

GEORGIA 1992: Elections and Human Rights

Six members of the British Helsinki Human Rights Group visited the Republic of Georgia between 7th and 13th October, 1992, in order to observe the elections for the Speakership of the Parliament and its members called by the State Council for 11th October. Members of the delegation observed the voting in various parts of Georgia, but also visited Tbilisi Central Prison (twice), hospitals and other institutions. They talked with supporters and opponents of the State Council as well as non-political observers.

Some facts about Georgia

The former Soviet Republic of Georgia lies in the south and south-east of the Caucasus Mountains. To the north it borders the Russian Republic, including the self-proclaimed independent republic of Chechnya. To the south Georgia borders Turkey. To the east, it shares borders with Azerbaijan and further south-east with Armenia. Georgia covers 69,000 square kilometres and has a population of 5,400,000. The capital, Tbilisi, has a population of 1,264,000.

The ethnic composition of the population is complex. 71.4% of the population are classified as Georgians but there are sub-groups and clan rivalries within the ethnically Georgian population. The Georgians are a people of great antiquity and cultural uniqueness. All the archeological and linguistic evidence points to the length of their development on the territory of what is now broadly speaking Georgia. Waves of foreign conquerors and barbarian raiders have not displaced the Georgians. Their peculiar language, unrelated to any other tongue (except possibly and very distinctly Basque), combined with their cultural persistence in the face of tribulations, despite their small numbers, has given Georgians an intensely powerful sense of national identity.

About 80 other nationalities live in Georgia. Armenians are the largest non-Georgian nationality (7.7%), followed by Russians (6.5%). The troubled regions of Abkhazia and South Ossetia house the great bulk of the Abkhaz (1.8%) and Ossete (3%) populations.

The ethnic origins of the Abkhazians is the subject of debate embittered by the bloodshed of the last few months, but most Western students of the question accept that the Abkhazians' ancestors have been resident in what is now north-western Georgia since antiquity. They are Muslims.

The Ossetes, another people in conflict with the central Georgia authorities, are descended from the Alans, a barbarian tribe with a language with Iranian roots. The existence of North Ossetia inside the Russian Federation has encouraged the aspirations of the South Ossetes for unification with their fellow Ossetes on the northern side of the Caucasus. This is fiercely resisted by all Georgian parties, who regard South Ossetia as inalienably Georgian, calling the territory Inner Kartli (Shida Kartli).

Georgian History

After more than two thousand years of a history punctuated by struggles for independence against foreign powers, most of the component parts of Georgia were incorporated into the Russian empire in 1811. From 1783, Georgia had been "protected" by Russia from its Islamic neighbours, Ottoman Turkey and Iran.

In the later 19th century, national consciousness and social discontent fostered challenges to Tsarist rule as elsewhere in the Russian empire. The young Joseph Vissarionovich Djugashvili (Stalin) cut his political teeth as a mixture of revolutionary and bandit in his native Trans-Caucasus region. The First World War produced the opportunity for Georgia to recover her independence like other parts of the collapsed Tsarist state. However, unlike other would-be independent parts of the former empire, the majority group in the new government

after the events of 1917 was a Marxist party, the local Mensheviks. Lenin's Bolshevik régime in Moscow recognised Georgian independence but only for tactical reasons; it was determined to suppress a rival to its claim to represent Marxist ideology in the region. In April 1921, the Red Army invaded Georgia and crushed the local forces.

Communist Georgia

The Sovietization of Georgia under Stalin and Ordzhonikidze was so brutal that even Lenin was shocked, but the process continued after his death unabated. Under Stalin in the 1930s, savage purges of Georgian society were carried through by his local lieutenant Lavrenty Pavlovich Beria, head of the Soviet state security apparatus after 1938 until June 1953.

Beria was made a scapegoat by his rivals for the succession to Stalin, Malenkov and Khrushchev, and executed in 1953. De-Stalinization under Khrushchev after 1956 was a blow to Georgian pride if only because he cast aspersions on the Georgians themselves. After 1962 when monuments to Stalin were dismantled in the rest of the USSR, some remained in the country of his birth.

The impact of Sovietization on Georgian culture and the environment was severe. Savage purges inculcated a tendency to conformism with the Soviet Communist Party among the survivors. By the 1980s the Georgian Communist Party had the highest percentage of members per capita of all the Republican Communist Parties.¹ Few today suggest that people joined the party for reasons other than careerism or opportunism. Party connections not only helped promotion but also protected those active in the "second" or black economy.

In fact by the 1970s the Georgian Communist Party had become so notoriously corrupt that even the Brezhnev régime felt obliged to intervene and promote a new First Secretary to clean up its activities. Eduard Shevardnadze's period as First Secretary (1972-1985) was marked by a vigorous and sometimes brutal campaign against both corruption and political opposition.

After Shevardnadze departed to Moscow to take up his post as Soviet Foreign Minister, his protégé, Jumber Patiashvili, took charge of the Georgian Communist Party. The all-Union policy of *glasnost* after 1985 meant that previously dormant nationalist aspirations among the Georgian people began to make themselves heard.

There had been dissidents in Georgia before 1985, but Shevardnadze's efficient and heavy-handed methods had disrupted any effective opposition to Soviet power until Gorbachev's reforms. By 1987, several groups which presented themselves as cultural but which had a strongly nationalist programme had appeared. In fact, such was the popular support for unofficial groups demanding better protection for the environment or Georgian cultural monuments that the Communist Party authorities tried to establish their own parallel organizations to draw off support from the anti-establishment groups.

The Decay of Soviet Power

By the Spring of 1989, the Party was faced by public demonstrations in Tbilisi promoted by dissidents from the 1970s, like Zviad Gamsakhurdia and Merab Kostava and more recent opponents of Soviet power, such as Giorgi Chanturia (born 1959). The Communist authorities became so fearful of losing control in the face of nationalist demands and pro-democratic appeals that they called in special Soviet troops (*Spetsnaz*) to disperse the crowd on 9 April 1989. The brutality used by the Soviet forces was recorded on video and shocked the

¹ Jonathan Aves, "The rise and fall of the Georgian nationalist movement, 1987-1991" pp 157-159 in *The Road to Post-Communism: Independent Political Movements in the Soviet Union, 1985-1991* (London, 1992)

population: sharpened spades and poison gas caused the deaths of more than 20 people, mainly women. Scores of people suffered the after-effects of the gas when the Soviet authorities refused to name nor identify any antidote to its effects.

The savage events of 9th April 1989 were a milestone on the road to the collapse of the Soviet Union. The recently elected Congress of People's Deputies of the USSR refused to accept the official version of the tragedy and insisted on starting its own inquiry. The upshot of its revelations of connivance between the local Soviet and Communist Party authorities in Tbilisi not only with the Kremlin precipitated the fall of the First Secretary of the Georgian Communist Party, Jumber Patiashvili.²

The new Communist Party authorities sought to divide the opposition and provide themselves with a popular base by playing on the ethnic divisions within Georgia and antagonising the Abkhaz and Ossetian minorities in particular. In fact, already in 1988, Patiashvili's régime had proposed a new language law which downgraded Ossetian rights.³ Inter-ethnic conflicts have continued to be a worsening feature of the political and human rights situation in Georgia ever since.

The conflict in South Ossetia did split the opponents of the Communists - but only to a small degree. Although Gamsakhurdia and Chanturia did not agree on how to deal with the secessionist demands of the Ossetes, they were both more opposed to the Communists and continuing membership of the USSR. (In October, 1989, Gamsakhurdia's long-time ally Merab Kostava died in a car crash which many Georgians still blame on the KGB).

Gumbaridze, the former KGB chief who replaced Patiashvili, played for time in the hope of splitting the opposition but his attempts to delay the first free elections for the Georgian Supreme Soviet scheduled for October 1990 actually played into their hands. Since the Kremlin had seen the disastrous consequences of half-hearted if brutal repression in April 1989 and did not have the stomach for a head on clash with the increasingly well-organised opposition in Georgia, it refused to back Gumbaridze. As Jonathan Aves remarks, "the only effect of this ...was to persuade a large section of Georgian opinion that only Gamsakhurdia could force the Communist Party to give up power."⁴

In the 1990 elections the Communist Party was still effectively organized enough to win 29% of the vote, but the umbrella Round Table-Free Georgia bloc led by Gamsakhurdia and Chanturia won 54% of the vote. After run-offs, The Round Table held 155 seats to the Communist Party's 64, with a handful of other candidates winning seats.

