply the first to stumble when Bush future corporate bankruptcies. They admitted they could not meet their obligations and asked the federal government for a ‘bailout’, but then- President George W. Bush’s adminis- terial refusal of assistance. Between September 2008 and the date Obama took office over a million American jobs were lost and many other financial institutions followed the same path as Lehman Brothers. As corporations defaulted on their obligations hormones defaulted on their mortgages, Americans starting lining up at the unemployment offices. Whether he liked it not, presidential candidate McCain was tied to Bush, and the Re- publican challenger was unable to distance himself from the economic policies of his presi- dent. Eventually, new laws in President Obama inherited over 9% unemployment, near- ly double the figure when Bush had taken office and it was still rising. A fidal wave of government funding was soon put in place, a veritable tsunami of money. This was the President’s way of de- aling with a situation inherited from President Bush & Company. To do this, he borrowed more money from the Federal Reserve. The debate will never end as to whether this was the correct way to restart the economy.

This situation is a direct product of this 2009 policy. From Obama’s perspective, Congress had no choice but to fund the economic measures he proposed for 2009 and 2010, as he was presiding over the worst economic situation since the 1929 Great Depression, in which unemployment hit 25%. Indeed, it is believed that “re-cession” would have become “depression” had not the mod- erate-to-liberal Obama acted to kick start some form of econ- omic growth. But the right of the Republican Party has never for- given him for getting the USA deeper into debt. The debate on this issue has yet to conclude, and was to come to an end on midnight, 31st September.

Tick-tick tick-tock.

Initially Congress went along with what the President saw fit to do, but always in the back of Republican minds was the debt ceiling – another in- heritance from George W. Bush, but now Obama’s responsibil- ity. When Bush was elected President in 2000 the Con- gressional Budget Office esti- mated that the government would run an overall annual surplus of more than $800 bil- lion a year from 2009 to 2012. But the economic policies of the Bush Administration, a combination of tax cuts, fund- ing two wars and reducing the role of the government, pushed the Bush Administration into the red in the middle of 2008. Consequently, a ceiling was placed on government debt. Conservatives believe that the signature legislation of the Obama Administration, the Af- fordable Care Act, is more than the American government can afford, as nearly 57% of gov- ernment spending is tied to pre- determined programmes such as Social Security, Medicare and national defense. Therefore they are trying to pass legisla- tion designed to eliminate, de- tax, or deluge the programme. The House Republicans placed a rider amendment on other legislation which said in essence that “we want to stop Obamacare”, sending it to the Senate for approval on the 30th of September. The Democrati- cally controlled Senate rejected outright any legislative measure which referred to Obamacare or would change this approved law, now some three years old.

Tick-tock tick-tock. The U.S. government is fund- ed from October to October each year. Congress must ap- prove all the funding it requires to operate. If it doesn’t? All engines stop and some 800,000 government employees and oth- ers do not receive pay cheques, and many are furloughed, i.e. told to go home until further notice.

The conservative House in- troduced a bill of anti-Obama Republicans with a narrow desire to pursue constructionist agendas and collectively challenge the Pres- ident whenever possible. These particular Republicans, and, yes, some Democrats, are re- ferred to as ‘Tea Baggies’, a ref- erence to the Boston Tea Par- ty, in which a small group of early settlers in the New Colono- nies flung British tea imported from India into Boston har- bour, protesting against what they saw as the unjust taxation policies of the British monarch they were then subject to. To- day, the Tea Baggies want to hold their President hostage until they get their narrow-minded way on any issues they feel compelled to. If Obamacare didn’t exist this group of ideologists would contrive others to challenge the President over. In the end, the American people will pay the price, not the politicians who have created this govern- ment stoppage. The U.S. gov- ernment only has enough mon- ey to pay its bills until around the 17th of October. Unless Congress agree to raise the debt ceiling, and Obama signs this agreement into law, we will see an even bigger crisis emerging. If the government cannot legal- ly borrow enough money from the Federal Reserve to conduct its day-to-day business, securing national defense to keep America’s nation- al parks, the American govern- ment will go into default. Tick- tock - the clock may fall off the wall. If this happens, it will be the first time in American his- tory that the “faith and credit” of the U.S. Government has ever been called into question, and that the U.S. has failed to meet its fiscal obligations. There will probably be another economic implosion, but worse than that of September 2008. It will be more like the great crash of 1929. Tick-tock, tick-tock, the clock is on the floor. The American government needs to get its house in order, as the world is observing the political infighting and thinking – what on earth are they doing over there? The consequences of the shutdown, and the glo- bal reaction to it, will not just be domestic. International mon- ey markets exist and survive on the will of the American econo- my, and a default will have cum- ulations for the entire world, including the EU, which has the 2nd largest economy in the world, and China, which have the world’s second and third largest national econ- omies.

