

## SAAKASHVILI'S AJARA SUCCESS: REPEATABLE ELSEWHERE IN GEORGIA?

### I. OVERVIEW

Mikhail Saakashvili passed an early test of his new presidency when through a skilful mix of threatened force and imaginative diplomacy he manoeuvred Aslan Abashidze into peacefully ending his thirteen-year control of Ajara in May 2004. But that success, after two months when Georgia appeared on the verge of either a new civil war or a further dissolution of its territorial integrity, was very much a product of the particular circumstances of the Ajara case and will not be easily repeatable in South Ossetia and Abkhazia.<sup>1</sup>

The strict limits imposed on Ajara's constitutional autonomy after Abashidze fled to Moscow are unlikely to make compromise offers of the kind that won community support in Ajara look attractive to the two regions that began asserting their independence as the Soviet Union collapsed. Political conditions in Ajara differ significantly from Abkhazia (Sukhumi) and South Ossetia (Tshkhinvali). The region never sought independence based on national self-determination, and its people are ethnic Georgians, unlike the Ossetians and Abkhaz. Russia played an ambiguous but apparently not unhelpful role in the peaceful resolution of the May crisis. With Moscow's perceived security interests much more deeply engaged in South Ossetia and Abkhazia, however, Tbilisi's new round of brinkmanship is putting it in direct confrontation with its giant northern neighbour.

Since Abashidze's departure, Ajara has been firmly re-integrated into Georgia's fold. Elections to its Supreme Council were held on 20 June, and a constitutional law on the Status of the Autonomous Republic enacted

two weeks later. President Saakashvili stood by his pledge to allow Ajara to retain an autonomous status. However the speed and lack of transparency of the changes, as well as the law's substance, put into question the degree to which Ajara will really control its own affairs.

The Ajara case provides an important first example of how Saakashvili's government plans to remould Georgia's internal state structures, including local government. It is committed to greater decentralisation and giving local self-government an elected character.<sup>2</sup> With Ajara's autonomy so tightly curtailed, however, the likelihood that there will be significant decentralisation of decision-making seems in doubt.

Abashidze's departure left a power vacuum in Ajara. The former regime ruled through a tight-knit system of patronage networks, within which one's position was dependant on the expression of full loyalty to the leader and his family. President Saakashvili retains a high level of trust and confidence but reform and establishment of a merit-based system is needed at all levels of the public service. The appointment of persons from Tbilisi to high-level positions in Batumi has caused some resentment among the local population. The old strongman may eventually attempt to rehabilitate himself by exploiting these growing feelings of grievance.

### II. AJARA'S BASIS FOR AUTONOMY

Ajara, the only autonomous region in the South Caucasus that never fought an armed conflict with its central government, succeeded in establishing a satisfactory power sharing arrangement with Tbilisi

<sup>1</sup> For general background on the situation in Georgia, see ICG Europe Report N°151, *Georgia: What Now?*, 3 December 2003. Forthcoming ICG reporting will address the South Ossetia and Abkhazia conflicts in detail.

<sup>2</sup> Constitution of Georgia, Art. 2.4, amended on 6 February 2004.

as much through historical as institutional considerations. Ethnically its people consider themselves Georgians. They differ from the majority Christian Orthodox population of the country on account of their Muslim religion. However, in recent years even this has started to change as Islam's influence has weakened, and mass conversions to Christianity have occurred. Unlike the breakaway regions of South Ossetia and Abkhazia, Ajara never aspired to full independence or based arguments for its status on the principle of national self-determination.<sup>3</sup> No memories of wartime violence or legacies of population displacements posed durable obstacles to conflict settlement between Tbilisi and Batumi. During Shevardnadze's time, Ajara's autonomy was based less on religion, identity, or ideology, than on the personal aspirations of the region's leader, Aslan Abashidze.

## A. RELIGIOUS DIFFERENCE

Ajara's autonomous status is linked to its historical attachment to the Ottoman Empire and the former predominance of Sunni Islam in the region. Though it was part of Georgia in ancient times, Ajara was annexed in the sixteenth century to the Ottoman Empire.<sup>4</sup> During the ensuing 300 years, the majority of its inhabitants converted to Islam and adopted Ottoman cultural traditions. In 1878, after the Russo-Turkish wars, the Berlin Conference incorporated it into the Russian Empire, where it joined the rest of present day Georgia. Georgian national identity spread gradually among the Ajaran elite, while the loyalties of the majority of the population continued to be defined by religion.<sup>5</sup> During their first years in the Russian Empire, Ajarans identified more easily with their Turkic neighbours than with their ethnic kin, the Georgians.<sup>6</sup> These loyalties gradually faded, especially after World War I, when Ajara became part of the first independent Georgian republic. When

Moscow annexed Georgia in 1921, it created the Ajara Autonomous Socialist Republic as a constituent republic of the Georgian SSR.<sup>7</sup> It was one of only two autonomous units in the Soviet Union set up on religious rather than ethnic grounds.<sup>8</sup>

Islam's influence diminished throughout the Soviet era, when atheism was official policy and religious institutions were at times physically repressed.<sup>9</sup> In the 1980s and 1990s, the spread of Georgian national identity limited the Islamic revival, though the Ajaran elite had an interest in strengthening its religious identity after the collapse of the Soviet Union in order to protect its political and economic autonomy from Tbilisi. Consequently, some religious practices re-emerged, and as early as 1992, 50 Ajaran Muslims participated in the Hajj. However, the early 1990s also saw the beginning of large-scale conversions to Christianity, a phenomenon currently being repeated.<sup>10</sup>

The exact percentage of the current Muslim population in Ajara is unknown; figures given by locals vary from 30 to 70 per cent. Muslims are apparently less than 10 per cent in the urban areas of Batumi and Kobuleti, but up to 90 per cent in the rural mountainous areas of Khulo and Keda.<sup>11</sup> Small ethnic minorities also live in the region: Greeks (known as Urums), Armenians (known as Khimshils), Azeri Turks, and Lazis. There are slightly more than 100 active mosques.<sup>12</sup> Though an external attempt was allegedly made to spread Wahhabism among Ajarans, Abashidze, halted it.<sup>13</sup>

Abashidze relied on the support of Ajara's Muslim leaders. When the government of Zviad Gamsakhurdia, independent Georgia's first president, threatened to abolish Ajara's autonomy, Muslim

<sup>3</sup> Bruno Coppieters, "Federalism and Conflict in the Caucasus", *Central Asia and Caucasian Prospects*, London, The Royal Institute of International Affairs, 2001, p. 29.

