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Remembering past, thinking about future

BY MALKHAZ MATSABERIDZE

Last week, Georgia celebrated its main national holiday - the restoration of independence, which took place on May 26, 1918, 103 years ago. Many events were held on the anniversary of Independence Day this year, with various speeches held by both Georgian and foreign leaders. The main message of this day can be summarized in a few words: remembering the past and looking forward to the future.

The Democratic Republic of Georgia, established 103 years ago, would exist for a total of two and a half years. The country was soon under the Russian rule again- this time occupied by Soviet Russia, which made Georgia part of the Soviet Union. Seven decades later, on April 9, 1991, Georgia declared independence again. 30 years have passed since this.

Recently, a new tendency has emerged: authorities regard the declaration of independence together with the Day of the Reestablishment of Democratic Republic of Georgia on April 9, 1991.

It has been 30 years since the restoration of independence. For History, this is a short period of time, for ordinary people- almost half of their life. Unfortunately, these years have not been easy on Georgia. The country is still facing the problems of defending its independence and territorial integrity. This is precisely what gives a special significance to the celebration of Independence Day.

The steps taken to build a democratic state in recent years should be acknowledged, but along with these achievements, the country faces many severe issues.

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Members of PACE Monitoring Committee visit Georgia



► The meeting of the PACE Monitoring Committee with the Parliamentary Delegation to PACE.

BY KHATIA BZHALAVA

Members of the Parliamentary Assembly of the Council of Europe (PACE) Monitoring Committee Titus Corlatean, Clause Kern and Bas Klein arrived in Georgia on Wednesday on a two-day visit to hold meetings with the Georgian Parliamentary Delegation to PACE, Chair of the Legal Issues Committee Anri Okhanashvili, Chair of the Sector Economy and Economic Policy Committee David Songulashvili, Majority Leader Irakli Kobakhidze, Parliamentary

opposition and the members of the faction Lelo – Partnership for Georgia.

The PACE delegation first met with Speaker Kuchava. They discussed the political processes in Georgia and stressed the implementation of the document mediated by Charles Michel. The EU-mediated agreement was signed by the majority of Georgian political parties back in April 2021 to resolve the political tension in the country which began after the 2020 parliamentary elections.

The sides touched upon the electoral and the judicial reforms, which are pro-

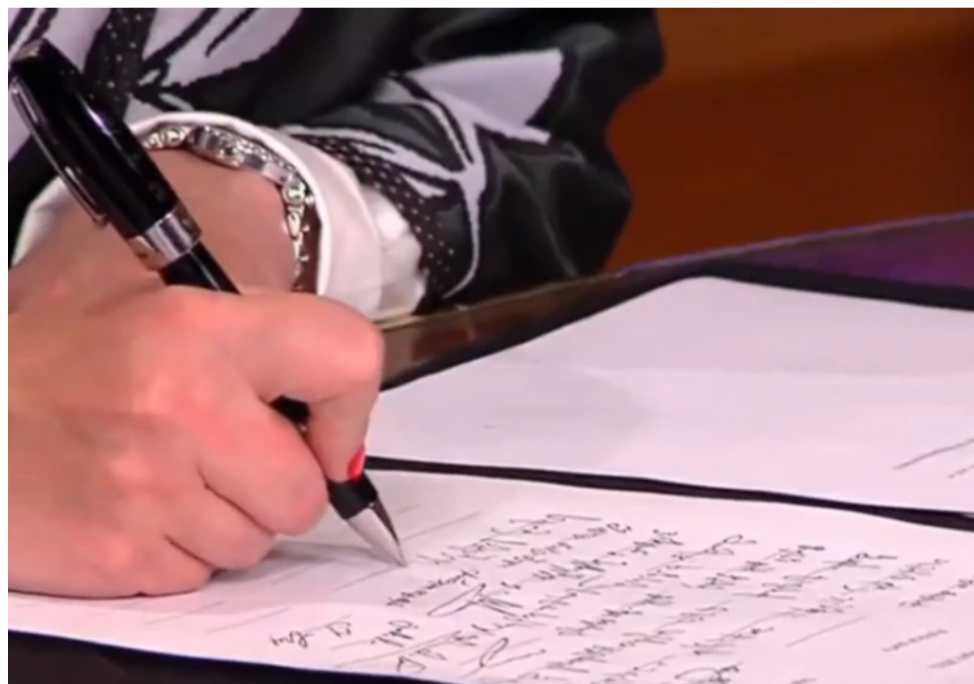
posed in the EU-mediated document, and noted the importance of reflecting the recommendations of the Venice Commission in the legislation. According to the press centre of the parliament, the parties discussed the attendance of the PACE observers at the upcoming Municipal Elections. For their part, the Commission members affirmed their commitment to observing the process.