Effects on the lives of Georgians

At the present time, the US domestic political ‘goings on’ have no direct effect on the day to day lives of people in other parts of the world. However, this will change if it appears that the American government will not be able to obtain the funds it needs to operate any time soon. The US stock market will re- spond negatively to what is happening, as will Asian and European markets. This will in tum complicate the interna- tional money markets, and business- es which rely on borrowing money from banks will find the cost of doing so much higher, if they can borrow at all. Businesses will need to ad- just to the effects of another world economic crisis, much larger than the one triggered when Lehman Brothers an- nounced “we’re broke!” They will react in various different ways, but the most obvious will be in their hiring and firing practices, which will be repli- cated across the globe and shat- ter confidence Georgian citizens had that they might get a job or retain one. It will also hinder the arrangement of busi- nesses, such as cafes, as nei- ther the prospective entrepre- neur nor their potential custom- ers would have the funds or faith to make them work. The government will also have to prepare, as the down- turn will affect their ability to provide government services, and to begin new infrastruc- ture projects and maintain ex- isting ones. If any Georgian cit- izens has called the use of the term “the crisis” to describe the eco- nomic situation between 2008 and 2011 they will be saying it in capital letters if the US govern- ment becomes a defaulter nation between now and the end of this month.

3rd pot Punt Up Ahead

The US Embassy website says the following about the future of separatist Georgia in Georgia. ”Departmental entities will continue to operate using previously appropriated funds as they will be insufficient to continue. While many appropriated funds expire after one year, the De- partment has some accounts that are 2-year funds or no-year funds. The Department will continue as many normal oper- ations as possible; operating status and available funding will be used to maintain activities continu- ously and closely, and planning for a lapse in appropriations will be done. The Department has been advised by The Georgians Times how this affected funding for short terms. The Department’s channel, the Embassy responded, “During this time of a partial government shutdown the State Department must severely con- strain spending. We are taking steps to do that by limiting some activities.”

On 3 October, the US Trea- sury Department release a re- port that suggests a default might lead to “a financial crisis and recession that could echo the events of 2008 or worse. Treasury Secretary Jacob Lew noted that simply “postpon- ing a debt ceiling increase to the very last minute is exactly what our economy does not need – a self inflicted wound harming our economy does not need – a debt ceiling increase.”

Think Russian rouble default in 1998, and the side effects that had for Georgia. Ten years later, in 2008, THE Crisis came – to some extent, is still being felt today. What is going on in America could have an effect on your back yard in the next six months if the US becomes a defaulter nation for the first time in its history.

Tick-tock, tick-tock, tick- tock.
By: EMMA BAIRAMOVA, GT

As we know, journalists must be more responsible than ordinary citizens because they have the ability to influence people’s opinions. However, very often some journalists forget their responsibility, use incorrect terminology and distort facts. How can we prevent this? In this interview with The Georgian Times Tamar Rukhadze, Executive Director of the Georgian Charter of Journalistic Ethics, talks about the main problems in the Georgian mass media today.