<sup>4</sup> Some scholars link Ajara to the legendary Kolkheti kingdom, where Argonauts sought the Golden Fleece.

<sup>5</sup> Mathijs Pelkmans, "Religion, Nation and State in Georgia: Christian Expansion in Muslim Ajaria", *Journal of Muslim Minority Affairs*, Vol. 22, No.2, 2002, p. 257.

<sup>6</sup> Georgi M. Derlugian, "The Tale of Two Resorts: Abkhazia and Ajara before and since the Soviet Collapse", in *The Myth of Ethnic Conflict: Politics, Economics, and Cultural Violence*, Beverly Crawford and Ronnie D. Lipschutz, eds., (Berkeley, 1998), p. 276.

<sup>7</sup> The status of Ajara was confirmed in a Turko-Soviet Treaty signed in Kars in 1921. It gave Ajara administrative autonomy and the right to develop its own culture, religion, and agrarian regime. See C. Price, "Treaty of Kars", *Current History*, The New York Times, 1921.

<sup>8</sup> The other was the Jewish Autonomous District in Siberia.

<sup>9</sup> Stalin was so suspicious of Muslim espionage that he ordered the mass exodus of Caucasus populations to Central Asia. One group, the Meskhetian Turks, whose homeland borders Ajara in south western Georgia, still awaits repatriation.

<sup>10</sup> Pelkmans, op. cit., pp. 261-262. Mass conversions do not seem to be the cause or consequences of religious conflict in Ajara. In interviews with ICG, Muslims indicated that their main grievance was the organisation of religious history classes in schools that focus entirely on the Christian faith.

<sup>11</sup> ICG interview, Batumi, May 2004.

<sup>12</sup> ICG interview, Batumi, May 2004.

<sup>13</sup> ICG interview, Batumi, May 2004.

protestors from the mountainous areas thronged to Batumi. Although Ajara's mufti, Hadji Mahmud Kamashidze, was for years loyal to Abashidze, on 5 May 2004, one day before Abashidze fled to Moscow, he and several other imams joined with pro-Saakashvili demonstrators in calling for his resignation.<sup>14</sup>

## B. ABASHIDZE'S AMBITIONS

Ajara retained its autonomous status after 1991 within the independent Georgian state. The nature of that autonomy was to a large extent determined by the personal aspirations of the region's leader, Abashidze, rather than by a clear competence sharing agreement with Tbilisi. In 1991, after years of service in relatively minor public posts, Abashidze, whose family had long been respected in the region,<sup>15</sup> became Chairman of the Ajaran Supreme Council.<sup>16</sup> He first indicated the nature of his political ambitions in 1992 when, after the overthrow of Gamsakhurdia and the outbreak of war in Abkhazia, he effectively separated his region from the central authorities to avoid the spread of civil war in western Georgia. He dismissed the Supreme Council, temporarily blocked the Choloki River administrative border with the rest of the country, and used the occasion to crack down on Batumi-based opposition and consolidate all power in his hands.<sup>17</sup>

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<sup>14</sup> In the post-Abashidze period a dispute has broken out within Ajara's Muslim society over who should be the next Mufti. Haji Mahmud Kamashidze resigned shortly after the Batumi revolution. At the urging of Georgian security services he nevertheless retains his position. Tbilisi appears to fear that popular young Mufti Zurab Tsatskhelidze, educated in Turkey, would be too pro-Turkish. The problem has yet to be resolved, and both Muftis are active. ICG interview, Batumi, May 2004.

<sup>15</sup> Allegedly the Abashidze family has produced leaders in western Georgia since the fifteenth century. <http://www.internationalreports.net/cis/georgia/2002/ajara/500.html>. Aslan Abashidze's grandfather, Mehmed Pacha Abashidze, an important figure in the national liberation movement after World War I, was shot by the Soviets in 1937. A special class called "Memedologia", the history of Abashidze's ancestors, began being taught in Ajara's schools in 2001.

<sup>16</sup> Until 1995 Abashidze simultaneously served as deputy speaker of the Georgian parliament. However, he has not visited Tbilisi since 1991 for fear of assassination.

<sup>17</sup> Abashidze arrested Batumi mayor Tengiz Asanidze, who had facilitated his rise to power but later competed with his clan. Abashidze kept him as a personal prisoner for over a decade despite President Shevardnadze's pardon and only released him in April 2004 on order of the European Court of Human Rights.

President Eduard Shevardnadze had convoluted relations with Abashidze, both criticising him and granting him medals while appearing reluctant to challenge his rule for fear that Ajara would attempt secession. Tbilisi-Batumi relations appear to have been highly personalised between the two leaders, who never failed to find a compromise in a crisis. When Shevardnadze was weak, Abashidze invariably came to his support.

The nature of Ajara's links with the central government were never formally defined until July 2004. In 2000, an amendment to the Georgian Constitution (Art. 3.3) provided that, "The status of the Autonomous Republic of Ajara shall be determined by the Constitutional Law of Georgia". However, the parliament did not take up this task until Abashidze went into exile. Abashidze used the legal space to create many of his own political institutions, including an Ajara constitution (February 2000), a bicameral parliament, a constitutional court a prosecutor's office, a customs service, and a representation office in Tbilisi, headed by the vice chairman of the Supreme Council. He officially declared himself president in 2003.