PACE monitors also met with the members of the Parliamentary Delegation of Georgia at PACE. The sides focused on the planned and ongoing reforms and the government's steps in this regard. MP Irakli Chikovani stated after the meeting that the Georgian Dream has launched significant reforms and added that "it is a unique event in the history of Georgia when the electoral reform is approved by all rational political subjects."

The Chair of the Legal Issues Committee, Anri Okhanashvili also held a meeting with the PACE Monitoring Committee members, focusing on the scheduled reform of the Code of Administrative Offenses. As Okhanashvili stated, the government plans to adopt the new Code before making the application for EU membership in 2024.

Another meeting was held with PM Irakli Garibashvili, who briefed committee members on the challenging situation in the occupied territories of Georgia and stressed the role of the support provided by the Council of Europe in the peaceful resolution of the conflict.

PACE monitors will hold a meeting with Georgian opposition members on June 3. After the meeting, the PACE Delegation will prepare a report about the country.



► The document mediated by Charles Michel, along with other issues related to the 2020 parliamentary elections, proposes large-scale electoral and judicial reforms.

Remembering past, thinking about future

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Suffice it to say that on the 30th anniversary of the restoration of independence, Georgia met with a deep political crisis, in which the country found itself after the parliamentary elections in the fall of 2020. The opposition called the election rigged and refused to enter parliament.

As a result of several weeks of efforts by Council of Europe President Charles Michel, the ruling Georgian Dream and a large part of the boycotted opposition signed a political agreement. This agreement was given an eloquent title- Future Road for Georgia. Neither the government nor the opposition was satisfied with the terms and conditions provided in the document, however.

The government did not want to make a compromise, the opposition wanted more - to hold early parliamentary elections because

it does not trust the Georgian Dream and does not believe in constructive cooperation with it. The Charles Michel document is a European perspective on the situation in Georgia and is a kind of democratic audit of the country's political system.

In order to overcome the crisis, Georgia needs an effective parliament, in which the opposition will not only play the role of a democratic decoration, but will also have the opportunity to influence the political process. According to Western friends, it is in the parliament that political parties should cooperate for a better future for Georgia. What needs to be done is a fundamental reform in two areas, without which Georgia will not be able to develop into a democratic state.

This is electoral reform, which aims to build trust in the institution of elections and to exclude the possibility of election fraud as much as possible. The second area

is judicial reform - ensuring the rule of law and the independence of the judiciary. The steps envisaged by the April 19 agreement will facilitate Georgia's further progress on its path to Europe. Arriving in Tbilisi on May 26, Polish President Andrzej Duda noted that "there is enough room for friends in NATO and the European Union" and that entry is essential for Georgia to continue reforms.

The first steps have already been taken towards the implementation of the April 19 agreement, which has been met with mixed reactions and strengthens the opposition's suspicion that the Georgian Dream intends to implement the Charles Michel document with its own interpretation. The government and the opposition have different views on the amnesty law which appeared in the April 19 document primarily to secure the release of Nika Melia from custody. Melia himself

opposed the custody as he doesn't consider himself guilty.

The government bill on amnesty will be moved from the committees to the plenary session of the parliament and the main debate is still ahead, but the result is clear in advance - the Georgian Dream will present its version of the amnesty by a majority of votes.

The prospects for judicial reform also look difficult. The issue has not yet been debated in parliament, and four judges of the High Council of Justice were elected at an extraordinary conference of judges on May 26. But their opposition, the non-governmental sector and Western friends have been urging them to refrain from making any appointments until the judiciary is reformed. According to the opposition, this proves once again that the politicized court clan, which defends the interests of the government, is not going to give up its positions and

that real reform in this area will face serious opposition.

The "ambitious electoral reform" envisaged by Charles Michel's document also began. On May 25, parliament voted in the first reading on a new election code agreed with the opposition in parliament. Improving the Electoral Code is certainly important, but the non-parliamentary opposition is skeptical. In their opinion, a number of methods of election fraud can not be prevented by the Electoral Code. According to Nika Melia, even if there was an ideal election code for the October 31, 2020 elections, "criminals would still have nothing to prevent them from committing crimes."

