

OPINION & ANALYSIS

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BY NATALIA KOCHIASHVILI

In the morning of 7th of May, the number of people infected with coronavirus increased to 11 in the de facto republic of South Ossetia, Anna Gagloeva, the deputy head of the main sanitary service of the de facto republic, told the Res Agency. According to her, after the last test, the results of 8 tests were positive. At the moment, the health condition of all the infected is stable. As she stated, one of the patients arrived from North Ossetia and there are also students who came from Russia and South Ossetia this week. 160 students have returned to de facto South Ossetia, studying at various Russian universities, all of them either in quarantine and in a South Ossetian medical institution. 9 drivers are also in quarantine.

The so-called South Ossetian de facto republic president, Anatoly Bibilov, called on the population to remain calm and asked them not to panic. In an extensive post on Facebook, Anatoly Bibilov writes that the government will do everything possible to prevent the further spread of COVID-19. The operative headquarters of the de facto republic decided to hold a meeting with the Russian Federation to close the border completely.

"The border with the Russian Federation will be closed from May 10 to May 17. Temporary restrictions on crossing the border will apply to all citizens without exception. The restrictions will also apply to trucks," the Tskhinvali news agency reported. The de facto authorities of the Tskhinvali region occupied by Russia announced the first cases of infection with the new coronavirus on May 6th.

Dina Alborova, a political scientist from Tskhinvali, says that the spread of information about coronavirus patients in South Ossetia is of great concern to the local population. According to her, the healthcare system is not ready to fight the virus. In the social network, Tskhinvali residents are writing more and more about the shortcomings of the local healthcare system and have less confidence in the professionalism of doctors.

International Crisis Group report on COVID-19 Crisis in occupied territories

DE FACTO REPUBLIC COMPLETELY SHUTS DOWN 'BORDER' WITH RUSSIA AS 11 INFECTED IN TSKHINVALI



► Georgia reaffirms readiness to help 'our people, including those in need' on occupied territories.

Tskhinvali civil activists consider the strict quarantine measures announced by Bibilov as a simple formality, because in Tskhinvali citizens walk without face-masks, gather at funerals and the Ministry of Defense even brings personnel to parades on the street. According to the Resi news agency, the Ministry of Defense is organizing military parades near the houses of World War II veterans.

A report released by the International Crisis Group on the situation in the occupied territories of Georgia says that the picture is different in the Tskhinvali region and the de facto republic of Abkhazia.

Despite the closure of so-called checkpoints, 11 patients were allowed to be transported to the hospital from the territory of Abkhazia to the territory under the control of the Central Government of Georgia, one of which was later tested positive for COVID 19. According to the report, in the de facto republic of South Ossetia, Russia, which supplies medical equipment to the site, stopped exporting a large proportion of medicines in early March. Officials said there was a shortage of disinfectants. They called on local producers to sew protective coats and tweezers for doctors.

"Local medical staff have not been trained for years and did not even know how to use the 26 breathing apparatus, they received from Russia," the report said. Slow actions were taken in the Tskhinvali region to prevent the spread of coronavirus, the report said.

The government allowed the youth tournament to be held on March 22nd-25th, the de facto president addressed the event, which was attended by hundreds of people. Schools and universities have been closed much later than any other country in the South Caucasus, reads the report.

The only international organization operating in the de facto republic of South Ossetia is the Red Cross. The organization provides medical and inventory supplies for prisoners and the elderly in the de facto republic. According to the Georgian State Minister for Reconciliation and Civic Equality, the agency is actively cooperating with the International Committee of the Red Cross, which is the only one that has access to the Tskhinvali region and is now working to provide some humanitarian assistance to the most vulnerable in Akhgori and the rest of Tskhinvali region. According to the report, the de facto officials refused to allow the World

Health Organization specialists to enter if they entered from the Georgian-controlled territory and not from Russia.

Unlike the de facto South Ossetia, the situation in Abkhazia was relatively better, the report said, but the problems with infrastructure are obvious there as well. The problems also include the shortage of medical staff and the elderly population.

"Almost 80% of the population is over 60 years old. At the same time, the medical staff themselves belong to the risk group, as their average age is 60 years or more," the report reads. According to the International Crisis Group, special measures have been taken by the de facto government of Abkhazia late. Among them, the election of the de facto president in Abkhazia coincided with the period of the spread of Coronavirus, and the social distance was not preserved. After the declaration of a state of emergency in the de facto republic of Abkhazia, thermo screening began and citizens were urged to stay at home from the sound amplifier attached to police cars.