Power was distributed through a tightly knit kinship-based patronage network. Two families, the Abashidzes and the Gogitidzes (the kin of Abashidze's wife) headed the network. In 2000, according to Georgian political scientists, eight of Ajara's fourteen executive authorities, 43 of 80 members of its legislature, and two of eight high-level local government officials were close Abashidze relatives.<sup>18</sup> These included: Ilia Tsulikidze, a cousin and minister of the interior, later chair of the National Security Council; Soso Gogitidze, a brother in law and minister of security; Jemal Gogitidze, his wife's cousin and minister of the interior; and Levan Gvarishvili, a cousin and head of customs at the key Sarpi station on the Turkish border.<sup>19</sup>

Having created a fiefdom in Ajara, Abashidze also aspired to an important role in national politics. In 1992 he created a party, the Democratic Revival Union (henceforth "Revival"), which obtained four seats in the parliament. This increased to 32 in 1995

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<sup>18</sup> Koba Kikabidze and David Losaberidze, "Institutionalism and Clientelism in Georgia", UNDP Discussion Paper, Tbilisi, 2000.

<sup>19</sup> Javakhishvili Levan, "How Abashidze-Gogitidze Clan Rules Ajara", *Alia*, 17-19 January 2004, pp. 8-9.

and 58 in 1999.<sup>20</sup> Although Revival positioned itself as an opposition to Shevardnadze, ways were often found to make accommodations with the central government. Until 2003, the party entirely dominated political life in Ajara.

### C. STRATEGIC AND ECONOMIC IMPORTANCE

Its lengthy Black Sea coast and location on the border between Georgia and Turkey (and near the fault line between two historic foes, Turkey and Russia) gives Ajara unexpected strategic importance for a region of a mere 2,900 square kilometres and less than 400,000 people. The Batumi port and Sarpi customs station guarantee its importance as a transit zone for the entire Caucasus.<sup>21</sup> For example, much of the 80 percent of Armenian land trade that passes through Georgia transits Ajara. The port was built in 1878 and is located on a bay just northeast of the city. Eight berths have a capacity of 100,000 tons of general cargo, 800,000 tons of bulk cargo, and 6 million tons of petroleum products.<sup>22</sup>

Since the late 1880s, the Batumi oil terminal (BOT) has been a key transit point for oil from the Caspian. Crude and refined oil products from Azerbaijan, Turkmenistan, and Kazakhstan -- almost 60 per cent of all oil products that transit Georgia -- move through it.<sup>23</sup> They are delivered to Batumi by railway,

loaded onto tankers, and shipped mainly to the western coast of the Black Sea. Before the recent crisis in Ajara, Batumi received about 200,000 barrels per day.<sup>24</sup> It is estimated that during the height of the troubles, when the port was closed, Georgia lost \$2 million daily.<sup>25</sup>

Control of the border with Turkey and access to the Black Sea provided Abashidze a strong position vis-à-vis Tbilisi.<sup>26</sup> For years, he refused to transfer the tax revenues and custom duties he collected. No precise figures exist on the loss to the central government but after May 2004, Tbilisi authorities estimated that the Georgian budget would gain 70 million Lari (\$35 million) a year from Ajara tax revenue.<sup>27</sup> Abashidze tried unsuccessfully to legalise his economic position by lobbying the national parliament for a law to establish a free economic zone in 1997 and 2003.<sup>28</sup>

Abashidze frequently boasted of the Ajaran economy's strength compared with the rest of Georgia. His dubious claim was that GDP per capita was \$4,000 in Ajara, four times that in the remainder of the country.<sup>29</sup> In addition to the port and customs, that economy was largely based on tourism, construction, small to mid sized industry, and agriculture. Any substantial business required Abashidze's approval.<sup>30</sup>

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<sup>20</sup> The 58 Parliamentary seats that Revival gained in 1999 were in coalition with the Socialist Party, the Traditionalists and Century XXI. Organisation for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR), "Georgia Parliamentary Elections, 31 October & 14 November 1999, Final Report", Warsaw, 7 February 2000, p. 4.

<sup>21</sup> To diminish Georgia's overall dependence on Ajara, Tbilisi encouraged Western partners to use Poti harbour rather than Batumi and opened a second transit point with Turkey at Vale. Poti is more oriented to dry cargo because of its direct rail links to Tbilisi, while Batumi has more modern facilities and focuses on oil products.

<sup>22</sup> ICG interviews in Armenia, June 2004.

<sup>23</sup> The Batumi Oil Terminal is owned by Naftrans Limited. The main investor (78.6 per cent) is Jan Bonde Nielsen via Greenoak Holdings Limited. Guram Gogitidze also owns 4.2 per cent via Greenoak. A U.S. equity fund financed by the Overseas Private Investment Corporation (OPIC, a U.S. government agency) owns 10.6 per cent of the company; a Swiss investment company funded by Hansa Trust owns 6.6 per cent. Press Release, "Launch of a New Georgian Oil Transportation Company", 13 May 2004, Tbilisi. Since 1999 the owners of the Batumi Oil Terminal have invested \$75 million in Georgia.

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<sup>24</sup> What the Papers Say (WPS) Russian & Gas Report, "The Oil Port of Batumi is Mined", 7 May 2004. Some 40 per cent of oil products go through Supsa, and 4 per cent through Poti. Interfax Energy News Service, "Georgia Sets up Oil Transit Company", 14 May 2004.

<sup>25</sup> ICG interview, Batumi, May 2004. Figures denominated in dollars (\$) in this briefing refer to U.S. dollars. It is predicted that once the Baku-Tbilisi-Ceyhan (BTC) pipeline is completed in 2005, transportation of crude oil through the BOT will decrease, but it will continue to handle the export of oil products.

