

# Immigration and Refugee Board of Canada

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## Responses to Information Requests

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Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email [Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca](mailto:Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca).

11 May 2015

### **GEO105151.E**

Georgia: The United National Movement (UNM; ENM), including its mandate, leadership, membership, representation in the country and history; treatment by authorities and opposition party members, including the Georgia Dream Coalition (GDC; GDM; Georgian Dream); state protection available (2001-April 2015)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### **1. United National Movement (UNM; ENM) - Overview and Mandate of Party**

Sources indicate that the UNM was formed in 2001 (RFE/RL 12 Nov. 2013; PHW 2014, 519). The Political Handbook of the World 2014 (PHW) describes the UNM as centre-right and nationalist (PHW 2014, 519). According to the same source, UNM's platform focuses on economic and governmental reform, closer ties with the EU and US, and restoring control over Abkhazia and South Ossetia (PHW 2014, 519).

According a 2015 opinion poll by the International Republican Institute (IRI), a non-profit, non-partisan organization encouraging freedom and democracy worldwide (IRI n.d.), as cited by Radio Free Europe/Radio Liberty (RFE/RL), support for the ruling Georgian Dream Coalition (GDC; GDM) was at 36 percent, support for the UNM at 14 percent, and support for the Free Democrats at 10 percent (RFE/RL 27 Mar. 2015).

##### **1.1 Leadership**

Sources state that, as of April 2015, the leader or head of UNM is Mikheil Saakashvili (HRIDC 23 Apr. 2015; Professor 17 Apr. 2015).

In correspondence with the Research Directorate, a professor of international relations at the University of Oxford indicated that the former prime minister of Georgia, Vano Merabishvili, remains the secretary-general of the party, though he is currently incarcerated (Professor 17 Apr. 2015). *PHW 2014* similarly notes that as of mid-2013, Merabishvili was under arrest (2014, 520).

*PHW 2014*, citing information from 2013, lists the following other leading members of the party:

- Davit Bakradze (Chair of the Parliamentary Minority, 2013 presidential candidate, and Former Speaker of Parliament);
- Giorgi Gabashvili (Chair of the United National Movement faction in Parliament);
- Akaki Boboknidze (Chair of the National Movement-Majoritarians faction in Parliament);
- Taniel Londaridze (Chair of the National Movement-Regions faction in Parliament); and
- Gigi Ugulava (Mayor of Tbilisi). (ibid.)

##### **1.2 Membership and Representation in Parliament**

In a November 2013 RFE/RL article, a political analyst in Tbilisi describes the UNM as having " a well-ordered and motivated network throughout the whole country" (RFE/RL 12 Nov. 2013). Information on UNM membership numbers in the country could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In correspondence with the Research Directorate, a representative of the Human Rights Center (HRIDC), a Georgia-based NGO (HRIDC n.d.), stated that the UNM holds 50 seats in Georgia's 150-seat Parliament (HRIDC 23 Apr. 2015). Other sources similarly report that the UNM holds 50 seats, while the ruling GDC holds 87 and the Free Democrats hold 8 (Civil.ge 21 Mar. 201; RFE/RL 27 Mar. 2015).

According to the representative of HRIDC, the UNM's political council consists of 68 members (HRIDC 23 Apr. 2015)

### 1.3 History

According to *PHW 2014*, the UNM, along with the United Democrats, the Union of National Security, and the youth movement Kmara, formed the United People's Alliance in 2003 (2014, 519). Sources report that the Rose Revolution ["a peaceable uprising" (Encyclopaedia Britannica n.d.)] drove President Shevardnadze from power in 2003 (RFE/RL 12 Nov. 2013; Encyclopaedia Britannica n.d.); it was led by former justice minister and head of the UNM Mikheil Saakashvili (ibid.).

According to *PHW 2014*, the UNM and United Democrats combined to form the National Movement-Democrats (NMD) party in early 2004, though the party later became known as the UNM; members of the United Democrats were reportedly absorbed into the UNM (*PHW 2014*, 522). According to the same source, in the March 2004 legislative elections, the UNM was the main party component in the NMD's win of 133 seats of the 150-seat Parliament (ibid.). Saakashvili was elected president in 2004 (ibid., 514; Encyclopaedia Britannica n.d.). According to *PHW 2014*, the UNM secured approximately two-thirds of the vote in the October 2006 municipal elections (2014, 520).

Saakashvili was reelected as president in January 2008 (ibid.; *PHW 2014*, 520). According to *PHW 2014*, Saakashvili was elected "on a platform that called for restoration of Georgia's 'territorial integrity,' NATO membership for Georgia, closer ties with the EU, and the expansion of social welfare programs" (ibid.). *PHW 2014* reports that UNM won 119 of 150 seats in Parliament in the May 2008 legislative elections (2014, 520).