Zviad Gamsakhurdia's supporters held a majority and in practice the Communist and other deputies deferred to their proposals for constitutional change giving his proposals a two-thirds majority in the Georgian Supreme Soviet. Gamsakhurdia's election as head of state and his determination to introduce a directly-elected executive presidency irritated some of his former allies, but were carried by the necessary constitutional majorities.

² Patiashvili disappeared into apparent oblivion only to reappear as an elected member of the new Georgian parliament in support of his former patron, Eduard Shevardnadze, on 11 October. See *Summary of World Broadcasts* SU/1514 (17 October, 1992).

³ See Aves *ibid*, 163

⁴ See Aves *ibid*, 169.

On 26th May 1991 Zviad Gamsakhurdia won the first contested direct election for the presidency of any Soviet republic, obtaining 86.5% of the votes cast. Valerian Advadze came second with 7%. The other 3 candidates obtained insignificant percentages.

Although newspapers opposed to Gamsakhurdia's candidacy were still published and distributed in May 1991, Georgian radio and television was controlled by Gamsakhurdia's supporters and biased in his favour. But there was little violence during the campaign and no evidence of interference with the polls. Gamsakhurdia's critics complain that his behaviour became autocratic *after* his direct election to the executive presidency. Undoubtedly, the appointment of prefects to direct the local administration with an elected local assembly upset many former office holders who found their authority questioned. It also shattered many cosy links between the former Soviet officials and black marketeers and local mafias. The latter tried to suborn the new prefects with some but by no means complete success.

One of the main criticisms of Gamsakhurdia's government was that it was intolerant towards the non-Georgian populations. The situation in South Ossetia remained unstable and clashes between supporters of the Ossetian demands for autonomy and links with North Ossetia and official Georgian forces were recurrent in 1990-91. It was at this time that paramilitary groups like the *Mkhedrioni* (the Horsemen) led by Dzhaba Ioseliani made their appearance. Although proclaiming their purpose as defence of what they regarded as Georgian soil, from the start they were accused of being involved with black market operations as well as patriotic causes. Tengiz Kitovani led another group which provided the nucleus of the National Guard established by Gamsakhurdia.

From the Moscow *Putsch* to the Tbilisi *Coup*

It was the attempted hardline *coup* in Moscow and other parts of the Soviet Union from 19th - 21th August 1991, which brought opposition to Gamsakhurdia's rule among Georgians into the open. The events of August are hotly disputed but the following seems to have happened.

Gamsakhurdia insisted that what went on in a "foreign country" (i.e. the *coup* in Moscow) was nothing to do with Georgia, but he nonetheless ordered that the National Guard led by Tengiz Kitovani be subordinated to the Interior Ministry. Gamsakhurdia justified this action by saying that it reduced the risk of a clash between Georgian forces and the Soviet troops stationed in the Republic. Kitovani was bitterly offended by the loss of power and prestige implied by the subordination of his men to the MVD, in effect to Moscow.

Both sides justified their reaction to the August events by reference to their patriotism and accused the other of siding with Moscow and serving the interests of the KGB. Certainly the evident collapse of Soviet power in August 1991 speeded up the process of national self-assertion in Georgia. For instance, after the failure of the coup, Georgian radio began to broadcast in Georgian rather than Russian.

The slogan of the anti-Gamsakhurdia demonstrators from 2nd September was "Ceausescu" an apparent reference to the Romanian Communist tyrant overthrown on 22nd December, 1989. The attempt to compare Gamsakhurdia with Ceausescu mystified many Georgians but its repetition at the time of the coup at Christmas 1991, the second anniversary of the Romanian dictator's dramatic fall, suggests that the organisers of the *coup* were determined to fix in the minds of Western television viewers the stereotype of the Georgian events as a popular anti-dictatorial revolution on the Romanian model. Unfortunately, by that time the idea that Ceausescu had been overthrown by a popular revolt rather than a carefully staged *putsch* was discredited in the West.

Demonstrations and barricade-building marked the next three months. On 5th October, there were the first fatalities in Tbilisi. Although Gamsakhurdia's opponents accused his supporters of initiating the gunfire, the two dead were both supporters of the President. A stand-off followed because Kitovani's armed supporters withdrew to the outskirts of Tbilisi where they

remained until they returned in force on 20th December 1991 to begin the final onslaught against Gamsakhurdia.

For Gamsakhurdia's opponents, the failure of the deputies in the Supreme Soviet to support their demand for the President's resignation presented them with a dilemma. In the absence of a constitutional way of removing Gamsakhurdia they took two months before they resorted to a military coup which began on 20th December. Whatever the flaws of Gamsakhurdia's government, the inability of his opponents either to detach a majority of deputies from his side or to show clear evidence of widespread popular support through mass strikes or a petition nullifying Gamsakhurdia's election suggests that by the end of 1991 Gamsakhurdia's enemies had given up hope of deposing him either constitutionally or peacefully.⁵

The New From Communism to the overthrow of Zviad Gamsakhurdia

The violent overthrow of President Zviad Gamsakhurdia between 22nd December 1991 and 6th January 1992 coincided with the collapse of the Soviet Union and the emergence of the Commonwealth of Independent States. The events in Moscow overshadowed the violence in Tbilisi, but many Georgians felt that they were not unrelated since the former Soviet foreign minister, Eduard Shevardnadze, found himself an alien in Russia and needed a political base in his home republic of Georgia if he wished to continue in public life.

Gamsakhurdia fled Georgia but that did not end the violence. Firstly because his supporters outside Tbilisi, especially in Western Georgia, continued to defy the new State Council until its well-equipped forces "pacified" them in late January/February, 1992. In Tbilisi itself there were repeated incidents recorded on video of supporters of the new régime opening fire on unarmed demonstrators complaining about the coup. Such violent attacks on protestors continued intermittently (i.e. as often as crowds summoned up the courage to demonstrate) over the next six months.

Sometimes more subtle methods of crowd control were used. When it appeared impolitic to shoot at demonstrators, such as when Western statesmen visited Tbilisi to renew acquaintanceship with their old colleague, Eduard Shevardnadze, after his return in March 1992, the forces of Ioseliani and Kitovani set German shepherd dogs on the crowds seeking to petition the representatives of Western democracy. After the first such incident in April, 1992 when dogs were set on elderly women trying to see the German foreign minister, Hans-Dietrich Genscher, local wags started calling German shepherd dogs "Genschers" in ironic tribute to the major effect of his visit. Later, after even more violent clashes during US Secretary of State, James Baker's visit on 26 May, there was some dispute as to whether to name the dogs or the .76 calibre bullets used by the régime's gunmen "Bakers".

Undoubtedly, James Baker's apparent indifference to the violent suppression of would-be petitioners seeking his help in finding out where their relatives had disappeared to, confused many Georgians who regarded the USA as the champion of democracy and human rights. The well-publicized comments of the US State Department's spokeswoman, Margaret Tutwiler, that "we strongly support Chairman Shevardnadze and the State Council of Georgia in their efforts to bring democracy and free markets to Georgia."⁶ did little to bolster US prestige among critics of the régime.

In June 1992 two violent incidents took place which many opponents of the current government in Georgia regarded as provocations. On 13th June, a bomb exploded shortly

⁵ A petition of 7% of all registered electors could have required a referendum to be held on Gamsakhurdia's continued tenure.

⁶ See *Soviet Analyst* xxi (1992), No.6, page 16.

after a motorcade containing the deputy-chairman of the State Council, Dzhaba Ioseliani, passed the spot. Five people were killed but Mr. Ioseliani was uninjured. Then, on 24th June, the television station in Tbilisi announced that it had been occupied by supporters of the deposed president and called upon all its adherents in Tbilisi to rally there against the now ousted régime of Shevardnadze and co.