<sup>26</sup> According to some estimates \$60 million to \$70 million per month changed hands at Sarpi customs. See Derluguian, op. cit.

<sup>27</sup> Nino Khutsidze, "Ajara Boosts Government's Financial Hopes", *Civil Georgia*, 8 May 2004, at <http://www.civil.ge/eng/article.php?id=6902>

<sup>28</sup> "Tbilisi to Discuss Free Economic Zone with Batumi", *Civil Georgia*, 22 January 2004, at <http://www.civil.ge/eng/article.php?id=6074>. For the Ajaran point of view, see <http://www.internationalreports.net/cis/georgia/2002/adjara/batumifree.html>.

<sup>29</sup> <http://www.internationalreports.net/cis/georgia/2002/adjara/regionprovides.html>.

<sup>30</sup> ICG interview with a local businessman, Batumi, May 2004. In 1999 Hillary Clinton's brothers, Hugh and Tony Rodham, became interested in the hazelnut business in Ajara

Repeated allegations have been made, most explicitly in the Tbilisi media, that Ajara benefited significantly from the international drug trade.<sup>31</sup> In an interview with a local newspaper, the chairman of the Security and Defence Committee in the Georgian parliament, Givi Targamadze, estimated the annual income of drug trafficking in Ajara at \$100 million. He also alleged that the criminal system was well organised, with groups specialising in kidnapping, car hijacking, rape, and drugs.<sup>32</sup>

### III. A THORN IN TBILISI'S SIDE

From November 2003 to May 2004, Abashidze held onto power while engaging in an increasingly dangerous duel with Mikhail Saakashvili, the new leader who had overthrown Shevardnadze and succeeded him as president. Tactically, he first made the error of supporting Shevardnadze in the 2003 parliamentary elections. After the Rose Revolution, rather than seeking an accommodation with Saakashvili, he resisted dialogue and counted excessively on Russian support. Saakashvili successfully bet that the population of Ajara was weakly committed to Abashidze and its republic's autonomy.

#### A. ABASHIDZE'S FAILED ELECTORAL PACT

In the run up to the November 2003 parliamentary election, Abashidze committed to resisting the reformist National Movement's advance. One of the only two violent incidents that occurred during the campaign was on 23 October in Batumi. National Movement leaders and candidates were assaulted and party premises vandalised, while journalists observing the scene had their equipment confiscated.<sup>33</sup>

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and sought to sign a deal with Abashidze before being dissuaded by the Clinton administration. See OSCE report on the 1999 parliamentary elections in Georgia, at <http://www.csce.gov/pdf/1999GeorgiaParlElectionsRpt.pdf>.

<sup>31</sup> Javakhishvili Levan, "Who controlled which Business in Ajara", *Alia*, 11-12 May 2004, p. 4; Karchava Tamta, "Did Aslan Abashidze Control Drug Business in Ajara?", *Rezonansi*, 21 April 2004, p. 4; Bakashvili Zaza, "Procuracy initiated a Criminal Case Against the Former Security Minister of Ajara", *Akhali Taoba*, 26 July 2004, p. 2.

<sup>32</sup> Khorbaladze Tamar, "Aslan Abashidze's Criminal Clan", *24 Saati* (24 Hours), 16 March 2004.

<sup>33</sup> OSCE/ODIHR. "Georgia Parliamentary Elections 2

Elections in Ajara have never been considered free and fair, and November 2003 was no exception.<sup>34</sup> The OSCE/ODIHR Election Observation Mission found "widespread and systematic election fraud [...] the political environment in Ajara dissuaded political parties from campaigning there".<sup>35</sup> The Ajaran Ministry of Interior claimed to have registered 289,000 voters, 22 per cent more than in 2000. Final turnout was calculated as 97 per cent of which Revival obtained a highly improbable 96.7 per cent.<sup>36</sup>

Official results published on 20 November gave Revival 18.84 per cent of the vote nationally, making it the second largest party in the parliament after the pro-Shevardnadze For New Georgia (FNG) bloc and ahead of the National Movement, which according to an NGO-led parallel tally had actually come in first with 26.60 per cent.

Abashidze's interest was thus to uphold the official tally. Already on 10 November, he pledged his assistance to Shevardnadze, who, unnerved by street protests, visited Batumi. Shevardnadze sent Abashidze as his personal envoy to Russia, Azerbaijan and Armenia to bolster his claims of victory for the presidential party. On 18 November Abashidze supporters from Ajara joined several thousand pro-Shevardnadze demonstrators in front of the Georgian parliament,<sup>37</sup> where they remained until 22 November, when Saakashvili and his supporters broke into the building and launched what became known as the Rose Revolution. In the coming months, Saakashvili calculated that he could win a second revolution against Abashidze in Batumi.

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November 2003, Final Report", Warsaw, 28 January 2004, p. 11.

<sup>34</sup> The London Information Network on Conflicts and State Building (LINKS), "Crisis and Renewal in Georgian Politics: the 2003 Parliamentary and 2004 Presidential Elections", January 2004. Available at <http://www.links-london.org>. OSCE/ODIHR, "Georgia Parliamentary Elections, 31 October & 14 November 1999, Final Report", Warsaw, 7 February 2000. OSCE/ODIHR, "Georgia Parliamentary Elections, 2 November 2003, Final Report", op. cit. Electoral fraud was usually organised by local chieftains keen on demonstrating loyalty to Abashidze. As a result, Revival never failed to gain less than 90 per cent of the votes in Ajara.

<sup>35</sup> OSCE/ODIHR, "Georgia Parliamentary Elections 2 November 2003, Final Report", op. cit., p. 3.

<sup>36</sup> Ibid, pp., 11, 20.

