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THE STUDY OF HUMAN RIGHTS VIOLATIONS AND POLITICAL SITUATION IN GEORGIA OF LAST 30 YEARS

It is obvious fact that when it comes to political generations, they tend to be quite fluid. Generations as entities as such have different ways and coping mechanisms when it comes to violations of their rights as rightful citizens. The only aspect that never changes and fluctuates is the universality of human rights and its significance for democracy. The above-mentioned fluidity is often caused by a social action that is the result of most citizens being unsatisfied by the political processes in the country. The perfect example of the interrelation between human rights violations and people's "reactions" towards this issue is the Republic of Georgia, which has been through wars, revolutions and protests throughout the history. Today's Georgia is still struggling with lack of freedom and violation of Human Rights. Georgia now suffers from other human rights violations such as drug policy, right to privacy, sexual orientation. Georgia still does not have an effective independent mechanism for investigating abuse by law enforcement officials. The Georgian government has an attempt to transparently show all the political processes conducted to avoid further complication of human rights violations. It can be said that the new generation (aged 18-30) has considerably different preferences, feel the need and obligation to protest about issues that this century has brought about, the issues like LGBT rights, marijuana decriminalization, abortion, prostitution, transgender woman and their rights, violence against women, workers' rights, etc. The reason that the new generation in Georgia is so politically active is that they realize the system is even affecting their everyday life and the ones surrounding them. The research paper covers the most politically important occasions over the last 30 years in Georgia and analyses the most crucial and severe human rights violations, following with the coping mechanisms and political behavior in different generations. The rights and freedoms being violated and discussed in the paper are the following: the right to freedom of opinion and expression, right to a fair social order. The tasks will be to evaluate violation of human rights during wars in Georgia, to investigate the role of NGOs in the protection of Human Rights and to research the changes in Human Rights in contemporary Georgia.

Key words: Georgia, Human Rights, NGOs, violation, freedom.

Introduction

It is obvious fact that when it comes to political generations, they tend to be quite fluid. Generations as entities as such have different ways and coping mechanisms when it comes to violations of their rights as rightful citizens. The only aspect that never changes and fluctuates is the universality of human rights and its significance for democracy. The above-mentioned fluidity is often caused by a social action that is the result of most citizens being unsatisfied by the political processes in the country. The perfect example of the interrelation between human rights violations and people's "reactions" towards this issue is the Republic of Georgia, which has been through wars, revolutions and protests throughout the history. To focus on the last 30 years, the political culture of the country has seen a significant change. "Political culture can be understood in the context of a society's collective mentality or personality, which contributes to its political identity and ethos" [13]. Depending on the generations, the above-mentioned culture and the ways of expression gradually vary and transform. Citizens' ability to protest the violations of their rights is expressed in the general political culture of the generation. The rights and freedoms being violated and discussed in the paper, are the following: right to freedom of opinion and expression, right to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized, right to life, liberty and security, right to protection, right to demonstration, laws of war, etc. [2]. Accordingly, the following research paper covers the most politically important occasions over the last 30 years in Georgia and analyses the most crucial and severe human rights violations, following with the coping mechanisms and political behaviour in different generations.

- 1. The problem:** The violation of human rights in Georgia
- 2. The object:** Human Rights in Georgia
- 3. The goal:** to analyze violations of human rights and freedoms in Georgia

4. **The tasks:** a) to evaluate violation of human rights during wars in Georgia b) to investigate the role of NGOs in the protection of Human Rights c) to research the changes in Human Rights in contemporary Georgia

Abkhazian war and violation of Human Rights

Starting with the war in Abkhazia (1992-1993) – a deadly war between Abkhazian separatists, Russian forces and Georgian government forces, the social texture of the country has changed tremendously and quite vividly [5]. This war resulted in not only the highest number of internally displaced people that Georgia has ever seen but in the cleansing of 300 000 ethnic Georgian civilians of Abkhazia as well. Both sides of the conflict showed a reckless disregard for the protection of the civilian population and are responsible for gross violations of international humanitarian law – the laws of war [8]. Innocent civilians were deliberately targeted, and their homes bombarded. To consider that Georgia's current population that time was 5.2 million it can be said that the number of dead, displaced, missing and immigrated people reduced the Georgian population till it reached the number of 4.8 million. Adding up to that, Georgia was post-soviet country already suffering from financial, human and psychological damage. It also needs to be mentioned that most people who fled the conflict zone were deprived of the right to return home that is also considered to be one of the most fundamental rights of an individual. After the war, Georgia lost almost 20% of its territory and the governance over Abkhazia. This was the time when corruption and mismanagement were at its highest and policy-making and leadership at its lowest.

Non-Governmental Organizations in Georgia.