Some people, probably naively, certainly foolishly, went to the television station where they were arrested. Others were arrested at home or in their workplaces accused of supporting or endorsing this coup. The number of people arrested is unknown - the government does not produce figures - but in addition to the 100 or so people captured at the television station, about another fifty names are given in Tbilisi of people who disappeared around 24 June.

The State Council established after the overthrow of President Gamsakhurdia and headed since March by Eduard Shevardnadze was anxious to legitimize its standing in the eyes of the outside world by holding elections. But it was only in the late summer of 1992 that their control of the political situation was sufficiently complete for them to contemplate holding an election.

Ironically, by August 1992, the State Council had embarked on policies which mirrored some of those which they alleged had made Gamsakhurdia's régime insupportable. Far from joining the new Commonwealth of Independent States, which Gamsakhurdia had alleged was simply a continuation of Soviet or Russian imperialism under a new name, the new authorities in Tbilisi accused the Russian authorities, especially the Russian military and other "dark forces" of interfering in Georgia and promoting ethnic unrest. At the same time, the new régime imposed strict control over South Ossetia and went to war in Abkhazia to prevent the implementation of separatist demands there. The fighting in Abkhazia has claimed at least a thousand lives and well-attested claims of atrocities by both sides have been made.

The rhetoric of the post-Gamsakhurdia government and the official media has become intensely chauvinist. Not only does this put non-Georgian citizens in the position of being publicly abused as virtual traitors but it also makes criticism of the régime's policies towards the non-Georgian minorities tantamount to treason. The often almost hysterical appeal to patriotism combined with the reality of civil war in the north- west creates an atmosphere incompatible with democracy and public debate.

The career of Eduard Shevardnadze

Eduard Shevardnadze was born on 25th January 1928 in Georgia. His father was a school teacher of Russian language and literature and a member of the Communist Party. Eduard Shevardnadze joined the Communist Party in 1948. Originally he intended to be a doctor, but instead he became a political instructor in the Komsomol and rose through it and other Communist Party affiliates.

In March 1956 he witnessed the brutal suppression of the demonstrations in Tbilisi following Khrushchev's denunciation of Stalin which "dealt a painful blow to my national pride" because of Khrushchev's derogatory comments about Georgians in general. In his autobiography, Mr. Shevardnadze comments that "I acquired a '1956 complex'... rejecting force as both a method and a principle of politics."⁷

His qualms about the deaths of 22 people according to official figures did not hinder Mr. Shevardnadze's rise in the Communist system. "A few days later, I was elected [*sic*] Secretary of the Central Committee of the Communist Youth Union (*Komsomol*) of Georgia." Under Khrushchev he entered the Georgian Ministry of Public Order (MVD) and was its

⁷ See Eduard Shevardnadze, *The Future belongs to Freedom*, (London) 1991 pages 20-21

minister when he took charge of the Republic's Communist Party in September 1972 at the young age of 44 when Brezhnev removed Khrushchev's erstwhile crony, Vasilii Mzhanadze.

As First Secretary of the Georgian party, Shevardnadze instigated a purge involving up to 25,000 party members which provoked violent attacks, including an alleged attempt on his own life.⁸ The chief objects of this purge were party members and others alleged to be involved in mafia-style activities with "capitalistic" tendencies.

Eduard Shevardnadze was much more critical of the economic inefficiencies of the Soviet system as well as its corruption than most other high-ranking *apparatchiks* under Brezhnev. In 1977 he admitted, "For every ruble we invest in agriculture we get back 39 kopeks."⁹ But candour about the economy did not extend to tolerating critics of the legitimacy of the Soviet system like Zviad Gamsakhurdia who was forced to recant among other things his allegations that the Shevardnadze régime tortured prisoners.¹⁰

Although information provided by the Georgian authorities for the elections of the 11th October 1992 and taken up by other Western observers and diplomats in Tbilisi emphasized Mr. Shevardnadze's opposition to Russification under the Soviet régime, his domestic critics remember his policy differently. Western scholars too suggest that during his period as Communist Party First Secretary, Mr. Shevardnadze's stance was far from undiluted promotion of Georgian culture. For instance, at the last preparatory meeting of the Georgian Party's Central Committee in preparation for the XXV Congress of the Soviet Communist Party, Shevardnadze delivered his report to his Georgian comrades in Russian. At the Congress itself, Shevardnadze assured those present, "Georgia is called the country of the sun. But for us the true sun rose not in the east but in the north, in Russia - the sun of Lenin's ideas."¹¹

Given this background it is unsurprising that Shevardnadze gained the reputation of being a willing Russifier. The Croatian Communist Party newspaper, *Vjesnik*, named Eduard Shevardnadze in February 1977 as an example of the Soviet *apparatchiks'* tendency to extol things Russian at the expense of "genuine equality of nations and nationalities".¹² Protests erupted in Tbilisi in 1978 when the new Georgian constitution adopted following Brezhnev's revision of the All-Union Constitution in 1977, omitted to define Georgian as an official language of the republic. In a revised version, Georgian was given equality with Russian in Georgia, but was the result of widespread protests in the Republic rather than being Shevardnadze's original intention.¹³

⁸ See Shevardnadze *ibid*, page 22

⁹ See Michel Heller & Aleksandr Nekrich, *Utopia in Power, A History of the USSR from 1917 to the Present* (Hutchinson, London, 1986) page 644

¹⁰ See Geoffrey Hosking, *A History of the Soviet Union* page 346, also Michael Ledeen, "Eduard Shevardnadze's Bloody Past" in *The Wall Street Journal* (13th May 1991) which cites instances of torture from 1975

¹¹ Nahaylo *ibid*, 189

¹² See Nahaylo *ibid*, 193

¹³ See Hosking, 431

In 1980, 365 Georgian intellectuals including some members of the Academy of Sciences, sent Shevardnadze a petition protesting against the "exclusion of the Georgian language".¹⁴ Shevardnadze attacked the "dangerous tendency" of some Georgian historians who did not thoroughly condemn the Menshevik episode, making the striking comment, "One should look at the past through the eyes of the future".¹⁵ Although Shevardnadze protected some abstract sculptors and experimental theatre and cinema directors, his popularity with the educated in Georgia as opposed to the employees of official culture and educational institutions was not great before 1985.

After Mikhail Gorbachev was elected General-Secretary of the Soviet Communist Party in March 1985 Eduard Shevardnadze was promoted to the Politburo and appointed Foreign Minister of the USSR. In that capacity, he became world-famous as a proponent of the "New Thinking". In addition to supporting *glasnost* and *perestroika* at home, he was an advocate of the end of the Cold War and a replacement of the East-West division by the "common European Home".

During his five and a half years as Soviet Foreign Minister, Eduard Shevardnadze put his signature to several international treaties enshrining and strengthening the human rights basket of the Helsinki Process in international law. His part in promoting the CSCE procedures for monitoring compliance with the Helsinki, Belgrade, Madrid and Vienna follow-on meetings is well-known. He also signed the Paris Declaration in 1990 shortly before he resigned as Soviet Foreign Minister in December 1990 warning of an impending reactionary coup in the Soviet Union.

Shortly before the Moscow *putsch* (19-22 August, 1991), Eduard Shevardnadze resigned from the Soviet Communist Party which had instigated disciplinary proceedings against him for public criticisms of its course after December 1990. He appeared outside the Russian White House to show his solidarity with the opponents of the *putsch*.

During the last month of the USSR's existence, Eduard Shevardnadze served as Foreign Minister in the twilight government of Mikhail Gorbachev. With the disappearance of the USSR at the end of 1991, he lost his official status as either an all-Union minister or member of the Congress of People's Deputies.

The *coup* against President Zviad Gamsakhurdia in Georgia which coincided with the disappearance of the Soviet Union opened the way for Eduard Shevardnadze's return to high office. After a brief interval following the forced departure of Gamsakhurdia into exile, Shevardnadze returned to Georgia on 9th March 1992 and was appointed Chairman of the State Council by the representatives of the forces who had overthrown President Gamsakhurdia. Allegations that Mr. Shevardnadze was deeply involved in the *putsch* against Gamsakhurdia have been vigorously denied. It is impossible to be certain of his role in those events. However, what is known for certain is that the leaders of the armed groups who both drove out Gamsakhurdia and fired upon his unarmed supporters repeatedly in January and February 1992 (and used dogs and tear-gas against them during the visits of German Foreign Minister, Hans-Dietrich Genscher, and US Secretary of State, James Baker) continue to hold high office under President Shevardnadze.