<sup>37</sup> "Pro-Shevardnadze Rally Replaces Opposition Outside Parliament", *Civil Georgia*, 18 November 2004, at [http://www.civil.ge/eng/article\\_elections.php?id=5550](http://www.civil.ge/eng/article_elections.php?id=5550).

## B. ROSE REVOLUTION II?

Alarmed by the changes in Tbilisi, Abashidze announced a state of emergency on 23 November and blocked the administrative borders with the rest of Georgia. He initially refused to recognise the authority of the interim government.<sup>38</sup>

Saakashvili was keen to assert authority in Ajara. "Georgia without Shevardnadze" and "Ajara without Abashidze" have long been National Movement slogans. The new leadership was concerned analysts were beginning to call Ajara Georgia's third secessionist movement. In a first show of its control, on 16 January 2004, the central government conducted a spectacular operation, arresting the former chief of the Georgian Railway, Akaki Chkhaidze, in Batumi for tax evasion and embezzlement and spiriting him back to Tbilisi.<sup>39</sup>

Abashidze threatened to boycott the 4 January 2004 extraordinary presidential election and refused to allow the Central Election Commission to organise voter registration in Ajara.<sup>40</sup> When he relented at the last minute and opened the polls, Saakashvili won some 90 per cent of the vote. Nationally Saakashvili scored a landslide with over 96 per cent, and the fight for Ajara intensified. Shortly after the election, Abashidze re-imposed a state of emergency. However on 7 January Ajara also submitted 2.5 million lari (\$1.25 million) in tax arrears to the central budget. On 25 January, on his inauguration day, President Saakashvili visited Batumi and inspected a military parade with Abashidze at his side.

Emboldened by their success, key National Movement coalition members turned their attention to Batumi, seeking to mobilise a second mass movement for change. The opposition movements "Our Ajara" and "Democratic Ajara" were launched in December 2003<sup>41</sup> and late January 2004

respectively.<sup>42</sup> Together with Kmara ("Enough") and other Tbilisi-based civil society groups, including the Liberty Institute, they began to organise public protests against the Abashidze regime.<sup>43</sup> Posters and graffiti with slogans "Abashidze leave!" and "Ajara without Abashidze!" started appearing before the 4 January presidential election and were increasingly visible as the year wore on.

Abashidze's reaction was unsurprisingly harsh. He warned that the situation resembled those in South Ossetia and Abkhazia in the early 1990s. At least five Kmara activists and their family members were detained. Georgian authorities meanwhile expressed concern that weapons were being distributed throughout Ajara.<sup>44</sup> The first serious clash was in Batumi on 20 February as Council of Europe Secretary General Walter Schwimmer was visiting.<sup>45</sup> The offices of Our Ajara were raided by Abashidze supporters, and dozens were injured. Saakashvili, promising punishment, ordered Georgia's security and interior ministers, as well as the prosecutor general, to investigate. At the same time, the prosecutor general launched investigations of the Batumi-based Maritime Bank of Georgia, for illegal transactions and money laundering, and of the trading activities of the Omega Group, whose Batumi-born director was an Abashidze friend.<sup>46</sup>

On 14 March 2004 police and paramilitaries barred Saakashvili and his entourage from entering Ajara.

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<sup>38</sup> Saakashvili shared leadership of the interim government with Nino Burjanadze and Zurab Zhvania.

<sup>39</sup> Minister of Interior Giorgi Baramidze personally flew to Ajara to pick up the suspect.

<sup>40</sup> Abashidze announced only on 28 December 2003 that polling stations in Ajara would be open during the election. Revival did proclaim a boycott but Abashidze himself voted fifteen minutes before the polls closed.

<sup>41</sup> Davit Berdzenishvili of the Republican Party (see below) was a founder. He had been a National Movement candidate for a Batumi seat in parliament and was beaten up in Ajara in October 2003.

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<sup>42</sup> Edward Surmanidze, former Revival parliamentarian who joined the Citizens' Union and later the United Democrats was a leading force behind creation of the movement. The founding congress on 27 January 2004 reportedly brought together 4,000 supporters. "New Public Movement Demands Snap Elections in Ajara", *Civil Georgia*, 27 January 2004, at <http://www.civil.ge/eng/article.php?id=6110>. "Abashidze Warns Over 'Bloody Conflict' in Ajara", *Civil Georgia*, 28 January 2004, at <http://www.civil.ge/eng/article.php?id=6116>.

<sup>43</sup> A student organisation, modelled on the Serbian "Otpor", Kmara played a big role in the November 2003 revolution.

<sup>44</sup> "Tbilisi Concerned Over Tensions in Adjara", *Civil Georgia*, 28 January 2004, at <http://www.civil.ge/eng/article.php?id=6125>.

<sup>45</sup> From ICG field interviews, it appears that the clash started when Schwimmer was visiting opposition headquarters. Protestors seemed very disappointed with him for leaving the scene despite the prospect that serious violence would follow. Their disappointment later was echoed in President Saakashvili's harsh criticism of the Council of Europe after Abashidze's fall. "Georgia Criticizes CoE's Stance Over Ajara", *Civil Georgia*, 4 May 2004.

<sup>46</sup> "Opposition Raided in Ajara, as Tbilisi Targets Batumi's Finances", *Civil Georgia*, 21 February 2004, at <http://www.civil.ge/eng/article.php?id=6284>.

The country appeared on the brink of a new civil war as both Saakashvili and Abashidze reiterated their readiness to use force. In a bid to assert his authority, Saakashvili created a crisis centre, headed by Prime Minister Zurab Zhvania in the nearby town of Poti, imposed economic sanctions on Ajara, and demanded freedom of movement in the region for the Georgian government. He also insisted that Ajara prepare for free and fair parliamentary elections on 28 March, disarm illegal armed groups and turn over to Tbilisi control of customs, borders, finances, and the port of Batumi. The crisis was partially defused when the two leaders met on 18 March, and Abashidze accepted the ultimatums in exchange for an end to the economic blockade.