The first steps towards the implementation of the April 19 document show that the Georgian Dream and the opposition do not have the same vision of the transformations mentioned in the document, and heated debates are still ahead.

What is happening in Ninotsminda Orphanage? Prosecutor's Office launches investigation



► A report on the violation is currently being prepared and will be submitted to the court.

By NATALIA KOCHIASHVILI

Public Defender Nino Lomjaria stated that according to the information received from the Prosecutor's Office, a number of investigations are underway regarding the violence in Ninotsminda boarding house. The Ombudsman has been saying for years that serious incidents of violence against children and cases of punishment of children have been revealed at the St. Nino Children's Boarding School in Ninotsminda.

Minors living in this boarding school are virtually isolated from

society and the issue of meeting their individual needs is problematic. The Public Defender's report for 2015 and 2018 states that, among other problems, 'strictest upbringing methods and lack of socialization' have been identified

there. One of the deacons also confirms the existence of strict teachers in the boarding school in the past. The last evaluation covered by Radio Liberty in November showed that children were being pulled by the hair and ears as a form of punishment, were sometimes left without dinner, and forced to kneel down and bow down to the ground.

It has been more than a month since the orphanage is preventing the public defender from entering to monitor the children's condition. Meanwhile, pro-Russian media and organizations are allowed in, including Dimitri Lortkipanidze, Alt-Info, Guram Phalavandishvili and his son, known for ultranationalist sentiments. A few days ago, Former Metropolitan Seraphim (Jojua), accused of sexually assaulting a minor, visited the boarding house as well.

The archbishop of Skhalta Spiridon, who administers the facility, has accused the Ombudsman of 'anti-Christian activities' and stated that inspectors would not be allowed into the school. He says that the people with anti-Christian attitudes have nothing to do with the children of the boarding school.

"I will not allow them to touch my children. These are the people who protect and support the LGBT community and same-sex marriage," said the archbishop.

Deputy Ombudsman Eka Skhiladze says that Georgia is that the main problem of closed boarding schools at religious organizations in Gperson who runs them is completely illegally empowered not to let social workers inside.

In an interview with Mtavari, Lomjaria said that her main complaints were with the ombudsman's state agencies, which,

despite their legal obligations, failed to monitor the ombudsman.

On May 7, the UN Committee on the Rights of the Child instructed the Georgian authorities to monitor the Ninotsminda Children's Board under the auspices of the Orthodox Church to determine the condition of the children there. So far, the state has been silent. The Partnership for Human Rights states that the UN uses such leverage only in exceptional cases.

The ombudsman says that her office 'has repeatedly appealed' to the Ministry of Social Affairs and LEPL Agency for State Care and Assistance for Victims of Trafficking, but they don't have timely communication and no effective measures have been taken to protect the rights and

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► On 1st of June, civil activists held a rally in front of the government administration and filed a petition demanding the entry of the Public Defender into the Ninotsminda Orphanage. Photo: Vakho Kareli/Formula.



► Ninotsminda, located near the southern border of Georgia in the Samtskhe-Javakheti region, is predominantly inhabited by ethnic Armenians. The rector of the boarding school underlines that before the opening of this institution there were no Georgian schools in the city, and local children studied in Armenian or Russian.

THURSDAY JUNE 3

Day Sunny
High: 27°C

Night Partly cloudy
Low: 14°C

FRIDAY JUNE 4

Day Partly cloudy
High: 25°C

Night Cloudy
Low: 14°C

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Ministry of Economy provides four studies that show benefits of Namakhvani HPP

By KHATIA BZHALAVA

On Wednesday, the Georgian Economy Ministry published the results of the economic studies in which the financial and economic viability of the Namakhvani HPP project is assessed. The Ministry claims the Namakhvani HPP project is one of the most well-studied projects in the Georgian energy sector.

According to the ministry's statement, during 2007-2009, four different independent consulting companies conducted economic evaluation studies for the Namakhvani HPP. The major objective of the three studies was to assess the energy sector and develop future plans and the fourth study assessed the socio-economic benefits of the project.

In December 2007, the Strategic Environmental Assessment of Georgia's Energy System was carried out with funding from the World Bank. As the Ministry reports, the study revealed that "the Namakhvani HPP project is considered to be the best project for the Georgian energy system." The research was carried out by the Serbian-Italian Group (SEEC).