Since taking up his post as Chairman of the State Council in Georgia, Mr. Shevardnadze has adopted increasingly nationalistic language. He has denounced the Abkhaz minorities and supported the measures taken to prevent the secession - though he has criticized some of the violent measures taken by his supporters in the region. He has also repeatedly played upon

¹⁴ Nahaylo, 205. For another account of Shevardnadze's problems with Georgian nationalist intellectuals, see R.G.Suny, *The Making of the Georgian Nation*, 307-313.

¹⁵ See Suny *ibid*, page 378 note 42.

Georgian fears of Russian imperialism, alleging that "dark forces" in Russia are seeking to destabilise his government and to dismember the country. Although in his meetings with Western election observers and journalists at the time of the elections, he seemed to suggest that Georgia might after all join the Commonwealth of Independent States, in the previous six months he had ruled that out. His supporters who were not present at his briefings for Westerners expressed angry incredulity at the idea that Mr. Shevardnadze could consider joining the C.I.S.

The career of Zviad Gamsakhurdia

Apart from Vytautis Landsbergis of Lithuania, Zviad Gamsakhurdia was the only person to be elected to the presidency of one of the fifteen former Soviet republics who had not been a high-ranking member of the CPSU, in fact not even a member. This lack of a party past contributed both to his enormous popularity among Georgians in the late *glasnost* period and to the hostility and suspicion of former *apparatchiki* towards him.

Born on the 31th March 1939, Zviad Gamsakhurdia was the son of one of Georgia's most distinguished 20th century men of letters, Konstantine Gamsakhurdia (1891-1975). Although many of his literary associates perished during Stalin's rule, Konstantine Gamsakhurdia survived despite being outside the Party. During the Second World War, he was put to work promoting the patriotic cause and published the early part of his great tetralogy on the effective founder of the medieval Georgian state, *David the Builder*. However, in the post-war return to high Stalinism, Konstantine Gamsakhurdia's "idealisation of the past" was singled out as "an expression of Georgian nationalism". In the Autumn of 1952, the Georgian Party boss, Mgeladze, singled out Gamsakhurdia's attempt in his writing to cut himself off from "what is bringing closer together and uniting the labourers of all nationalities of the Soviet Union." The death of Stalin a few months later may well have saved Konstantine Gamsakhurdia's life.¹⁶

According to anecdotal evidence, the father devoted enormous efforts to educating his son in the spirit of pre-Communist Georgian literature and culture. Zviad learnt enormous amounts of Georgian literature by heart. He was brought up as a repository of a culture under constant threat of erosion and extinction from Soviet and Russian pressures. Photographs exist of the boy, Zviad, dressed in antique costume, the opposite of a Young Pioneer.

Already as a teenager, Zviad Gamsakhurdia fell foul of the Soviet authorities for distributing nationalist literature.¹⁷ He was first arrested in 1956. He may well have been an early victim of the Soviet misuse of psychiatry for political purposes. Already at the age of 17, Gamsakhurdia was confined to a mental hospital in Tbilisi where he was diagnosed as suffering from "psychopathy with decompensation".¹⁸

It is hotly disputed in Georgia today whether Gamsakhurdia was the victim of the political abuse of psychiatry in the Soviet Union or whether he was in fact the victim of mental illness. Certainly his opponents under the old regime and since the events of August 1991 have never ceased to reiterate the charge. Nor did Gamsakhurdia make a good impression with many Western observers who tended to sympathize with his critics in the period leading up to the *coup* in Tbilisi in December 1991.¹⁹

¹⁶ See Suny *ibid*, 290

¹⁷ See Nadia Diuk & Adrian Karatnycky, *The Hidden Nations: The People Challenge the Soviet Union* (William Morrow, New York, 1990) page 148

¹⁸ This diagnosis is not one that is made in the UK. Although a diagnosis of psychopathic disorder is frequently made but not usually in a person of that age. Information provided by Dr. Richard Latcham.

¹⁹ "Zviad Gamsakhurdia was acting in ways that were in the most charitable view eccentric" Stephen Brook, *Claws of the Crab*, 6.

Gamsakhurdia was a student and later a teacher of English and American literature. He has translated much Anglo-American literature into Georgian. But it was as a Georgian nationalist and anti-Soviet activist who was also the son of a great Georgian that Gamsakhurdia gained popularity, albeit of an underground variety.

In 1974, Gamsakhurdia formed a Human Rights Defence Group with other critics of the Soviet system, notably Merab Kostava. In 1977, that group renamed itself the Georgian Helsinki Human Rights Group pledged like similar groups established in the Soviet republics to monitor the compliance of the Soviet authorities with the 1975 Helsinki Final Act. It published a number of *samizdat* journals. In April 1977, Gamsakhurdia and Kostava were arrested and put on trial in 1978. They were sentenced to 3 years imprisonment plus 2 years in exile.²⁰

In July 1979 Gamsakhurdia was granted a pardon following a televised recantation of his criticisms of the Soviet régime, which had included *samizdat* writings about Stalin's maltreatment of the Georgians, (deportations, etc.) damage done to Georgian historical and cultural monuments by the russifying policies of the régime as well as depredations by senior *nomenklaturists* and those they protected. (Ironically, Gamsakhurdia had appealed to Shevardnadze in 1972 when he was still Minister of the Interior to halt the theft and sale outside of Georgia of icons and other ecclesiastical valuables. The trail led to the wife of the First Secretary of the Georgian Communist Party, Vasili Mzhavanadze, whom Shevardnadze subsequently toppled and replaced.²¹

Gamsakhurdia's recantation did not prevent him enjoying enormous popularity subsequently. In fact, he resumed some dissident activity quite quickly. In 1981, it was Gamsakhurdia who acted as a spokesman of the students and others who protested in Tbilisi about the threats to Georgian identity and the Georgian cultural heritage. Gamsakhurdia handed the "Demands of the Georgian People" to Shevardnadze outside the 1X Congress of the Georgian Writers Union at the end of March 1981.²²

Taking advantage of *glasnost*, Gamsakhurdia became a public figure who attacked Communist rule in Georgia as both alien and corrupt. "The Georgian government is Moscow's puppet ... There are no Marxists in Georgia, even in the [Communist] Party, they are all businessmen, hiding behind Marxist and Communist ideas. It's a party of businessmen."²³ Already in the late 1980s, Gamsakhurdia viewed his enemies as a mixture of corrupt black marketeers and agents of Moscow-based imperialism. It was an interpretation which he stuck to even when it struck some Western visitors as eccentric.²⁴

At present, Gamsakhurdia is said to be in Grozny the capital of Chechnya, which is de facto independent from Russia. Although the government in Tbilisi insists that Gamsakhurdia operates a terrorist organization and underground inside Georgia from Grozny as well as receiving financial assistance from Georgian sympathisers (Mr. Shevardnadze claimed at his press conference on 12th October that the current régime knew of many doctors and researchers who sent money to Grozny. See the page 25 below) there is no sign of a well-funded dissident organization in Tbilisi. The supporters of Gamsakhurdia whom we met gave every sign of being isolated and powerless individuals, frightened of the next knock at the door. All could reel off the names of friends or acquaintances who had been arrested, sometimes released, but also often disappeared.

²⁰ See Suny, *ibid* 309

²¹ Suny, *ibid* 308

²² See Bohdan Nahaylo & Viktor Zaslavsky, "Soviet Disunion: A History of the Soviet Nationalities Problem in the USSR" p.211

²³ Diuk & Karatnycky, *ibid* 148

²⁴ See Stephen Brook, *passim*

Human Rights abuses including torture in Georgia today

"The penitentiary system in a totalitarian state has its horrifying features, and it is beyond the power of one man to reform it..."