The 28 March parliamentary elections were held in a tense but relatively quiet atmosphere. Unexpectedly they were far freer in Ajara than past polls, and Abashidze's Revival party failed to cross the 7 per cent barrier nationally to gain seats in the Georgian legislature. The electoral commission, nevertheless, annulled the results in two Ajara districts. The decision was legally challenged by the Georgian Young Lawyers' Association (GYLA), which argued that according to the election code of Georgia, only a court could take such an action. The case was dismissed, and the district elections were not repeated because Abashidze's supporters prevented the precincts from opening and expelled the election officials from Ajara.

In April 2004, the dispute between Tbilisi and Batumi increasingly began to take on the characteristics of a military conflict. On 19 April General Dumbadze, commander of the 25<sup>th</sup> Motor-Rifle Brigade based in Batumi, mutinied, pledging his support to Abashidze.<sup>47</sup> The Ajaran strongman could also count on the interior ministry's Batumi battalion (356 men), and a special force under his direct control that had been well trained by a retired Russian General, Yuri Netkachev.<sup>48</sup>

Although Saakashvili is believed to have wanted to resolve the crisis without bloodshed, he pursued what the authorities described privately as a "credible threat".<sup>49</sup> The Georgian army organised a large and

unprecedented exercise 70 kilometres north of Batumi, outside Poti, while the security services worked to persuade Abashidze's closest allies to change sides. The mutinous General Dumbadze's troops started leaving the brigade and sneaking into Tbilisi. Former political allies of Abashidze struck deals with the centre.

Abashidze's reactions became increasingly desperate. On 2 May his forces blew up two bridges and partly dismantled the railway linking the region with the rest of Georgia. Saakashvili responded by giving him ten days to dissolve paramilitaries, submit to central authority and cease human rights violations, arbitrary arrests and beatings.

At the same time, the popular movements started in Ajara were gaining momentum. On 30 April local security forces were called in to break up a rally of several hundred persons in Batumi. On 4 May the protests resumed, and the following day some 15,000 went into the streets demanding that Abashidze resign.<sup>50</sup> Concerned that the Ajaran population was too intimidated to repeat the November revolutionary experience, Tbilisi-based activists encouraged hundreds of supporters from around the country to go to the region to serve as a catalyst for mass protests. Ajaran civil society leaders claim that in the final days of the Abashidze regime they did not recognise many of those who attended the rallies.<sup>51</sup>

Abashidze's position became untenable when key allies in his cabinet, as well as elements of his security forces joined the demonstrators. Ajaran Interior Minister Jemal Gogitidze was the last to reach an accommodation, letting Prime Minister Zhvania and his entourage into Ajara through the check point at the Choloki River.<sup>52</sup> Georgian troops entered the region's second largest town, Kobuleti, and appeared prepared to advance towards Batumi.

Fearing for their lives, Abashidze and several close associates fled Ajara in the early hours of 6 May.<sup>53</sup>

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<sup>50</sup> "15,000 Protestors Demand Abashidze's Resignation", *Civil Georgia*, 5 May 2004.

<sup>51</sup> ICG interviews, Batumi, May 2004.

<sup>52</sup> To date no criminal charges have been filled against Gogitidze for his actions before or after the Ajara crisis.

<sup>53</sup> Media report that since his departure from Batumi, Abashidze has been hosted by Moscow Mayor Yuri Luzhkov in his residence and may obtain employment in the Moscow municipality. Mchedlishvili Manana, "Abashidze Starts Working in the Moscow Municipality", *Rezonansi*, 13 May 2004, p. 5.

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<sup>47</sup> The brigade included 400 AKM and AK-74 Kalashnikov type rifles; 12 SBD sniper guns; RPK, PK, PKM, and Czech YK-59M type fire-arms; and about ten grenade launchers. *Kviris Palitra*, 29 March-4 April, 2004, p. 9.

<sup>48</sup> *Ibid.*

<sup>49</sup> ICG interview, Tbilisi, February 2004.

## C. RUSSIA'S ROLE

Russia has long been aware of Ajara's strategic importance. Until 1999 and within the context of the post-Soviet Commonwealth of Independent States (CIS), its troops guarded the region's land and sea frontiers;<sup>54</sup> it still maintains a military base in Batumi. Abashidze had developed close relations with Russian decision-makers. Ultimately, however, on 6 May 2004, Igor Ivanov, the head of the Russian National Security Council and the man who brokered the terms for Shevardnadze's resignation, stepped in to facilitate Abashidze's exile to Moscow.

Between November 2003 and May 2004, Abashidze made at least five trips to the Russian capital. His personal ties with influential political and business circles and long-term backing for the Batumi base gave him grounds to believe he would secure support. Immediately after the Rose Revolution, meetings were arranged between Russian authorities and representatives of South Ossetia, Abkhazia and Ajara, and Abashidze gained a preliminary victory on 14 December when Russia instituted a relaxed visa regime with Ajara similar to what it had previously concluded with the two breakaway regions. On 20 January 2004 the Russian foreign ministry condemned "extremist minded forces" in Ajara seeking Abashidze's resignation.