*PHW 2014* reports that in the June 2010 municipal elections, the UNM won 66 percent of the vote nationwide, including the mayoralty of Tbilisi (2014, 520).

Sources report that Saakashvili and the UNM were defeated in the October 2012 parliamentary elections by the GDC (Freedom House 2013; Jamestown Foundation 9 Jan. 2013); led by Georgian billionaire Bidzina Ivanishvili (ibid.). The UNM won 65 seats (40 percent of the national vote), while the GDC won 85 seats (55 percent of the national vote) (ibid.). Sources note that after his defeat, President Saakashvili declared that the UNM would serve as the opposition (ibid.; *PHW 2014*, 520). Freedom House states that the October 2012 elections were considered "free and fair" by international observers but that a number of electoral problems were observed during the elections, including "abuse of administrative resources, intimidation of opposition supporters, tabulation irregularities, and an apparent pro-government bias in the activities of the State Audit Office" (Freedom House 2013). Similarly, according to a report published by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), pursuant to their observation mission of the October 2012 parliamentary elections, the election process "was assessed positively by international observers," and "procedures were generally adhered to, although counting and tabulation received a less positive assessment" (ODIHR 21 Dec. 2012, 3).

According to the Jamestown Foundation, a Washington-based institution that provides "research and analysis on conflict and instability in Eurasia" (Jamestown Foundation n.d.), the country entered a period of political cohabitation between President Saakashvili and Prime Minister Ivanishvili following the 2012 election, with the GDC forming the government and setting the policy agenda and Saakashvili retaining "immense" constitutional powers, though "his influence on Georgian politics ... declined dramatically" since the election (ibid. 9 Jan. 2013).

Sources report that GDC candidate Giorgi Margvelashvili was elected president in the October 2013 presidential election (Freedom House 2014; *PHW 2014*, 511). According to sources, Margvelashvili won 62 percent of the vote, while UNM candidate Davit Bakradze won 22 percent (Freedom House 2014; *PHW 2014*, 511), and Irakli Garibashvili was appointed as Prime Minister (ibid.). Freedom House reports that the 2013 presidential elections were "widely regarded as free and fair" (Freedom House 2014). Similarly, according to a report on Georgia's 2013 presidential election published by the Congressional Research Service, a legislative branch agency within the US Library of Congress that provides policy and legal analysis to members of Congress (US n.d.), most observers viewed the election as marking Georgia's "progress in democratization,

including a peaceful shift of presidential power" from Saakashvili to Margvelashvili (US 4 Nov. 2013, Summary). However, the US Department of State's *Country Reports on Human Rights Practices for 2013* states that observers raised several concerns over the election, including "allegations of political pressure at the local level, inconsistent application of the election code, and limited oversight of campaign finance violations" (ibid. 27 Feb. 2014, 1).

According to Human Rights Watch, ruling party GDC won the June and July 2014 municipal elections in an "overwhelming victory" (29 Jan. 2015, 252).

RFE/RL reports that by February 2015, the value of the lari had declined and exports had decreased considerably (RFE/RL 27 Mar. 2015). According to the same source, the UNM and the Labor Party demanded the resignation of the ministers of economy and finance in February 2015 (ibid.). The RFE/RL article adds that on 21 March 2015, the UNM "convened a demonstration in Tbilisi to demand that the government resign for its handling of the economy"; according to a UNM member cited in the article, between 10,000 to 30,000 people attended the demonstration (ibid.). According to the article, the UNM is seeking to initiate a no-confidence vote in parliament against the GDC (ibid.).

## **2. Treatment by Authorities**

### **2.1 Arrests, Charges and Prosecutions**

According to *Country Reports 2013*, subsequent to the October 2012 elections, "UNM members reported arrests - including of the UNM's general secretary, a former minister of internal affairs, defense minister, and prime minister - due to their political affiliations or activities" (US 27 Feb. 2014, 2). According to the Professor, many senior members of the UNM including the former Prime Minister and current leader Vano Merabishvili are "either in jail as a result of court judgments or are in preventive detention," while others have fled the country following the country's 2012 parliamentary and 2013 presidential elections (Professor 17 Apr. 2015). According to the Professor, there is no evidence that those detained are being mistreated (ibid.). Corroborating information could not be found among the sources consulted within the time constraints of this Response.