"The biggest difficulty has been getting out of the crowded funeral procession with locals," the report said.

In Abkhazia, on 20th of April, a month after the declaration of the state of emergency, the imposed restrictions were eased and the markets were reopened.

In early March, the de facto government of Abkhazia appealed to international organizations for assistance, with UN financial support from the United States and the EU 12,000 medical essentials and disinfectants were brought to the de facto republic. Russia has provided 500 COVID 19 tests to the de facto republic.

The de facto government of South Ossetia should support the efforts of others to help them, the report said. "They should immediately seek the opportunity to send a WHO assessment mission."

The recommendation of the report is for Georgia, for its part, to work with the de facto leadership of Abkhazia on ways to improve the economy, as these conflict regions are on the edge of COVID 19 crisis and cooperative forces might help in reducing damage.



► The former member of parliament from the de facto parliament, Kelekhsayev, claims that there's only one computed tomography scan at Tskhinvali Hospital, which is damaged. In addition, the Coronavirus test system, made in Novosibirsk, has a 60 %error rate. Photo: TASS

Georgia has violated applicant's right to a fair trial in a drug case

ON MAY 7TH, 2020, THE EUROPEAN COURT OF HUMAN RIGHTS FOUND A VIOLATION OF ARTICLE 6 (RIGHT TO A FAIR TRIAL) AGAINST GEORGIA. THE GEORGIAN YOUNG LAWYERS' ASSOCIATION SPREAD INFORMATION ABOUT IT.

By ANASTASIA SOKHADZE

According to GYLA, applicant Megrelishvili, was not allowed to invite the witnesses during the search and the national courts did not properly consider his argument regarding the drug use by the police.

According to the organisation, according to the factual circumstances of the case, on July 3rd, 2007 he was driving, during which the employees of the Special Operations Department (SOD) of the Ministry of Internal Affairs stopped him on the basis of operative information and conducted a personal search. SOD staff also searched the applicant's car. As a result, the drugs from his pocket and the back seat of the car were removed. On the same day, SOD officers searched the applicant's apartment and garage, from which they also seized drugs. According to GYLA, all four searches were carried out without urgency by a court decision and were only layer legally recognized by the court.

As GYLA explains, the complainant and his family members demanded that they be allowed to invite attendees to the search, however, SOD staff members refused to grant their wish.

"The complainant and his family members did not sign the search records, explaining that the drugs were planted by SOD employees. National courts found the complainant guilty and sentenced him to 12 years in prison," reads the statement.



► With GYLA's assistance, an applicant addressed the European Court referring to Article 6 of the Convention due to violation of the principle of equality.

The applicant lodged a complaint with the European Court of Human Rights on May 18th, 2009. In the present complaint, the applicant sought to establish a violation of Article 6 of the Convention. With this decision, the Strasbourg court upheld the applicant's appeal and ruled that Georgia had violated the right to a fair trial.

GYLA explains that the court's decision was based on several arguments. The search was carried out on the basis of operative information, which was not attached to criminal justice. Accordingly, the domestic courts had failed to properly assess the validity of the information, including whether there was probable cause for a search or not, concerning the assumption that the applicant had drugs and whether there was a necessity to carry out an urgent search. Resolutions on the urgent need to conduct searches did not con-



► Structural issues in court.

tain any justification to carry out a search without court approval. The refusal of SOD staff to invite attendees to the search was not substantiated; It is true that

they indicated an urgent need, however, there was no specific reason designated.

As for the trials, according to GYLA, the European Court of Human Rights found it to be another violation that the City Court denied the illegality of their search, saying that it was already legally verified.

As for the testimony of SOD employees, according to GYLA, they were interested in the outcome of the accusation. Their interest was particularly evident in the applicant's arguments, which indicated that he had been

the testimony of the applicant and his family members, which the court found to be unreliable and subjective.

Thus, the European Court noted that the rule of obtaining basic evidence against the applicant raises questions about their credibility. However, procedural violations during the search, inadequacy of judicial control, including Improper assessment of the applicant's arguments regarding the drugs made the trial completely unfair, which is why Article 6 of the European Convention was violated against the applicant.

In accordance with GYLA, there have been a number of high-profile cases in recent years that have raised suspicions among law enforcement officers about the illegal manufacture of weapons and drugs. Like Megrelishvili's case, GYLA has three additional cases before the European Court of Human Rights, which point to identical problems.