Abashidze did not calculate, however, that to advance its economic interests, the Putin administration might seek to strengthen its ties with Saakashvili's government. Already in August 2003 Russian energy giant RAO United Energy System had bought AES Telasi, a U.S.-owned electricity distribution company in Tbilisi. Soon after Abashidze's fall, Saakashvili appointed Kakha Bendukidze, a Russia-based Georgian businessman, as his new minister for the economy. Some saw this appointment as an effort to create favourable conditions for more Russian investments.<sup>55</sup> Russian business interests in Ajara had previously been advanced by Moscow's mayor, Yuri Luzhkov, a close Abashidze friend who appears to have fallen out recently with Putin.<sup>56</sup> On 17 July

Saakashvili threatened to confiscate Luzhkov's interests in Ajara, as well as in Abkhazia.<sup>57</sup>

Political relations between Saakashvili and Putin were also improving. In February 2004, during his first official visit to Moscow, Saakashvili agreed to joint patrols of Georgia's northern border to contain possible Chechen incursions. However the closure of the two remaining Russian military bases in Georgia remains a point of contention.<sup>58</sup> Russia worries that Georgia's determination to join NATO will mean a Western military presence on its southern border, and it has requested at least a decade's grace for the bases. Saakashvili has offered a two-year transition.<sup>59</sup>

In the last quarter of 2004, Saakashvili and Putin are expected to sign a long-awaited Russian-Georgian framework treaty addressing issues of cooperation and security, which should define the final status of the military bases. Recently, the Georgian president suggested the creation of a joint anti-terrorist centre in Tbilisi in exchange for an end to the Russian military presence. Putin agreed to review the proposal but insisted there would be no deal at the expense of the bases. Another compromise might involve transforming the Batumi base into a Joint Russia-NATO training camp for the South Caucasus or for the Black Sea region.<sup>60</sup>

Saakashvili's people insist no deal was made with Russia over Ajara, and in comparison with South Ossetia and Abkhazia, Russia had much less interest to intervene. Unlike in South Ossetia and Abkhazia, Russia has never had any troops in Ajara with an official peacekeeping mandate. Ajaran citizens were never offered, and never showed an interest in obtaining, Russian passports and citizenship as have the Ossetians and Abkhazians. Nor does Ajara share a border with the Russian Federation. Yet, some

<sup>54</sup> Jean Radvanyi and Nicholas Beroutchachvili, "L'Adjarie, Atout et Point Sensible de la Georgie", *CEMOTI*, 27, *La question démocratique et les sociétés musulmanes: Le militaire, l'entrepreneur et le paysan*, January-June 1999.

<sup>55</sup> "Brave Experiment", *24 Saati*, 2 June 2004, p. 3.

<sup>56</sup> Javakhishvili Levan, "What Are Yuri Luzhkov's Interests in Batumi", *Alia*, 24-26 March 2004, p. 19; "Why Did Luzhkov Arrive in Batumi", *Akhali Taoba*, 30 May 2004.

<sup>57</sup> Saakashvili's Press Conference at the Itar-Tass Office, Moscow, 17 July 2004, at <http://www.rustavi2.com.ge/view.php?id=8099>.

<sup>58</sup> By signing the OSCE Istanbul Declaration in November 1999, Russia undertook to reduce its military presence in Georgia to comply with the Conventional Armed Forces in Europe Treaty. It partially fulfilled its obligations by disbanding its military bases in Vaziani (Tbilisi) and Gudauta (Abkhazia). No international observers have been allowed to confirm the latter closure. The two remaining bases are in Batumi and Akhalkalaki.

<sup>59</sup> In talks in Moscow on 10-11 August 2004, the Russian and Georgian defence ministers appeared to be approaching a compromise involving a seven to eight-year period.

<sup>60</sup> ICG Interview, Oksana Antonenko, IISS, Tbilisi, May 2004.

analysts are sceptical.<sup>61</sup> They argue that Russia's constructive behaviour was at least the result of high-level talks between Moscow and Washington, which U.S. Department of State spokesman Richard Boucher confirmed took place.<sup>62</sup> However, Moscow may simply have drawn the realistic conclusion that support for Abashidze in the region was so low that propping him up would have been too costly politically.

#### IV. AUTONOMY IN THE NEW GEORGIA

Abashidze's peaceful departure was a significant victory for President Saakashvili. He swiftly moved to consolidate central control over Ajara and to erase legacies of Abashidze's regime. Direct presidential rule was introduced in the region, and new elections for its local parliament were set for 20 June 2004. A special twenty-member Presidential Interim Council appointed by Saakashvili and chaired by the head of Georgian Railways, Levan Varshalomidze,<sup>63</sup> was charged with handling the transition. Among its first acts was to abolish the post of chief executive, which Abashidze had occupied, and give Georgia's president an effective veto over top local political appointments, including mayors and district administration heads.<sup>64</sup>

##### A. GOVERNANCE

The structure and composition of the Interim Presidential Council produced some debate, as the institution was unique. Some legal experts criticised it for combining legislative and executive functions.<sup>65</sup>

Others suggested that twenty members meant there would be twenty competing interests within the body, and that it would have been better to put a single person in charge for the transitional period.<sup>66</sup> Central government officials considered, however, that a position on the Interim Council was a useful way to reward people who had backed regime change in Ajara.<sup>67</sup>

The Interim Council rapidly passed a law on the Election of the Supreme Council of the Autonomous Republic of Ajara, providing for a new unicameral parliament with 30 members, eighteen to be elected proportionally and twelve by direct mandate, and serving four-year terms. Although the Supreme Election Commission (SEC) registered fourteen parties, only two could really compete with realistic prospects of passing the 7 per cent threshold to enter the parliament -- the National Movement and the Republican Party. Revival had dissolved itself, as had the former governing party, Citizens Union of Georgia

The Republican Party (RP), headed by David Berdzenishvili,<sup>68</sup> was well-known in Ajara where it was in the opposition for years and had its own established electoral base. It was in coalition in Tbilisi with the National Movement and played an active role in November 2003 events.<sup>69</sup> Berdzenishvili was close to Saakashvili but had clashed in the past with Zhvania, whom he accused in late February 2004 of clandestine ties with Abashidze.<sup>70</sup> At the end of June 2004, Berdzenishvili claimed that the Ajara elections had been rigged and announced that he and three other RP members would leave the National

<sup>61</sup> Irakli Areshidze, "Did Russia and Georgia Make a Deal Over Ajara?", EurasiaNet, 19 May 2004, at [www.eurasianet.org](http://www.eurasianet.org).