Freedom House indicates that after "Georgian Dream took power in late 2012, the authorities arrested and interrogated more than 20 former officials from the previous government on charges ranging from abuse of power to bribery" (Freedom House 2014). According to *PHW 2014*, "[a] number of UNM members who had served in previous cabinets were arrested by the new Ivanishvili administration in late 2012 and the first half of 2013" (*PHW 2014*, 520). Similarly, Human Rights Watch reports that the Prosecutor's Office studied thousands of complaints after the 2012 government change, and initiated dozens of criminal cases, the majority of which were against former UNM officials (Human Rights Watch 29 Jan. 2015, 253).

According to Human Rights Watch, the opposition alleged that it was being targeted for political reasons (ibid.). According to Freedom House, "Georgian Dream officials denied that the cases were politically motivated and invited NATO to monitor the investigations" (Freedom House 2014). Freedom House indicates that Transparency International (TI) Georgia "monitored the ensuing legal proceedings and found that both the defense and prosecution had enjoyed equal opportunities to present their cases" (ibid.). Human Rights Watch also reports that TI, in its July 2014 trial monitoring report, found that there were no "significant violations of due process and fair trial norms" (Human Rights Watch 29 Jan. 2015, 253).

According to Human Rights Watch, during the pre-election period leading up to the June and July 2014 municipal elections, NGOs and media reported

multiple allegations of pressure on opposition candidates to withdraw their candidacies, including actual withdrawals in more than a dozen municipalities, disruption of opposition gatherings, and several episodes of violence against candidates' campaigners. In June, the Chief Prosecutor's Office said that it had launched criminal investigations into four cases out of 80 complaints they received related to alleged pressure on opposition candidates. (ibid., 252)

In July 2014, Saakashvili was charged with several offences, including embezzlement and exceeding his authority in several different cases; his property was impounded in August 2014 (Human Rights Watch 29 Jan. 2015, 253). According to Human Rights Watch, Saakashvili is in court-ordered pretrial detention in absentia, having left the country after leaving office in November 2013 (ibid.). Amnesty International (AI) also indicates that in August 2014, Saakashvili was charged with embezzlement and abuse of office in his absence (25 Feb. 2015, 159).

Sources report that in April 2014, Prime Minister Garibashvili announced a moratorium on arrests of people involved in the 2012 municipal election campaign in the run up to the June 2014 local elections (Tabula 14 Apr. 2014; Human Rights Watch 29 Jan. 2015, 253). In July 2014, Gigi Ugulava, former Tbilisi mayor and UNM campaign head, was detained by authorities on charges of alleged embezzlement, which occurred prior to the 2012 parliamentary election (Human Rights Watch 29 Jan. 2015, 253; Civil.ge 3 July 2014). According to the

opposition, this arrest violated the moratorium on criminal prosecutions announced in April 2014 (Human Rights Watch 29 Jan. 2015, 253). According to an article by Tabula, a monthly news magazine in Georgia that aims to contribute to "political pluralism, economic freedom, human rights and the rule of law" (Tabula n.d.), NGOs, including TI Georgia, similarly called the arrest a "breach of the government moratorium declared during the election period" (ibid. 3 July 2014).

According to Human Rights Watch, the UNM's secretary general and former interior minister Vano Merabishvili was convicted of three separate sets of criminal charges in February and August of 2014, including bribery, property rights infringement, and exceeding his authority (Human Rights Watch 29 Jan. 2015, 253, 254). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## 2.2 Incidents of Violence

Sources note that after the 2012 parliamentary elections, there were reports of harassment against UNM members (US 27 Feb. 2014, 2; Professor 17 Apr. 2015); "at the local level" (ibid.). Sources report that there have been acts of violence against UNM members (ibid.; HRIDC 23 Apr. 2015; Human Rights Watch 29 Jan. 2015, 252). According to the HRIDC representative, "[t]hough UNM members sometimes experience violence because of their political affiliation, these [incidents] are not widespread" (23 Apr. 2015). Sources report on the following incidents of violence involving the UNM from 2012 to 2015:

- In 2012, there were several violent clashes between UNM government supporters and GDC opposition supporters (Jamestown Foundation 9 Jan. 2013; Human Rights Watch 2013, 441).
- In 2013, there were violent protests at UNM political events (US 27 Feb. 2014, 2; TI Georgia 12 Feb. 2013). According to TI Georgia, on 8 February 2013, former UNM government representatives and GDC protesters were involved in violent clashes outside the National Parliamentary Library when Saakashvili was scheduled to deliver his annual speech (12 Feb. 2013). According to TI Georgia, news reports and television footage showed both attacks on UNM members by GDC protesters and by UNM members against protestors (ibid.).
- Human Rights Watch reports that in March 2014 an "outspoken" UNM MP was hospitalized for minor injuries after he was attacked by unidentified assailants (HRW 29 Jan. 2015, 252).
- Sources report that in April 2014 there were violent incidents involving mobs disrupting UNM campaign events in four cities and towns (Human Rights Watch 29 Jan. 2015, 252; UNM 14 Apr. 2014); specifically four campaign rallies in Anaklia, Tbilisi, Telavi and Tskaltubo (ibid.). According to an article on the UNM website, the groups of individuals were "directly linked and organized by" the GDC (ibid.).
- According to Human Rights Watch, in May 2014, several men attacked a former health minister and leading UNM member, who was briefly hospitalized for head injuries (Human Rights Watch 29 Jan. 2015, 252). The source reports that the authorities failed to prosecute the assailants "despite the fact that they were publicly identified" (Human Rights Watch 29 Jan. 2015, 252).
- Sources report that on 9 June 2014, two UNM opposition leaders, Gigi Ugulava and Giga Bokeria, were attacked by members of the GDC during a pre-election meeting with voters in the town of Tsageri (AI 25 Feb. 2015, 160; TI Georgia and ISFED 10 June 2014).
- According to HRIDC, an activist from the UNM opposition party was attacked on 21 June 2014 in Batumi by unknown men (HRIDC 24 June 2014). The individual was "hospitalized with injuries to his face and head" (ibid.). HRIDC reports that police were investigating the incident (ibid.).
- In a separate incident reported by HRIDC, an activist from Free Zone, a group affiliated with UNM, was allegedly attacked by a group of GDC activists on 19 June 2014 in the town of Zugdidi in Samegrelo region (ibid.). HRIDC reports that police were investigating the incident (ibid.).
- According to AI, on 30 September 2014, the office of UNM-associated NGO Free Zone was attacked by approximately 50 people (AI 25 Feb. 2015, 160).
- Sources report that on March 15, 2015, the offices of UNM and N(N)LE Center for Freedom and Support [a pro-UNM group (Civil.ge 15 Mar. 2015)], were attacked (HRIDC 23 Apr. 2015; GDI et al. 18 Mar. 2015) in Zugdidi (ibid.). According to a joint statement of NGOs [1] published on the website of Georgian Democracy Initiative (GDI), an independent non-governmental, non-profit organization dedicated to research, analysis and education to advance democratic development in Georgia (GDI n.d.), 47 of the individuals who perpetrated the attacks are public officials of various ranks including the Deputy Chairmen of the Zugdidi Town assembly, and the Deputy Governor of Samegrelo province (GDI et al. 18 Mar. 2015). An article published by Civil.ge, a daily news service in Georgia founded by the UN Association of Georgia [2] (Civil.ge n.d.), indicates that at least one policeman was injured (Civil.ge 15 Mar. 2015).

## 2.3 Dismissals of Individuals Associated with Former UNM Government

*Country Reports 2013* reports on dismissals of government employees from local government institutions for their alleged association with former ruling party UNM (US 27 Feb. 2014, 1). According to an article published in the *Caucasian Knot*, a website that aims "to ensure free access to truthful and non-engaged information" about events in the region (*Caucasian Knot* n.d.), NGOs, including TI Georgia, reported on the dismissal of officials of the Tbilisi Mayoralty "on political grounds," and on the alleged preparation of the Tbilisi Mayor to "dismiss older staff members for political reasons" (*ibid.* 10 Oct. 2014). Similarly, Human Rights Watch reports that shortly after the elections in 2014, "a number of employees of Tbilisi municipality reported pressure on them to 'voluntarily' resign from their jobs or face criminal prosecutions" (Human Rights Watch 29 Jan. 2015, 253). The source states that the International Society for Fair Elections and Democracy (ISFED), a local election-monitoring group, reported that between 1 August and 7 September 2014, "Tbilisi City Hall dismissed 155 employees including 115 based on 'voluntary' resignation letters, allegedly written under pressure, raising concerns that they had been targeted for their political affiliations" (*ibid.*). In contrast, according to the *Caucasian Knot* article, Tbilisi authorities "emphasized that the Mayoralty continues to employ 95 percent of its staff members, who worked prior to the arrival of the new City Mayor" (10 Oct. 2014). In relation to the dismissal of local government employees for their alleged association with the UNM, *Country Reports 2013* notes that the government's response has been "insufficient" (US 27 Feb. 2014, 1). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 3. State Protection

While sources indicate that Georgian police have provided protection to UNM members from incidents of violence (Professor 17 Apr. 2015; HRIDC 23 Apr. 2015), sources also indicate that the police have failed to provide protection to UNM members in some instances (*ibid.*; AI 25 Feb. 2015, 160).