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The Future Belongs to Freedom

Although the conditions in the Central Tbilisi Prison for normal prisoners on remand after sentence seem comparable with the upper end of recent Soviet practice and the uniformed guards in the prison appear to behave correctly towards the inmates, the prison is still a deeply alarming place. It contains prisoners who show evidence of severe torture and also armed men in plain-clothes who do not appear subordinated to the prison's uniformed governor. Both these circumstances give rise to deep concern.

Torture admitted by Eduard Shevardnadze

The case of Zaza Tsiklauri* is a *cause célèbre* in Georgia. Irakeli Batiashvili, the Minister of Intelligence and Information (the former KGB), has resigned in protest against the torture of Tsiklauri and his incapacity to stop it. These facts were confirmed by Mr. Shevardnadze at his press conference on 12th October when he was asked by a British Helsinki Group representative to permit human rights activists, journalists, diplomats and elections observers to see the condition of prisoners in prisoners in Tbilisi Central Prison. Although Mr. Shevardnadze gave his permission, none of those present took up the offer and it was left to four members of the British group to visit Zaza Tsiklauri the next morning.

*Tsiklauri, Zaza - b.14 October, 1961; married with 2 children. Lecturer in Physics at the Technical University, Tbilisi. His brother was prefect of Kazbeki under Gamsakhurdia. Michael Ochs of the US Congressional Helsinki Commission had already visited some detainees accused of "terrorism" in the Tbilisi Central Prison, but he was the only other observer to have shown any direct interest in human rights issues.

Mr. Ochs also questioned Eduard Shevardnadze about human rights abuses and his attitude towards his political opponents at his press conference on 12 October. Other observers showed no apparent concern about the issues raised, though the German chargé d'affaires, Hans-Peter Nielsen, complained to Mark Almond that his question about the detention and mistreatment of Zaza Tsiklauri, was an "inappropriate intrusion on the separation of powers", adding "You would not put such a question to Chancellor Kohl, would you?"

Some indication of the political conflicts within the current Georgian régime was given by the difficulty which we had in arranging to see Zaza Tsiklauri despite President Shevardnadze's agreement. One official told us that Mr. Tsiklauri was such a dangerous terrorist that it would be impossible for us to risk seeing him.

We had also asked to see Lia Beruashvili, a journalist editing the *samizdat* newspaper Kartuli Azri (Georgian Thought) who was arrested a few days before the election on a charge of terrorism, but despite Mr. Shevardnadze's permission it proved impossible to see her.

Our arrival at the Tbilisi Central Prison on the morning of 13 October in the company of the procurator investigating the Tsiklauri case, Anzor Bangashvili, seemed to cause some consternation, since the prison gates were first opened, then shut again, before reopening to let us enter. In addition to the uniformed prison guards, we were eyed as we entered by a group of young men in plain-clothes armed with guns or staves. The nature of the relationship between these young men and the prison authorities was unclear. More alarming was the

impression that they gave of having authority over the prisoners which was not subject to official control.

The four members of the Group (Christine Stone, Dr. Richard Latcham, Mark Almond and Alastair Macleod, who acted as interpreter) met Zaza Tsiklauri in the office of the prison governor on the morning of 13 October. Despite our request to speak to Mr. Tsiklauri alone in the absence of officials, Procurator Bangashvili, insisted on remaining in the room although two other officials did leave. His presence undoubtedly inhibited Mr. Tsiklauri's behavior and answers to our questions. Furthermore it was clear that he had not been informed of whom he was to meet or the purpose of our visit, He was clearly apprehensive on entering the room and unsure of our purpose. We were, he told us, the first non-Georgians whom he had seen since his capture on 7 August.

When we met Tsiklauri he was still able to walk only with the aid of crutches. The doctor in our group, Richard Latcham, M.D., was unable to give him a full examination but noted the poor setting of his broken ankles and fractured left-arm. He also had a recent scar over his right eye and burns/scaldings on his lower legs. (The rest of his body was covered and it is impossible to say in what condition the clothed parts of his body were in.) It was clear that he could not rest weight on his left leg. Dr. Latcham found the bandaging of the ankle clean but the setting of the fracture inadequate.

Such was Zaza Tsiklauri's poor physical and mental condition that there could be no doubt about his mistreatment. Ironically, although the torture of Mr. Tsiklauri had already been admitted by the Georgian authorities, he himself was so intimidated by his experiences and unsure of the conditions and purpose of our visit that he insisted that his injuries were the result of a car crash in which he was involved while attempting to evade arrest! He was unwilling to be photographed so we were unable to have pictorial evidence of his physical condition. In reply to the question where he lived, Tsiklauri was unable to remember his home address and replied that he lived in the prison. His only request was that he should be moved to the prison hospital.

Tsiklauri was still being interrogated though "now mainly during the day". He was not able or willing to pass on information about the conduct of his interrogations, but there is a general admission by the authorities that it had been particularly brutal in its early phases.

Such was Mr. Tsikaluri's condition that we wondered whether it was the result of the use of drugs that had reduced him to this state of lassitude. Dr. Latcham had visited the prison the day before and had been able to see what drugs were available in the prison hospital store. The only drugs available in any quantities were Benzodiazepines (tranquillisers), but Tsiklauri showed none of the symptoms of tranquilliser abuse. He showed the only drugs which he was then taking - Valerian, an old-fashioned sedative. He was not taking sufficient quantities to have reduced him to his depressed condition. Dr. Latcham was led to the conclusion that Tsiklauri's cowed and depressed state was not the result of the forced administration of mind-altering drugs, but of his physical maltreatment over the preceding weeks.

Tsiklauri has yet to be charged with any crime. When we asked the Procurator what he had done, we were told that that was what the investigation would find out. Informally, the accusation against him is of third degree terrorism, i.e., neither that he planned a terrorist outrage nor that he carried out an outrage, but that Tsiklauri was associated in an as yet to be defined way with people responsible for first or second degree terrorism. The procurator suspected him of being involved in some way in the plot to blow up Dzhaba Ioseliani on 13 June, 1992.

A number of others have been accused of participating in the bomb attack against Mr. Ioseliani in June. Among them was the journalist, Tamara Ebralidze, of the Free Georgian newspaper, who fled to Moscow after armed men came to her home in search of her. It is alleged that two of her associates - a husband and wife were taken to the State Council building in Rustaveli Boulevard, where others are held, and were pressured to give

information on Ebraldze's whereabouts. Mock executions were prepared (nooses around their necks) among other methods of extracting information.

We received several reports of arrests taking place during our stay. On 7 October, Valeria Novodvorskaya, a deputy of the Russian Parliament, and a human rights activist with a special interest in Georgian and Abkhaz affairs, was arrested by plainclothes policemen on Rustaveli Boulevard. Along with two Georgian women, Dali Abuladze and Isola Kareli, Valeria Novodvorskaya had unfurled a banner protesting against the unrepresentative nature of the elections.

It is difficult to be precise about the numbers under arrest or who have "disappeared" because of the absence of a free flow of information, but at his press conference on 12 October, Mr. Shevardnadze mentioned a figure of 60 individuals awaiting trial: "These people fight the state...They are terrorists. Can you name a country which is legal to its terrorists?" The newly-elected president also admitted that about 100 people had been detained before the elections for "security reasons." *Samizdat* lists of the arrested and disappeared also circulate: they suggest in Tbilisi alone that at least 250 named individuals have been arrested or "disappeared".

Press Freedom

Although a number of different newspapers are on sale in Tbilisi, journalists opposed to the State Council or associated with would-be independent newspapers complain that it is impossible for them to publish.

We visited the offices of *Iberia Spectrum* which had been ransacked on four occasions after June, 1992. Typewriters had been smashed to pieces and the newspaper's archive ripped to shreds.

Three nights before the elections, Georgian television devoted an hour or more (we gave up watching) to a programme glorifying Jaba Ioseliani and the *Mkedrioni*. At a briefing for CSCE observers, an American diplomat praised the "fairness" of the division of television time among the 46 parties, saying each had been allocated the same number of advertising slots for their party political broadcasts. When it was pointed out that Mr. Ioseliani (an independent non-party candidate) had received so much television time so soon before the election, the US diplomat replied by suggesting that either Mr. Ioseliani had chosen to save up any time allotted to him for just one programme or had "bought time from the station which no-one else wanted." We were reminded that this happened in the United States. Unfortunately, Georgia is not yet a state of the Union.