Accordingly, GYLA believes that it is clear that the existing justice system does not contain sufficient procedural guarantees to protect individuals from possible arbitrariness. According to GYLA, in the conditions when Megrelishvili's case points to the existing structural and systemic issues, it is important for Georgia to take appropriate individual or general measures to effectively implement the decision and eliminate the existing shortcomings in a timely manner.

30th anniversary of the establishment of the Venice Commission Statement by President Gianni Buquicchio

Strasbourg, 07.05.2020 - On 10 May 1990, eighteen ambassadors of Council of Europe member states took the decision to establish the European Commission for Democracy through Law, better known as the Venice Commission. What looked at the time like the creation of just another technical advisory body proved to be an event of major significance for the development of the rule of law and

democracy in Europe and beyond. In the 30 years of its existence, the Venice Commission:

- Played a major role in the preparation of the constitutions of the new democracies in Central and Eastern Europe, ensuring their compliance with international standards;
- Accompanied these and many other countries during their constitutional and legislative reforms;
- Has become a main reference with respect to the development of international standards on the rule of law, democracy and the respect for human rights;

- Has acquired a capital of trust in many societies, making its support crucial for public confidence in reforms;
- Assisted a large number of countries in fulfilling membership requirements of the Council of Europe and the European Union;
- Contributed to the establishment of constitutional courts in many countries and established a worldwide network of constitutional courts with 117 member courts;
- Reviewed a large number of laws, ensuring their compliance with international standards and, in particular,

the European Convention on Human Rights;

- Developed standards for the holding of democratic elections and contributed to electoral reforms;
- Has become a partner of the countries in the Southern Mediterranean and Central Asia in their constitutional and legal reforms;
- Increased its membership to 62 countries, thus becoming a forum for worldwide constitutional dialogue.

Despite this success, many challenges remain and the current Covid-19 crisis reminds us that progress is never irreversible. We

must safeguard pluralistic democracy and prevent its degeneration into an authoritarian regime, where the winner takes all.

In my view, the Commission is needed now more than ever before, to defend and promote, in partnership with the organs of the Council of Europe and the European Union:

- Respect for the rule of law and, in particular, the independence of the judiciary;
- Checks and balances within a functioning democratic system;
- Free and fair elections;
- Respect for human rights, including in emergency situations.

FRIDAY	MAY 8
Day	Sunny
	High: 23°C
Night	Rain
	Low: 10°C
SATURDAY	MAY 9
Day	Rain
	High: 17°C
Night	Rain
	Low: 10°C

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Government presents anti-crisis plan for tourism

TBILISI TO REOPEN ON MONDAY

BY NATALIA KOCHIASHVILI

The meeting of the economic group within the framework of the interagency coordination council was held on 7th of May. At the meeting the main topic of discussion was the reopening of tourism. The Prime Minister Giorgi Gakharia stated that Georgia will consider the separation of Tskaltubo, Gudauri, Sairme, Abastumani, Borjomi and other resorts as safe tourist zones from COVID-19. As Gakharia says, they have historically been positioned as zones necessary for the rehabilitation of the respiratory organs.

He also spoke of the several critical points of control that are necessary for the restoration of tourism, first of them being both land and air border. According to the PM, the Ministry of Health has already been instructed to strengthen the control of each entrant at the border. If earlier 14-day or 24-hour Quarantine was necessary, now this procedure should be completed within 1 hour. Gakharia assures there are required opportunities and technologies for this, and the Ministry of Health will address this issue in the near future.

"A further issue is the management of hotels and the consideration of all the standards related to the prevention of Covid-19, same goes for the transport," he said, explaining that these are the main points where risks have to be managed for tourism restoration.

According to Gakharia, from 15th of June, Georgia will be open to local tourists, and in 2 weeks, and from 1st of July, for foreign tourists. Natia Turnava, Minister of Economy and Sustainable Development of Georgia announced that the anti-crisis plan for tourism development requires a budget of €200 million for tourism. According to the Minister, the largest share of this amount will be spent on tax benefits. In particular, the deferral of tax and



► PM noted that there are technologies that can be used by Georgia to detect the infection within 1 hour.

income taxes in the tourism sector weighs €135 million.

"A serious resource of at least €60 million is earmarked for hotel loan subsidies, and we estimate that at least 3,000 companies will benefit from this assistance, and a support package of €5 million for tourism companies and guides," Turnava said.

According to the anti-crisis plan, the tourism sector will be fully exempt from the 2020 property tax, and the deferral of income tax will continue until the end of 2020.