Georgia's post-soviet turbulent experience and Soviet leadership ended with the "revolution of roses" in 2003. Former justice minister at a time and former president of Georgia Mikheil Saakashvili upraised the protest that led into the resignation of President Eduard Shevardnadze [7]. The widespread activism and protests were initiated because of the electoral fraud and the Soviet regime that was still existent in Georgia at that time. The topic that must be highlighted during the "rose revolution" is the significance of NGOs working on human rights that played a vital role in organizing and mobilizing people. It needs to be pointed out that the NGOs, in general, stand for the ideas of people and unite them successfully around one mission. This already meant that with some foreign financial support NGOs could promote non-violent protests to force the resignation of the authoritarian leader and interfere effectively in the political flow of Georgia. Second significantly crucial factor during the "rose revolution" was the media. Rustavi 2 – the television channel that was highly critical of the regime. One of the reasons why the protests were so organized and vast was not only the feeling of protest in people but also the positive "pressure" from the NGOs, National party and media. This was the period in Georgian history when values started to transform as well, Georgia took the direction towards the European values, became more liberal rather than conservative. New movements started to emerge, concentrated on the problematic human rights violations and issues that the Georgian community hid in the closet before.

Human Rights in Georgia in the modern century

In 2004 when a new president got elected it was visible that M. Saakashvili tried to push Georgia towards the west by setting membership in EU and NATO as top foreign policy goals [14]. The Soviet capital Tbilisi started its transformation into a mixture of the modern and old city. Infrastructure got renewed, new hospitals were built, new universities were constructed, and almost all the legal entities became structural, systematic and organized [15]. This meant that citizens were given a chance for the fair right to education and were educated in their native language. Not only this but also the labour market started to function properly and consequently, citizens were given a proper right to adequate living standard. All those changes resulted in people transforming their values, the new generation already felt that they had more rights, more opportunities both in the country and abroad as well. The idea that Georgia was a deeply restricted country within its borders nearly disappeared. The fact that the new generation could obtain their degree in the country effectively and in Europe as well raised the level of education.

During M. Saakashvili's leadership, even if Georgia experienced the transition and important reforms were carried out, it was still reported by Amnesty International that torture and ill-treatment were occurring in the newly reformed police system. The methods used to torture or ill-treat detainees, as indicated in reports received by Amnesty International since the "Rose Revolution", include electric shocks; putting plastic bags over the head of a detainee [1]. The organization gave few very vital recommendations for the Georgian government to implement concerning this violation of human rights such as to create an independent body to investigate police-related allegations of torture. Not only this but also it is crucial to

mention that the political relations with Russia still did not experience any improvement [4]. The other way around, it worsened and in 2008 resulted in a war which led to the loss of South Ossetia. This war resulted in the highest number of activists and protest all around Europe [17]. In 2008, Lithuanians living in Iceland protested in front of the Russian embassy against the invasion. In Athens and Thessaloniki, almost 1000 Georgians marched [10]. On the same date, the president of Poland, Ukraine, Estonia and Lithuania arrived in Tbilisi to march and participate in the rally consisting 150 000 Georgians. In September, a human chain was created by tens of thousands to protest Russian military presence in Georgia [12].

To continue with a current situation in Georgia, it can be said that the new generation (aged 18-30) has different preferences considerably, feel the need and obligation to protest about issues that this century has brought about, the issues like LGBT rights, marijuana decriminalization, abortion, prostitution, transgender woman and their rights, violence against women, workers' rights, etc. The reason the new generation in Georgia is so politically active is that they realize the system is even affecting their everyday life and the ones surrounding them. Additionally, most of the musicians or bands are criticizing the system, traditions and values that are leftovers either from the Soviet Union or older generations. The high level of "Girchi" activism (a non-parliamentary opposition party standing up for almost all the above-mentioned rights) caused the Constitutional Court of Georgia to decriminalize the personal use of marijuana and other cannabis-based products as well [9]. This party is famous for their extravagant and peculiar ways of expressing their ideas that make the new generation supportive of them at some point. To look at this fact from a psychological and social perspective, since the young generation of Georgia saw the traits of a political leader (Girchi's presidential candidate) that they have not seen in Georgian politics before, the idea of trustworthiness was created. The traits meaning the charisma, straightforwardness and the attitude towards the issues that this generation feels closely related to. Observing and relating the above-mentioned fact to the Machiavellian teachings we can mention that: "The first opinion which one forms of a prince, and of his understanding, is by observing the men he has around him" [11]. The attitude that is highly appreciated by people without even realizing it is when a leader is eligible to make citizens feel equal to him/her and not show the superiority as such which itself contributes to the right to the equal treatment in the society.