Who opposes Eduard Shevardnadze?

Despite the huge scale of his electoral victory (96% of votes cast) and the fact that all parties had supported his candidacy, at his press conference on 12th October, the newly-elected President admitted that his régime had opponents. He singled out doctors and medical workers saying that they often supported the former president, providing him with money. Mr. Shevardnadze added that although the authorities knew who these people were - "we can find them and punish them, but we don't" - but "nothing" was being done to them because they were being given "the chance to adjust to the situation."

Why members of the medical profession should be so hostile to the new régime is at first sight baffling. But conversations with medical practitioners brought out concrete reasons in addition to hostility towards a régime brought to power by the violent overthrow of the elected president.

Zviad Gamsakhurdia had repeatedly accused his opponents of involvement in drug-pushing. His charges were generally discounted and taken as evidence of mental instability. However, the evidence of doctors and hospitals in Georgia suggests that there is both an enormous

problem of drug-abuse there and that the supporters of Mr. Ioseliani, the deputy- chairman of the State Council, in particular, are in effective control of a drugs racket which involves them in stealing medical supplies, especially morphine, from, hospitals.

Dr. Latcham's inquiries revealed a level of heroin abuse very much higher than in the worst effected parts of the United Kingdom. For instance, 25% of beds were set aside in the psychiatric wards of Tbilisi hospitals visited for heroin addicts. In the worst affected parts of Britain, the proportion would be about 4-5% (Dr. Latcham was also told that the tranquilliser, Benzodiazepine, which is one of the few medicines widely available, was used by drug addicts in conjunction with heroin.)

The confiscation of medical supplies by the *Mkhedrioni* from hospitals and their depredations and the intimidation of the population might well explain why hospital staff were less than enthusiastic for the candidate who received 96% of the votes cast on 11th October. Mr. Shevardnadze's admission that doctors supported many oppositionists confirmed our impression of the dissidents: they are drawn from the intelligentsia. It has been widely reported that Mr. Gamsakhurdia had forfeited the support of all but the uneducated by December 1991 - as if the votes of the non-intellectual carried less weight than those of the intelligentsia - but all the critics of the current régime whom we met were highly educated people. Interference, often violent, with press freedom which disappeared in Georgia, explains why classic "intelligents" like journalists, other than those working for the official media, are privately critical of the new government. To say that many intellectuals are willing to express their opposition to Mr. Shevardnadze to Westerners is not, of course, to deny the possibility that the uneducated are opposed to the régime too.

The widespread display of firearms on the streets of Tbilisi by the supporters of Mr. Shevardnadze naturally discourages demonstrations of opposition. They have been used repeatedly to disperse his critics when they have taken to the streets. But the atmosphere of violence appears calculated. Despite official claims that terrorists are active in the city, planning *inter alia* to bombard the Metechi Palace Hotel with rockets and to kidnap the international observers, there was no evidence of armed resistance to the régime in the capital. The observers were warned by the US and German diplomats to be prepared for kidnapping and to take large sums of US dollars with them to bribe any would-be kidnapper whom they might meet. In fact, these tales seem designed to discourage the international observers from straying from their police escorts when observing the voting.

The state of war in Abkhazia is used propagandistically to justify the régime's clamp down on criticism far from the fighting front. Opponents of Mr. Shevardnadze can be stamped as "traitors" in league with enemies, who as Muslims conform to the traditional stereotype of the Georgians' national enemy. (Ironically, only a year ago, Mr. Shevardnadze criticised Gamsakhurdia and his supporters narrow-minded chauvinism.) During their visit to Sukhumi, Dr. Malcolm and Alastair Macleod heard reports of atrocities by both sides which may well be true.

In the bulk of Georgia not directly affected by the fighting in Abkhazia, the new government has no justification for the methods used to suppress its opponents' political dissent. The widespread abuse of human rights may not be directed by Mr. Shevardnadze and may be instigated by others in the régime, but if his election as president is to have any legitimizing effect, he must now take responsibility for these abuses and stop them. Otherwise, the international community, especially CSCE member-states, will have to conclude that the Georgian government is not fulfilling its international treaty obligations under the Helsinki Agreement (and the Geneva Convention) in Abkhazia.

The conduct of the elections

Most other observers seem to have given the conduct of the elections on 11th October a clean bill of health. That was the view of the largest single group of observers, from the US National Democratic Institute (NDI). The German chargé d'affaires, Hans-Peter Nielsen, at a

pre-election briefing for CSCE observers even went so far as to state that the purpose of our visit was to "legitimize" the elections.

Unlike the observers from the National Democratic Institute, the British Helsinki Human Rights Group observers could not regard the conduct of the elections as likely to "confer democratic legitimacy upon the new government." The "open and orderly" conduct of the elections witnessed by the NDI has to be set against the chaotic political and human rights background. To say that "the election regulations were debated openly among... an inclusive, albeit non-elected State Council" begs too many questions about the nature of the régime established at the beginning of 1992. The absence of representatives of the deposed President's supporters from these discussions is evidence enough of their restricted nature. The fact that Gamsakhurdia's supporters were not permitted to stand for election speaks for itself about the willingness of his successors to test their popularity in a real election.

In addition to the fact that there was no competition for the key position of Speaker of Parliament - which was immediately renamed President with executive functions after Mr. Shevardnadze's victory - there was no evidence of divisions on the key contentious issues in Georgian politics among the parties allowed to present candidates at the election. The electoral law adopted on 3rd August 1992 prescribed a combination of direct mandates and party lists as the way in which MPs were to be elected.

Immediately after the adoption of the electoral law, 32 new parties were registered in addition to the existing 14. All endorsed the candidacy of Eduard Shevardnadze. (At his press conference in the Academy of Sciences on 9 October, Mr. Shevardnadze expressed his regret that no alternative candidate had presented himself. On the same occasion, he thanked the academicians for their "unanimous" endorsement of his candidacy, noting that in the past the members of the Academy had not always been so united in support of him. See page 14 above.) Candidates for the Speakership were not allowed to be members of a political party. The parties represented on the State Council had complained that if someone as popular as Mr. Shevardnadze stood on behalf of any other party, all the others would be disadvantaged.

The pre-coup parties which presented themselves at the elections on 11th October 1992 had obtained 6% of the votes in the elections held on 28th October 1990. The other parties (32 in number) set up within two weeks of 3rd August had no track record, although some of their leading members seem to have been drawn from the former Communist Party. Some former supporters of Gamsakhurdia, like Giorgi Chanturia, who opposed him since the summer of 1991, also took part in the elections. Little information was available (in Georgian or Russian) about these parties or their programmes. It was, however, clear that all supported Mr. Shevardnadze, all condemned Zviad Gamsakhurdia, and all supported the State Council's conduct of affairs with regard to Abkhazia and relations with Russia.

BHHRG observers watched the voting in Sukhumi and in the region from Tbilisi to Kazbeki in the north splitting into pairs *en route*, studying 30 polling stations over a widely scattered area. In the case of Sukhumi, the fighting hindered the possibilities for BHHRG observers to see more than ten polling stations.

The NDI preliminary report remarked on the "inexperience" of the chairmen of electoral commissions as a cause of the few irregularities which it notes. In our observation when asked about their previous experience in organising the polls, the chairmen proudly recounted their record. The chairman at Tbilisi Number Two polling station (Mr. Shevardnadze's own) said that he had supervised voting in 1980 and 1985 for instance. Like many others he said that the voting on 11th October was proceeding "normally". What normality he had in mind can only be guessed at, but since the election of Zviad Gamsakhurdia in May 1991 was the only previous election for president and it was a multi-candidate election unlike this one, it seems fair to take "normal" to mean pre-*glasnost* in style.

Precautions to prevent people voting more than once were inadequate. While it is understandable that in a country at war, provision had to be made on an *ad hoc* basis for

refugees to vote, the fact that no clear control was made over whomsoever appeared at polling stations clutching a special card requiring registration as an "additional voter" laid the polls open to abuse. That it was possible to vote twice or more often if supplied with enough "additional voter cards" is clear. Since to cast a vote for the only candidate for Speaker a voter had only to drop an unmarked ballot into the box the possibility for fraud when observers were not present is obvious: a clutch of ballot papers could simply be dropped into the box.