"Taxes on companies operating in the tourism sector will be postponed until the end of the year. We will see there, we cannot promise a complete write-off of anyone's income, but it is possible to talk about delays and subsequent gradual payment schemes," Gakharia said.

According to the plan, the state will help all hotels with an annual turnover of up to €20 million by subsidizing 80% of the first €5 million loan for 6 months.

The government also offers to involve the restaurant business in the credit guarantee scheme. In particular, in the process of re-

structuring existing bank loans, the state will provide them with 30% co-payment, and when attracting new loans, it will receive 90% co-payment.

It is planned to subsidize the bank guarantee interest for travel companies. A separate program is being developed for the guides. According to Turnava, this program will be aimed at resolving the issue of identification and registration of guides, as well as in the process of restoring the tourism industry, towards their alternative employment.

While talking about the anti-crisis plan, the PM also announced that Tbilisi, which was closed on 15th of April, will be opened in a few days. It will be possible to enter and leave Tbilisi from 11th of May, in Rustavi and Gardabani from 14th of May and

in Marneuli from 18th of May. He also explained that the curfew remains in force.

According to Gakharia, all shops with independent entrances from the street will be opened from 11th of May. This list does not include clothing and footwear stores. As explained, this decision is made due to the epidemiological situation in the country.

Shops in Georgia have been closed since 31st of March. Commercial activity was allowed only in exceptional cases, and the permission of the government was required. Georgia has been closed to foreign nationals since 18th of March to prevent the spread of coronavirus. Flights have also been banned in the country since this time. Airlines from other countries can arrive in Georgia only on an empty plane.



► Georgia will open for local tourists from 15th of June and from 1st of July, for foreign tourists.

EU and UNDP help Georgia's rural regions respond to the COVID-19 crisis

TBILISI. 7 May 2020 – To help Georgia's rural regions respond to the economic and social challenges emerging amidst the COVID-19 crisis, the European Union and the United Nations Development Programme (UNDP) today launched a GEL 9 million grant programme together with the Agriculture and Rural Development Agency (ARDA) of the Ministry of Environmental Protection and Agriculture. The grants are designed to boost rural entrepreneurship, create sustainable jobs, improve the management of natural resources and promote climate action.

The programme will be implemented in eight municipali-

ties – Akhalkalaki, Borjomi, Dedoplistskaro, Kazbegi, Keda, Khulo, Lagodekhi and Tetrtskaro – where UNDP and the EU are working together to promote livelihoods outside agriculture. Applicants can be based elsewhere in Georgia but will need to show a connection with the targeted municipalities.

"The grant programme is a flexible and effective instrument for strengthening the rural economy," said Levan Davitashvili, Minister of Environmental Protection and Agriculture (MEPA) of Georgia. "It will help diversify economic activities in Georgia's regions and foster non-farming businesses across the country."

"The EU is mobilising all possible resources to assist Georgia to recover from the current crisis. I am especially glad that these grants will target rural areas around the country, where economic development can be a challenge even in normal times," said EU Ambassador Carl Hartzell.

The Rural Development Programme is assisting non-agricultural business start-ups and growing enterprises with grants worth up to GEL 170,000 per project. Additional grants worth up to GEL 30,000 will be provided to businesses to improve energy efficiency. To ensure sustainability, all grantees are expected to provide at least 20% co-financing

for their projects. Applications for the current round are due by 1 August 2020. More information is available at www.arda.gov.ge

"Georgia's exemplary COVID-19 response has saved lives," said UNDP Head Louisa Vinton. "Our new grants programme is aimed at saving livelihoods that are threatened by the shutdown, and also at applying the principle of 'building back better.' We have a chance now to promote green alternatives in rural areas that will benefit both people and planet."

The EU and UNDP are long-term supporters of rural development in Georgia. More than GEL 600 million (EUR 179.5 million) in EU assistance has

been allocated to Georgia under the ENPARD programme for 2013-2022. This support is designed to improve agricultural productivity, refine rural development policies and create new economic opportunities for rural communities, both in agriculture and outside of it. In parallel to UNDP's work in rural development, the UN's Food and Agriculture Organization (FAO) is working with the EU and MEPA to operate a grants programme to support farm businesses and improve food security.

More information about ENPARD is available at www.enpard.ge

Mikhran Ananov – Country of Liquid Sun

The Ananov brothers purchased the Ajameti oak forest and plough grounds in the village of Vartsikhe of the Kutaisi region in the 1860s. Before then, the forest and its grounds were considered as a part of the princely estate. This place, where the River Khvirila flows into the River Rioni, was approximately 15 versts away from Kutaisi. In 1888, Ivane Ananov died and the affairs of exploitation of Vartsikhe estates and the Ajameti forests were continued by his grandsons, Abgar and Mikhran.