Are journalistic ethics respected in the Georgian mass media at present? How satisfactorily is the conduct of Georgian journalists handled? How often do they commit ethical breaches? Do they have a preventative character, or are they more carefree about this. We should begin by noting that the journalistic ethics situation here has been considered to be bad for a few years ago, both in general terms and in regard to specific topics, which the media now cover more carefully. Take for example children’s issues: nowadays we never see those ethical breaches concerning reporting on children and teenagers. The same is the case with as the media no longer identify those teenagers whose behavior can be considered as criminal or a crime. But now we have quite different problems, such as cases in which a journalist tries to make their story more emotive by using children. As a rule such reports are filed with good intentions, to call people’s attention to a problem and persuade them to help poor families, and they often succeed in doing so. But at the same time very often in the children’s rights.

Most of the ethical infringe- ments we see occur in reports on political topics, as well as sexual, some issues. In the printed press we also encounter hate speech, but the TV stations and news programmes are more careful about this. We rarely see hate speech in news programmes.

How often do we see journalists “inciting violence” in print or on TV, cases in which journalists do not use correct legal and political terminology or misrepresent facts? Incompetence and lack of professionalism have generated a lack of public trust in the mass media. Misrepresenting facts and using legal or other terminology incorrectly are two different things, but using incorrect terminology also distorts facts. This happened on May 17, when the demonstra- tion against homophobia was reported by the media to be a gay parade or a parade by LGBT or gay supporters. Due to the mass media people were given false information about what was happening. This is an example of where using the wrong terminology fundamentally changed and distorted the facts. The first and eleventh of the eleven resolutions of the Charter of Journalistic Ethics concern the distortion of facts and the accuracy of information. The first states that a journalist must respect the truth and the right of society to receive truthful information and the eleventh that a journalist must consider the distortion of facts to be the most serious professional offence.

How does the Charter respond to violations of ethical principles by any media source? The Charter of Journalistic Ethics reacts in several ways to the violation of professional and ethical standards. Our main reason for being here is to re- ceive complaints against jour- nalists. Any citizen who con- siders that a journalist has vio- lated any point of the charter can complain about that jour- nalist to us. The Council of the Charter will examine this com- plaint, asking both sides to decide whether any of the principles of the char- ter have been violated. Different rules and procedures apply to signatory and non-signatory journalists, as not all journal- ists have signed up to the charter, but citizens can send us complaints against either.

The Charter also can react to violations by making public statements when in council of the Charter members considers this necessary. These public state- ments more often than not have a preventative character, as they warn the media about the way it handles a certain topic. Sometimes such a statement can be a response to a certain issue relevant to the public which concerns the media.

The Charter also has con- tinual contact with the media, both in interviews with media outlets, and editors. In the event of any irregularity we contact them personally.

From May the Charter began to offer a special consulta- tion service for journalists. If a journalist is preparing a report or article on a sensitive topic and needs advice, or has any questions about how to write the report without making an ethical mistake, they can apply to us at any time and we will give advice.

Our experience of this until now is that, as a rule, journalists take into consideration our recommendations. In your opinion what are the main problems in the Georgian media? How can these be resolved, at least partially? Of course, the Charter’s function is not only to make statements against journalists. Our goals also include raising the media’s literary standards and increasing public trust in the media. The Charter tries to work in all directions which fa- cilitate the enhancement of the media environment, be it media monitoring on different topics, contributing to new media laws, conducting seminars and train- ings and so on. The Georgian media is quite young, especiall- y the TV media, so we con- stantly need to acquire more knowledge and deepen our ex- isting knowledge and experi- ence. We still have the same problems we have always had: lack of professionalism, politi- cal influence and lack of finan- cial independence. All these problems are closely related to each other, and making im- provements in one of these areas cannot be sufficient.

How important is the Charter’s role in developing the Georgian media? The Charter’s role is very important, for the reasons mentioned above. Today the media deals with vulnerable topics more carefully, and with greater re- spect for human rights. This is due to journalists’ awareness and editors to do so, this is also to some extent the merit of the Charter and those organisations which are constantly trying to help the media to improve.