Fear of a boycott of the polls by opponents of the State Council gave it or supporters of it every incentive to abuse the "additional list" or to exploit unused or extra ballots. It should be remembered that in the "normal" elections held in Georgia before 1989 as well as in the freer atmosphere between 1989 and 1991 a very high turn-out (90% plus) was commonplace so the relatively low poll, 74.7% may indicate widespread boycotting of the polls.

Our impression was nonetheless of a substantial turnout with over 90% in many places possible though not verifiable. Fear of the consequences of being known not to have voted may have motivated people to turn out. We were told of cases where directors of factories or other places of work threatened to sack employees who did not vote. Certainly many voters were remarkably indifferent to the secrecy of the ballot and wandered around inside polling stations with their ballot papers marked and visible to all before stuffing them into the ballot-box. The fact that Eduard Shevardnadze was the only candidate and the choice between the 46 parties was so slight as to be meaningless may well have encouraged many voters to treat the whole procedure with indifference.

Other voters seemed genuinely to hope that Mr. Shevardnadze would restore peace to Georgia and use his international respectability to obtain desperately needed Western aid. Some who said that they had voted for Zviad Gamsakhurdia last time, explained their vote for Mr. Shevardnadze as a reflection of their disappointment with Gamsakhurdia's failure to improve the quality of life. They did not accuse the former president of tyranny but incompetence and ineffectiveness. Perhaps they had exaggerated expectations in the period 1990-1991 of what could be achieved. If so, they do not seem to have lost them now. In so far as Mr. Shevardnadze can claim genuine support at this election, it may come from impatient people expecting rapid improvements in their still declining quality of life, to be produced by the former Soviet foreign minister's extensive Western contacts.

Interestingly enough, none of the voters with whom we spoke showed any interest in the many parties on the second ballot paper or the districts' individual candidates on the third. They spoke only of their support for the candidate for the Speakership.

However the unanimity of the expressions of support for Mr. Shevardnadze were uncanny and certainly unlike any expression of public opinion in societies conventionally accepted as democratic. One reason for the anxiety of voters to assure us of how they had voted may have been given by the chairman of one polling station who remarked that the observers had come "to support Eduard Shevardnadze". If that was the impression given to Georgians as to the object of the election observers then it is in itself testimony to the distance Georgia has to travel to achieve democracy.

Members of our group saw no open intimidation at the polling stations but the atmosphere in Tbilisi especially was far from wholesome. In one Tbilisi polling station, the voting actually took place in the basement of a police station next to the cells. Gangs of young men in leather jackets and jeans, the virtual uniform of the supporters of Shevardnadze, Ioseliani, et al. hung around polling stations, sometimes as official observers on behalf of the parties, at others without any explanation of their presence or role.

In a polling station in Tbilisi two BHRG observers watching the count noticed that many of the presidential ballots had handwritten messages on them. They were assured that these did not invalidate the ballot as they expressed support for Mr. Shevardnadze. People to whom members of the Group had spoken in Tbilisi before polling day said that radio and television had suggested that it would be a good idea for voters to endorse their ballots for Mr. Shevardnadze with such personal messages of support.

This is both most unusual advice from a state broadcasting system and an unusual practice in the voting booth. The writing of messages might indicate genuine enthusiasm for the sole candidate but it might also have been promoted by fear: rumour had it that the authorities would not only be able to identify who had voted on 11 October but how people had voted. If such a rumour was believed, then people might have been persuaded (by the media propaganda among other sources of influence) to scribble their personal endorsement on the ballot. In any case, it is an undesirable practice since it confuses the issue of spoilt ballots.²⁵

Why we have come to a different conclusion

The members of the British Helsinki Human Rights Group are aware that they have come to very different conclusions than the other observer missions about the credibility of the elections in Georgia on 11th October 1992, and the nature of the political and human rights situation there. The reasons why these divergences of opinion have arisen are worthy of reflection as an understanding of them might contribute both to more effective election monitoring by international observers in the future and to more insight into the reality of individual governments' political and human rights policies.

In order to assess whether an election has been fairly conducted or not, it is insufficient to attend polling stations and judge whether fraud or intimidation is taking place on the spot - though that is of course essential. Background knowledge of the political situation is essential. It should be based on some experience either of the country or region concerned. It is not enough simply to take a briefing from officials with a vested interest in a particular outcome. These may be diplomats as much as representatives of the local government (as was the case in Georgia).

Observer missions should make an effort to get out and about among the people and not only on election day itself. No amount of briefing can substitute for chance encounters and on-the-spot impressions. Many observer-missions tend to stay cooped up in hotels for much of their time dutifully listening to briefings which could have been provided before departure rather than seeing for themselves what life is like. Anyone who did not take a metro ride or try to buy food in Tbilisi but relied on the services of the 5-Star Metechi Palace Hotel would get a very distorted view of reality in the Georgian capital.

Unlike all other Western election observers, the members of the British Helsinki Group did not stay in the Hotel Metechi Palace, an Austro-Georgian joint-venture costing \$170 per night. Since our original choice the Intourist Hotel Iveria was completely occupied by refugees from the war in Abkhazia, we were allocated rooms in the Hotel Adjara. Staying in a hotel with intermittent services, including no food after breakfast for the last three days of our stay, and two armed guards on our floor plus other armed and disruptive visitors, gave us a different perspective on life in Georgia today. Gunfire was heard every night during our stay in the Hotel Adjara.

What both hotels open to Westerners in Tbilisi at the moment have in common is that few Georgians without official connections dare to enter them. Our efforts to persuade unofficial people whom we met to come to our hotel were uniformly unsuccessful. The presence of armed plainclothes policemen (as they identified themselves at the end of our stay) as well as of gunmen from the *Mkhedrioni*, an officially-sponsored militia led by Dzhaba Ioseliani, one of Eduard Shevardnadze's deputies in the State Council, seems to have deterred them from coming closer than 50 yards to the Hotel Adjara even at night.

²⁵ See Christine Stone "A Democratic Deficit? Post-Soviet Elections Observed", Institute for European Defence and Strategic Studies, (1995)

Our personal experience of the unsettling impact of nightly gunfire, screams and the barking of dogs accounts in part for the radically different impression that we have formed of the legitimacy of the elections held on 11th October and the human rights situation in Georgia. Travelling around Tbilisi after dark is a dangerous experience: typical of the intimidating features of life in the darkened city are the barricades manned by armed men in civilian dress who do not condescend to show any warrant for their demands for cigarettes or cash to permit people to pass. Even on the morning of election day, we witnessed an example of lawless intimidation when a Mercedes with Georgian number-plates accompanied by a Lada stopped another Lada and men got out removing guns from the boot of the Mercedes and proceeded to take a package from the driver of the car which they had stopped. It was not an auspicious start to election day.

Unlike other observers with whom we spoke (with the exception of Michael Ochs and Aila Niinimaa-Keppo from Finland), the British Helsinki Group arranged meetings with unofficial groups and dissidents. Their fear of detection and reprisal was palpable. They all knew of people who had been arrested or disappeared. We were shown *samizdat* videos of the violence used by supporters of the State Council to break up pro-Gamsakhurdia or anti-Shevardnadze demonstrations: this included the use of fire-arms against unarmed demonstrators. These videos also contained harrowing scenes of the brutalised and battered bodies of people who had fallen into the hands of supporters of the new régime and had only been returned to their families after the payment of bribes.

Talking with such people confirmed our impression of the visible anxiety on the faces of ordinary people in the street or on the metro. Life in Georgia today is unhappy and this state of affairs is not solely the result of war and economic hardship. Insecurity and the absence of the rule of law gnaw away at people. If we had not spoken with a dozen or so dissidents, the scenes of "ordinary" voting on 11th October might well have led us to conclude that the elections were basically sound rather than an elaborate irrelevance to the well-being of Georgia.