In relation to the April 2014 mob violence at four UNM rallies, the UNM article states that "the police appeared on the scene after the attacks and failed to intervene to prevent any violence" (UNM 14 Apr. 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources report that during the June 2014 attack on two UNM leaders by the GDC in Tsageri, police officers standing nearby did not intervene to stop the violence (TI Georgia and ISFED 10 June 2014; AI 25 Feb. 2015, 160).

According to AI, in relation to the September 2014 attack on the office of an NGO associated with the UNM party, "several staff members were injured as the police failed to arrive promptly despite the warnings of possible violence" (*ibid.*). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The HRIDC representative indicated that the UNM conducted several large rallies in the recent past, where "protection was thoroughly ensured by the police," but that isolated incidents have occurred where members or UNM activists have experienced violence, and where the police have failed to respond adequately, referring to the March 2015 attacks on the UNM office in Zugdidi (23 Apr. 2015). Other sources similarly state that while the police were present during the March 2015 incident, they failed to prevent the violence (Civil.ge 15 Mar. 2015; GDI et al. 18 Mar. 2015). According to the joint NGO statement published on the GDI website, police "did not try to diffuse the incident, prevent violence, [or] stop the attack" (*ibid.*). In correspondence with the Research Directorate, a representative of the Institute for War and Peace Reporting (IWPR), an organization that supports local reporters, citizen journalists and civil society activists in countries in conflict and crisis (IWPR n.d.), indicated that while UNM members can "apply to the police or to the court directly (depending on the type of case)," these mechanisms are "not effective for the leaders of the party who possessed positions during the previous government" (*ibid.* 29 Apr. 2015). He noted that several former UNM officials are detained and there has been no final decision rendered in the cases to be able to ascertain the effectiveness of the court in this regard (*ibid.*). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

#### Notes

[1] The NGOs issuing the joint statement include Georgian Democracy Initiative (GDI), Media Development Foundation, Georgia's Reforms Associates, Identoba, Tolerance and Diversity Institute, and Article 42 of the Constitution (GDI et al. 18 Mar. 2015).

[2] The UN Association of Georgia is a Georgian non-governmental organization (Civil.ge n.d.). Civil.ge is currently supported by Confidence Building Early Response Mechanism (COBERM), an initiative funded by the EU and administered by the UN Development Programme (UNDP) (ibid.).

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## Additional Sources Consulted

**Oral sources:** The following were unable to provide information for this Response: a professor of sociology at the State University of Tbilisi; Georgia – Georgian Embassy in Mexico; Georgian Embassy in Ottawa.

Attempts to contact the following were unsuccessful within the time constraints of this Response: Chatham House; Georgia – Georgian Embassy in Ottawa, Ministry of Foreign Affairs, Parliament of Georgia; Public

Defender (Ombudsman) of Georgia; Georgian Bar Association; Georgian Democracy Initiative; Georgian Young Lawyers' Association; Institute for American Values; Liberty Institute; Open Society Georgia Foundation; professor specializing in the Caucasus at Carleton University; Transparency International Georgia; UN High Commissioner for Refugees Georgia; United National Movement.

**Internet sites, including:** Agence France-Presse; Australian Human Rights Commission; Austrian Centre for Country of Origin and Asylum Research; Danish Institute for Human Rights; Danish Refugee Council; Europa; Factiva; Former Soviet Union Oil & Gas Monitor; Friends House Moscow; Germany – Federal Office for Migration and Refugees; Georgia – Georgian Embassy in Ottawa, Ministry of Foreign Affairs, Parliament of Georgia, Public Defender (Ombudsman) of Georgia, Georgian Bar Association, Georgian Young Lawyers' Association; *Haaretz*; Huffington Post; *Human Rights Quarterly*; Institute for War and Peace Reporting; Interfax; International Civil Society Centre; International Crisis Group - Central Asia; Ireland – Refugee Documentation Centre; Jane's Intelligence Review; Jane's Terrorism Watch Report; *Journal of Refugee Studies*; *The Moscow Times*; Norway – Landinfo: Country of Origin Information Centre; Russia Today; The South Caucasus Network of Human Rights Defenders; Swiss Refugee Council; UK – Home Office; UN – High Commissioner for Refugees, RefWorld, South Eastern and Eastern Europe Clearinghouse for the Control of the Small Arms and Light Weapons; US – Central Intelligence Agency, USAID Georgia; Yandex.

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