Continuing with the current "political texture" of the country, protests were held nonstop in the capital – Tbilisi. Two major techno clubs were raided by the armed forces of Georgia on 12th of May 2018. "Special forces entered the clubs as part of the government's response to five drug-related deaths in the past two weeks, which the authorities claim is connected to Bassiani- the top-rated techno club in Georgia also holding a worldwide recognition." [16]. Club's founders and 60 people were arrested. It needs to be assessed and pointed out that the above-mentioned political move was the reminder from the government that they have the authority to control, use aggression and assure people that their regime is still standing strong. The most vital and thought-provoking aspect was the continuation of the raid that was one of the most spontaneous non-violent protests ever held in Georgia. Tens of thousands of people protested the violence and for the right to freedom, calling the protest "A Rave-olution". They used the slogan "We dance together, we fight together". The German DJ who was reported to have been playing in Bassiani before played in front of the protestors and accordingly Georgian crowd expressed their objection with dancing. Overall, government actions that day resembled those of a police state and not a democracy. "Though many of the young people dancing in the streets Saturday night may not remember the Iron Curtain, they have been raised in a culture that knows the true value of freedom precisely because it was so hard to come by in the past" [3].

Nowadays in Georgia, the clash of generations and the intense cultural gap in between is an issue that is building up the current politics of the country. The best example would be the two radically different demonstrations held on the 17th of May. To mark International Day Against Homophobia, Transphobia, and Biphobia LGBT community was about to demonstrate even if they were threatened by the neo-nationalist and neo-Nazi groups. Police in Tbilisi was on high alert even after an event commemorating IDAHOTB was cancelled to avoid a confrontation with marchers expected to take part in a counterdemonstration supported by the Georgian Orthodox Church. "Day of sanctity and strength of the family" was celebrated by the above-mentioned religious groups and few demonstrators of the LGBT rights were physically offended. This occasion was the conflict between fundamental rights, understanding of governance and mutual respectability. Religious groups manifested their right to religion, to fully exercise and manifest it but violated quite an important part of the article: "Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the

rights and freedoms of others” [6]. Meaning that religious groups used violence and aggression towards the peaceful demonstration citizens exercising their right to freely demonstrate.

Conclusion

In conclusion, although the development is seen Georgia in the modern century, today’s Georgia is still struggling with lack of police’s responsibility about respect for human rights. Georgia still does not have an effective independent mechanism for investigating abuse by law enforcement officials. Secondly, NGOs can promote the human rights of Georgians. Thirdly, the other solution is seen in the consciousness of young generation forward to current problems. The pressure of the young generation on government will be one of the possible solutions. Additionally, Georgia now suffers from other human rights violations such as drug policy, right to privacy, sexual orientation and media freedom. The Georgian government is highly concentrated on the above-mentioned topics and has an attempt to transparently show all the political processes conducted to avoid further complication of human rights violations.

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Бінатлі Азер. Вивчення порушень прав людини та політичної ситуації в Грузії останні 30 років

Очевидно, що коли справа доходить до політичних поколінь, вони, як правило, досить рухливі. Покоління, як суб’єкти, мають різні способи та механізми подолання порушень їхніх прав як законних громадян. Єдиний аспект, який ніколи не змінюється, – це універсальність прав людини та її значення для демократії. Вищезгадана плинність часто зумовлена соціальною діяльністю, яка є результатом того, що більшість громадян незадоволені політичними процесами в країні. Прикладом взаємозв’язку між порушеннями прав людини та "реакцією" людей на цю проблему є Республіка Грузія, яка пройшла війни, революції та протести протягом усієї історії. Сьогоднішня Грузія все ще бореться з нестачею свободи та порушеннями прав людини. Грузія зараз страждає від інших порушень прав людини, таких як наркотична політика, право на приватність, право на сексуальну орієнтацію. Грузія до сих пір не має ефективного незалежного механізму для

розслідування зловживань щодо цих прав правоохоронними органами. Уряд Грузії намагається дотримуватись прозорості усіх політичних процесів з метою уникнення порушень прав людини. Можна сказати, що нове покоління (віком від 18 до 30 років) має значно інші уподобання, відчуває потребу та зобов'язання протестувати щодо проблем, які виникли в цьому столітті. Серед них такі питання, як права ЛГБТ, декриміналізація марихуани, аборт, проституція, трансгендерні жінки та їхні права, насильство проти жінок, права працівників тощо. Причина того, що нове покоління в Грузії настільки політично активне в тому, що вони розуміють, що політична система впливає на їх повсякденне життя навіть через звичайне оточення. Дослідження охоплює найбільш політично важливі випадки порушень прав людини у Грузії протягом останніх 30 років та аналізує механізми подолання цих порушень та корекції політичної поведінки в різних поколіннях. В статті обговорюються наступні права та свободи, які порушуються: право на свободу думки та вираження думки, право на справедливий соціальний порядок. Завданням буде оцінити порушення прав людини під час війни в Грузії, дослідити роль НУО в захисті прав людини та дослідити зміни в правах людини в сучасній Грузії.

Ключові слова: Грузія, права людини, неурядові організації, насильство, свобода.