A Swiss observer complained that we should not have mixed election observing and investigation of the human rights situation in Georgia - a strange self-denying approach to acquiring understanding of what was really going on on election day. The failure of any other group to take up the opportunity to visit Tbilisi Central Prison offered by Mr. Shevardnadze and to speak with a prisoner whose abuse has been admitted was striking. We regret that we could not speak to others in detention, not that we spoke to Zaza Tsiklauri.

Appendix

Election results:

Eligible voters - 3,497,979

Votes Cast - 2,604,165 = 74.7%

For Shevardnadze - 2,498,856 = 95.6%

According to official figures 9% of voters, mainly in Abkhazia and South Ossetia, were unable to take part in the voting because of civil strife in those areas. This suggests by the official tally that about 16% boycotted the polls for one reason or another. In our observations at polling stations, even early in the day a very high turn-out (approaching 100%) was the norm. This suggests that in some areas the rate of boycott was very high.

Distribution of seats (incomplete figures):

Peace bloc - 29 seats

Unity bloc - 14 seats

National Democrats - 13 seats

Greens - 11 seats

[Source for figures: *Summary of World Broadcasts* (Third Series SU/1512 - 15 October, 1992; BBC Monitoring Caversham Park), C1/2, & SU/1517 (21 October, 1992), C3/1.]

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The case of Zaza Tsiklauri* is a *cause célèbre* in Georgia. Irakeli Batiashvili, the Minister of Intelligence and Information (the former KGB), has resigned in protest against the torture of Tsiklauri and his incapacity to stop it. These facts were confirmed by Mr. Shevardnadze at his press conference on 12th October when he was asked by a British Helsinki Group representative to permit human rights activists, journalists, diplomats and elections observers to see the condition of prisoners in prisoners in Tbilisi Central Prison. Although Mr. Shevardnadze gave his permission, none of those present took up the offer and it was left to four members of the British group to visit Zaza Tsiklauri the next morning.

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Some indication of the political conflicts within the current Georgian régime was given by the difficulty which we had in arranging to see Zaza Tsiklauri despite President Shevardnadze's agreement. One official told us that Mr. Tsiklauri was such a dangerous terrorist that it would be impossible for us to risk seeing him.

We had also asked to see Lia Beruashvili, a journalist editing the *samizdat* newspaper *Kartuli Azri* (Georgian Thought) who was arrested a few days before the election on a charge of terrorism, but despite Mr. Shevardnadze's permission it proved impossible to see her.

Our arrival at the Tbilisi Central Prison on the morning of 13th October in the company of the procurator investigating the Tsiklauri case, Anzor Bangashvili, seemed to cause some consternation, since the prison gates were first opened, then shut again, before reopening to let us enter. In addition to the uniformed prison guards, we were eyed as we entered by a group of young men in plain-clothes armed with guns or staves. The nature of the relationship between these young men and the prison authorities was unclear. More alarming was the impression that they gave of having authority over the prisoners which was not subject to official control.

4 members of the Group met Zaza Tsiklauri in the office of the prison governor on the morning of 13th October. Despite our request to speak to Mr. Tsiklauri alone in the absence of officials, Procurator Bangashvili, insisted on remaining in the room although two other officials did leave. His presence undoubtedly inhibited Mr. Tsiklauri's behavior and answers to our questions. Furthermore it was clear that he had not been informed of whom he was to meet or the purpose of our visit, He was clearly apprehensive on entering the room and unsure of our purpose. We were, he told us, the first non-Georgians whom he had seen since his capture on 7th August.

When we met Tsiklauri he was still able to walk only with the aid of crutches. Dr. Richard Latcham was unable to give him a full examination but noted the poor setting of his broken ankles and fractured left-arm. He also had a recent scar over his right eye and burns/scaldings on his lower legs. (The rest of his body was covered and it is impossible to say in what condition the clothed parts of his body were in.) It was clear that he could not rest weight on his left leg. Dr. Latcham found the bandaging of the ankle clean but the setting of the fracture inadequate.

Such was Zaza Tsiklauri's poor physical and mental condition that there could be no doubt about his mistreatment. Ironically, although the torture of Mr. Tsiklauri had already been admitted by the Georgian authorities, he himself was so intimidated by his experiences and unsure of the conditions and purpose of our visit that he insisted that his injuries were the result of a car crash in which he was involved while attempting to evade arrest! He was unwilling to be photographed so we were unable to have pictorial evidence of his physical condition. In reply to the question where he lived, Tsiklauri was unable to remember his home address and replied that he lived in the prison. His only request was that he should be moved to the prison hospital.

Tsiklauri was still being interrogated though "now mainly during the day". He was not able or willing to pass on information about the conduct of his interrogations, but there is a general admission by the authorities that it had been particularly brutal in its early phases.

Such was Mr. Tsikaluri's condition that we wondered whether it was the result of the use of drugs that had reduced him to this state of lassitude. Dr. Latcham had visited the prison the day before and had been able to see what drugs were available in the prison hospital store. The only drugs available in any quantities were Benzodiazepines (tranquillisers), but Tsiklauri showed none of the symptoms of tranquilliser abuse. He showed the only drugs which he was then taking - Valerian, an old-fashioned sedative. He was not taking sufficient quantities to have reduced him to his depressed condition. Dr. Latcham was led to the conclusion that Tsiklauri's cowed and depressed state was not the result of the forced administration of mind-altering drugs, but of his physical maltreatment over the preceding weeks.

Tsiklauri has yet to be charged with any crime. When we asked the Procurator what he had done, we were told that that was what the investigation would find out. Informally, the accusation against him is of third degree terrorism, i.e., neither that he planned a terrorist outrage nor that he carried out an outrage, but that Tsiklauri was associated in an as yet to be defined way with people responsible for first or second degree terrorism. The procurator suspected him of being involved in some way in the plot to blow up Dzhaba Ioseliani on 13th June, 1992.

A number of others have been accused of participating in the bomb attack against Mr. Ioseliani in June. Among them was the journalist, Tamara Ebralidze, of the *Free Georgian* newspaper, who fled to Moscow after armed men came to her home in search of her. It is alleged that two of her associates - a husband and wife were taken to the State Council building in Rustaveli Boulevard, where others are held, and were pressured to give information on Ebralidze's whereabouts. Mock executions were prepared (nooses around their necks) among other methods of extracting information.

We received several reports of arrests taking place during our stay. On 7th October, Valeria Novodvorskaya, a deputy of the Russian Parliament, and a human rights activist with a special interest in Georgian and Abkhaz affairs, was arrested by plainclothes policemen on Rustaveli Boulevard. Along with two Georgian women, Dali Abuladze and Isola Kareli, Valeria Novodvorskaya had unfurled a banner protesting against the unrepresentative nature of the elections.

It is difficult to be precise about the numbers under arrest or who have "disappeared" because of the absence of a free flow of information, but at his press conference on 12th October, Mr. Shevardnadze mentioned a figure of 60 individuals awaiting trial: "These people fight the state...They are terrorists. Can you name a country which is legal to its terrorists?" The newly-elected president also admitted that about 100 people had been detained before the elections for "security reasons." *Samizdat* lists of the arrested and disappeared also circulate: they suggest in Tbilisi alone that at least 250 named individuals have been arrested or "disappeared".

Press Freedom

Although a number of different newspapers are on sale in Tbilisi, journalists opposed to the State Council or associated with would-be independent newspapers complain that it is impossible for them to publish.

We visited the offices of *Iberia Spectrum* which had been ransacked on four occasions after June, 1992. Typewriters had been smashed to pieces and the newspaper's archive ripped to shreds.

Three nights before the elections, Georgian television devoted an hour or more (we gave up watching) to a programme glorifying Jaba Ioseliani and the *Mkedrioni*. At a briefing for CSCE observers, an American diplomat praised the "fairness" of the division of television time among the 46 parties, saying each had been allocated the same number of advertising slots for their party political broadcasts. When it was pointed out that Mr. Ioseliani (an independent non-party candidate) had received so much television time so soon before the election, the US diplomat replied by suggesting that either Mr. Ioseliani had chosen to save up any time allotted to him for just one programme or had "bought time from the station which no-one else wanted." We were reminded that this happened in the United States. Unfortunately, Georgia is not yet a state of the Union.

(11,000 words)