As the statement reads, according to another survey conducted by Georgian company Gamma Consulting in 2015, the benefits that the construction of HPP can bring significantly outweigh the harm that the project implementation may cause.

In August 2018, per the request of the Ministry of Economy and Sustainable Development of Georgia, McKinsey & Company prepared a report, which mentions Namakhvani HPP as "an economically justified energy facility" that fully meets international standards.

The fourth study conducted by NERA Economic Consulting company in January 2019 said that the Namakhvani HPP is one of the project's economic and energy characteristics which allow the implementation of construction according to the least-cost methodology. The study also analyzes the fiscal pressure to build the HPP and reports that



▶ According to the Ministry of Economy and Sustainable Development of Georgia, the Namakhvani HPP project is one of the most well-studied projects in the Georgian energy sector.



▶ The protests against the Namakhvani HPP construction have been underway in western Georgia for almost six months.

considering the other positive factors of the project, this pressure is not considered critical and is several times less than the fiscal pressure of other large strategic projects.

The Ministry of Economy states that the contract with a tender-winning Turkish company - Enka fully complies with international standards.

The protests against the HPP construction have been underway in western Georgia for almost six months. Locals and other anti-Namakhvani protesters claim that the construction was launched without sufficient research and thorough consideration of risks, including immediate security risks due to active seismic activity. The Georgian government suspended the HPP construction for 9 to 12 months until the environmental, geological, and seismological surveys are reviewed, however, protesters continue rallies as they believe the HPP would be built regardless.

Yesterday, Heidi Hautala, Vice President of the European Parliament reacted to the ongoing protests and mentioned the Namakhvani HPP project as "a backward and destructive economic model."

"I welcome this new kind of mobilization of Georgian people against a backward and destructive economic model. Lack of transparency and accountability with secret contracts is shocking," the MEP tweeted.

Yesterday, a rally was held in support of one of the protesters Irakli Mukbaniani who was detained in Sakulia village in the Imereti region of Georgia for assaulting a police officer during a demonstration several days ago. The committed crime counts from 4 to 7 years of imprisonment. Mukbaniani's family members, his relatives and other anti-Namakhvani protesters claim that his detention is a provocation and staged by the government.

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interests of the beneficiaries of the boarding school yet.' The state guardianship agency has not yet commented on the incident. The Ministry of Education responded by saying that all they know is that children from the orphanage attend a secondary school in the town of Ninotsminda.

As for the argument that social workers were allowed in the facility, Lomjaria explains that it was only one worker, who entered only after a year of trying, partially because of the involvement of the Ombudsman

and media coverage. The social worker was not given the access to complete documentation and couldn't monitor either. "The monitoring body is the Ombudsman, together with our people with specialization and expertise," Lomjaria said.

In this regard, lawyer Ana Abashidze emphasizes that never during the existence of this house has any social worker written a critical assessment or made a public statement about the situation. She also reiterated that they only study the needs of a particular child and act according to them. That's why it's important for the monitoring body of the Ministry

of Health to step in since it has the authority to check whether the agency meets the established standards.

Lomjaria raises suspicion that management in that facility has something to hide, since it's the only institution that refuses to allow Ombudsman's people in. The Public Defender's Office plans to follow the case to the end and not only monitor, but also achieve the closure of such large orphanages - under international child rights practice, children in public care should be raised in family-type homes, not large boarding schools. She also expressed fear that after going into the school, it

might be difficult to communicate with children, because they might have developed fears and formed stereotypes according to what they have been indoctrinated with in the orphanage.

In years 2016-2021, investigation has been launched into 4 cases - allegations of violence and sexual assault, presumably against the beneficiaries of the boarding house.

Lomjaria announced that the former beneficiary of the shelter has informed about the violence after leaving the institution, which is "another proof that the children there do not have the opportunity to voice these facts

- they do not allow the Public Defender, the caregivers never are constantly accompanying them; even during school times, they are completely isolated from the outside world, and there are cases when they leave the institution and try to communicate with law enforcement or the Public Defender."

As Spiridon Abuladze announced yesterday on the Patriarchate TV Ertulovneba, there are 150 children growing up in Ninotsminda boarding school. According to the information that was known before, 57 children live in the boarding house; the youngest one is 5 years old.