In Georgia media outlets use weapons of propa- ganda for different political forces, and in some cases news- papers and TV and radio sta- tions stop functioning and their journalists lose their job. This gives the impression that journalism is an unstable pro- fession in Georgia, and de- prives new journalists of the opportunity to develop as pro- fessionals. How do we resolve this situation? It is very difficult to give advice to journalist who find themselves in this situation. Many factors are at work here. It is very hard to find any sort of job in this country, and in the media as elsewhere jour- nalists do not have the opportuni- ty of doing the level of work their qualifications and skills fit them for. This problem can be partially resolved by giving the media financial independence, because state and political in- fluence are stronger where the media is not independent finan- cially and has to look for dif- ferent ways to obtain money. Of course, the situation here does not create a stable envi- ronment for journalists, and this affects their professional develop- ment.

How do you select members of the Charter? Every active journalist who seeks to respect professional and ethical standards and is ready to follow the principles of the Charter can become a member of it. To do this a jour- nalist has to submit an applica- tion and at the same time find two existing members of the Charter who will recommend them.

How did you come into exist- ence? The Charter of Journalistic Ethics was created on 4 December 2009. 139 national level journalists confirmed with their signatures that they were ready to follow the eleven principles of the Charter. Journalists them- selves chose to create such an organisation and made great ef- forts to do so, not only in Tbilisi but the regions, with the sup- port of foreign colleagues and international organisations. In Georgia and everywhere else the media needs regulation, and in order to prevent the government becoming the main regulating body the media must be able to self-regulate. This is why the Charter and other rele- vant organisations are neces- sary.

Irakli Garibashvili: The USA helped us investigate the so-called Jihad case

As the Georgian Minister of Internal Affairs Irakli Garibashvili stated, the USA helped Georgia investigate the so-called Jihad case. He stated this in the program „Big Politics“ of TV 3. As he said this case was complicated as cyber crime is the 21st century’s challenge being very hard to investigate. Though I am proud of declaring that the workers of our ministry used their professionalism opening the hardest case. The American party helped us investigate this crime. I would like to restrain from noting details, as investigation is going on until we find our real reasons for making and uploading this video, or what the motivation was and who the supporters were. I think we have provided the society with enough information at present,” – stated Garibashvili. In response of the question in which companies’ internet Samir Chokhtsev, Garibashvili stated they were two foreign companies, acting in Georgia Garibashvili responded to the statement of National Movement members reoncking the investigation unfruitful. From my point of view their statements are not authoritative. Gigi Ugulava had the most reasonable position. Unfortunately „Nationals” try to make the part of society misunderstand, but their trial will not have a result. I would like to calm „National Movement” down saying do not seem to be guilty.” – stated Garibashvili. The minister does not exclude Samir Chokhtsev to act alone..., Everybody who knows how videos are made can say it was not hard to prepare the video. We said that it consists of materials from open sources. We suppose that he was the only creator,” – said Garibashvili adding that investigation has no other suspects but examining several versions. On the questions whether he sees Russian Special Services trade, the Minister stated that the fact of Cokutaev’s being in Russia two times does not allow him to suppose it.
JUDGES

TRIAL PERIOD FOR NEWLY RECRUITED JUDGES

Parliament passed with its final reading on October 4 amendment to the law on common courts envisaging setting three-year probationary period for newly recruited judges before their appointment for life.

Appointment of judges before retirement is envisaged by new constitutional model, which will go into force after the presidential elections, and which will be confirmed by the Parliament with two-thirds majority.

Back in 2010 when the previous Parliament was discussing new constitutional model, the Venice Commission, Council of Europe’s advisory body for legal affairs, recommended in respect of this probationary period provision that it was “problematic”, citing that it may undermine independence of judges as they may feel under pressure to decide cases in a particular way during the trial period.

Shalva Shavgulidze, a lawmaker from the Georgian Coalition for an Independent and Transparent Judiciary, said that the proposal includes a provision to elaborate detailed criteria and procedures based on which monitoring of judges should be carried out during the probationary period.