In addition to the vineyards, wine cellar and residential palace, the Ananovs also owned other facilities. They possessed vast forest massifs in Ajameti which were known for zelkova trees providing very expensive wood material.

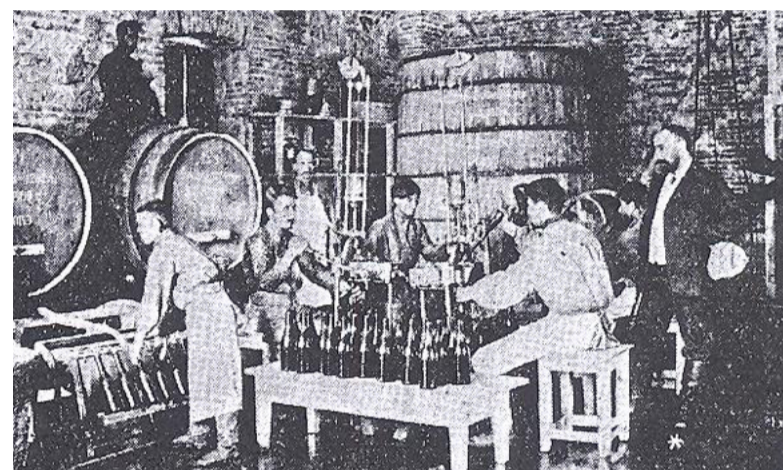
The Caucasian Railway was under construction at that time with the Ananovs supplying material for the wooden sleepers required for the laying of the rails for which they earned great income. The trees were cut intensely with the logged wood prepared as material for sleepers and carried out of the forest by buffalos supplying draft labour. According to the officials of the time, Ananov and General Mirsky arranged for the building of the road which bypassed the city of Kutaisi. Mirsky owned large estates in and around Ananov's properties.

Mikhran Ananov continued producing wine and, again and again, enlarged the vineyards based upon generated income. In addition to the local varieties, he cultivated champagne species, brought from France; namely, the Pinot, Aligote, Semillon and Cognac variety

of Fonblan At the end of the nineteenth century. Ananov brought Charant equipment for cognac distillation from France and installed it near Vartsikhe at his estate, Apkhanauri.

The equipment was operated by French specialists, and since 1905, the technological processes were managed by Giorgi Kepuladze, a noted specialist, who worked at the Vartsikhe factory for his whole life.

Over 300 workers were employed at Ananov's farm with the workers calling Mikhran the "Great Agha. His estates were



managed by Sarkis Ionesiants, an Armenian from Karabakh, who had two Armenian assistants alongside. Most of the hired employees were from the regions of Guria and Samegrelo with the bullock-cart drivers mostly coming from Kartli.

The workers were divided into three categories; namely, those on daily, monthly and annual remuneration schedules. Daily workers were very poor. They were paid 20 copecks, received one corn loaf and some beans as their daily ration and

lived in poor conditions with many having succumbed to fever. Annual workers, by contrast, had much better working and living conditions.

The "Great Agha," riding a beautiful Larabakh horse (the 12 best horses were found in Ananov's stable), used to go around the estates together with Sarkis and often inquired about the conditions of the employees as illness was frequent and making many of them weak and infirm. Ananov, who looked very much like a Georgian prince, spoke Georgian as his mother tongue and talked with the employees and local peasants only in the Georgian language.

The growth of the size of the vineyards owned by Ananov conditioned the construction of a winery. Mikhran visited a champagne factory owned by Prince Oldenburgsky in Kutaisi and invited specialists whom he ordered to develop the engineering design of the winery in Vartsikhe.

The Vartsikhe winery began operation in 1907. The Georgian Tsolikauri Brand of wine was first made in the Vartsikhe Factory. Vakhtang Tsitsishvili, a noted specialist, created the famous Georgian cognac, Vartsikhe, only upon the basis of spirits distilled from the wine material at the factory.

After Georgia's becoming a Soviet Republic, the Ananovs emigrated to Austria and their magnificent palace was turned into a kindergarten. Presently, a hotel operates there. The factory in Vartsikhe, which almost never stopped in its operation, together with one of the larger farms, became part of the Peoples' Estate's Trust, the so-called "Samtrest."



► Home Ananova. Tbilisi.