Sitting judges, who are serving their ten-year term, will not automatically be re-appointed for life after the new constitutional model goes into force. MP Shavgulidze, however, said that sitting judges, willing to take the office for life, will be able to at first step down and reaply to undergo three-year probationary period, putting them in an equal condition with newly recruited judges.

This bill, passed with its final reading on October 4, was among those about 160 legislative amendments, which the Parliament passed since September to put existing laws in line with the new constitutional model, which will go into effect after the presidential elections, and which will significantly increase authority of the PM at the expense of cutting presidential powers.

In a separate development, related to the judiciary, on October 4 the Parliament failed again to fill two vacant seats in the High Council of Justice. Two out of six non-judge members of the 15-seat HCoJ, according to the law, should be appointed by the President. Among those about 160 legislative amendments, which the Parliament passed since September to put existing laws in line with the new constitutional model, which will go into effect after the presidential elections, and which will significantly increase authority of the PM at the expense of cutting presidential powers.

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Pablo Picasso thought that every child is an artist, but the hardest thing is to remain one. He certainly had a point. Too much thinking about how we believe what other people think and our daily routine intimidate the artist out of all his talent. Being an artist is not a profession, nor a job, it’s a freefall. An artist is a free spirit, who flies over the open field under the blue sky and sees it as cahoud or round, happy or sad; sunny or rainy… an artist is in total control of space, because the space he is freefalling into exists only in his mind.

An artist doesn’t necessarily hold a brush or pencil while freefalling. An artist can express things in more ways than a single human mind can think of.

In fact the tough part in art is not just remaining an artist but seeing and feeling an artist in a person. Paintings, sculptures and drawings don’t make one an artist, but spirit, personality and dedication. That’s what makes the tough and competitive gallery business so sensitive and delicate. Hanging paintings on the walls and even selling them doesn’t make a display of pictures an exhibition. An exhibition requires a bunch, a knack, and a certain inner touch.

To be frank, I don’t know if you are born with this knack or you develop it, but I know for sure that Karin Dhadamus was gifted with it. She is the proud owner of a fairly new gallery, Dhadamus Contemporary, which is based in both Brussels and Buenos Aires. Karin works with upcoming artists from Georgia and Argentina, whose work is deeply rooted in their personal, political, economic, cultural and spiritual backgrounds. Her major aim is to give wide visibility to strong and ambitious contemporary artists with fresh new approaches and ideas.

Karin picked four Georgian artists: Levan Mindiaishvili (New York), Uta Bekaia (New York), Tato Kakhkadze (Thessili) and Irakli Bugiani (Dusseldorf) and took their work to Berlin Lezis 2013 (the internationally known art fair). These artists have totally different personalities, their work is completely different from each other’s, in fact they have only one thing in common – quality, gifts, great talent and a true, raw, humble, kind kid inside them – which has remained an artist for all these years.

The story of Dhadamus Contemporary began in 2011, when Karin, who had travelled from Brussels to Buenos Aires to extend her hotel business, visited the Lagunazaural Art Gallery and met Levan, who was living in Buenos Aires at the time. Levan happened to be working for the gallery. Karin was lucky to meet Levan.

But will open in June/July next year. Levan and Uta and I decided to establish the gallery here in Brussels until then.

Concluding comments on that? You hosted your first exhibitions in Berlin and New York, Uta Bekaia (New York), Tato Kakhkadze (Thessili) and Irakli Bugiani (Dusseldorf) and – we are still negotiating with some others. I hope to have at least ten. I will be in Thessili on November 23 - 28 to meet more artists I can work with.

You met the Georgian Ambassador Natalie Sabanadze here in Brussels. Did you convince the Ambassador of the merits of your approach to art? She is excited. The Embassy recommended to me two artist- lings in Antwerp. I hope to get them to join us too.

Absolutely! Thanks to him and Uta I have my gallery and my great artists. Buying his painting and wanting to do something with his art brought me here. If someone had told me two years ago that I would be running a gallery with Georgian artists, I would have called them crazy. One important thing to know about me is that I can move mountains if I have the passion, but don’t ask me to do something I don’t believe in. And I do believe in art.
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