<sup>62</sup> U.S. Department of State Daily Press Briefing, 3 May 2004, at <http://www.state.gov/r/pa/prs/dpb/2004/32109.htm>.

<sup>63</sup> A Batumi resident, Levan Varshalomidze was Saakashvili's fellow student at Kiev State University. In 2000, when Saakashvili was the minister of justice, he appointed Varshalomidze to head one of its bureaus. After the November revolution, Varshalomidze was appointed head of Georgian Railways. His father, Guram Varshalomidze, was a close associate of Abashidze and head of the statistics department in his government. In July 2004, the father was appointed chair of the Georgian Oil Corporation.

<sup>64</sup> Daan van der Schriek, "Eurasia Insight: Georgia Moves Swiftly to Erase Abashidze Legacy in Ajaria", 11 May 2004, at [www.eurasianet.org/departments/insight/articles/eav051104\\_pr.shtml](http://www.eurasianet.org/departments/insight/articles/eav051104_pr.shtml).

<sup>65</sup> ICG interview, May 2004.

<sup>66</sup> ICG interview with a member of the Interim Council, Batumi, May 2004.

<sup>67</sup> ICG interview with a parliamentarian, Tbilisi, May 2004.

<sup>68</sup> David Berdzenishvili was born in 1960 and graduated from Tbilisi State University (History). Imprisoned for anti-Soviet political activity, he spent two years (1983-1985) in a KGB jail and camp for political prisoners in Mordovia. He was a member of the Supreme Council of Georgia from 1990 to 1991 as a representative of the Republican Party and from 1991 to 1996 was a member of the Ajara Supreme Council.

<sup>69</sup> The Republican Party, which was formed in the late 1980s, tends to be dominated by intellectuals and is known for its commitment to legal reform. It has little broad support outside Ajara and Tbilisi. It has six members in the Georgian Parliament.

<sup>70</sup> Liz Fuller, "Georgia Scores Tactical Victory in Ajara...raising the question who will be next", RFE/RL, 11 May 2004.

Movement's parliamentary group (NM) in Tbilisi.<sup>71</sup> However, the split at the local level occurred earlier, when RP decided to run a separate ticket in the Ajara elections.<sup>72</sup>

This political fight began within the Interim Council. By the end of May four members of the Council had resigned in protest at an amendment to the election code that barred members of the national parliament from running for the new Ajara legislature.<sup>73</sup> Berdzenishvili claimed that it was aimed at him personally.<sup>74</sup>

The political balance of the election commissions, and the failure of some staff to keep an appropriate distance from candidates, may indeed have given the National Movement an advantage in the Ajara poll. Pursuant to the Ajara Election Law, the election was organised by the Supreme Election Commission (SEC), twelve District Election Commissions (DEC), and 275 Precinct Election Commissions (PEC). The SEC had nine members: one appointed by Presidential Representative Varshalomidze, and two each by the Interim Council, the National Movement, and the opposition-leaning Labour Party and Industry Will Save Georgia Party (IWSG).<sup>75</sup> This distribution meant that the National Movement enjoyed, in effect, a decisive majority. Before the National Movement-RP split, a small number of the former's nominees were in fact Republican supporters. The RP had no official representation in the election administration. It alleged that once it left the Interim Council, all its associates in the election commissions were replaced.<sup>76</sup> Ajarans were seriously irritated that all twelve DEC chairs

appointed by the Presidential Representative were from the elections administration in Tbilisi.<sup>77</sup>

The National Movement, registered as "Victorious Ajara", dominated the campaign, and there was no clear separation between it and state authorities. Members of the Tbilisi parliament carried out door-to-door campaigning. Saakashvili, Zhvania, and the parliament speaker, Burjanadze, visited the region to support it. Saakashvili's face was on posters everywhere. Election observers concluded, "the campaign was dominated by the party in power",<sup>78</sup> and it seems likely that some administrative resources were used to promote its interests.

It came as no surprise, therefore, that Victorious Ajara secured 28 of the 30 parliamentary seats on election day. The RP won the remaining two but Berdzenishvili claimed that the results did not reflect the real picture.<sup>79</sup> The Council of Europe's observer mission concluded, "voting went smoothly, although the electoral process fell short of international standards in some regards".<sup>80</sup> Most concerns noted by domestic and international observers involved the accuracy of the voters' list, verification of voter identity, filling out of protocols and counting procedures.<sup>81</sup> Overall, however, the elections were considered to be much freer and fairer than previous polls in Ajara.

## B. CONSTITUTIONAL STATUS

The key post-Abashidze challenge was to determine the relationship between Tbilisi and Batumi. Since independence, Georgia has left its internal state structure largely unregulated. According to the constitution (Art. 2.3), the structure of the state is to be determined "after the complete restoration of the jurisdiction of Georgia over the whole territory of the country". It was not until 7 July 2004, after

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<sup>71</sup> The party's two committee heads, Leval Berdzenishvili for education, culture and sport, and Roman Gotsiridze for budget and finance, remained in the faction.

<sup>72</sup> Republicans claimed the National Movement offered them only places on the party ticket (which would translate into two seats out of 30 in the parliament) and that this caused the split. ICG Interview, Batumi, May 2004.

<sup>73</sup> Liz Fuller, "New Political Tensions Emerge in Ajara", RFE/RL, 3 June 2004.

<sup>74</sup> ICG interview, Batumi, May 2004. Tamaz Daisamidze, former leader of Our Ajara, was another MP affected by this decision.

<sup>75</sup> The DEC's members were nominated according to the same formula. The PECs had twelve members: the PEC Chairperson was a Presidential Representative nominee, the Interim Council nominated two members, NM nominated four, IWSG three and the Labour Party two.

<sup>76</sup> ICG interview, Batumi, May 2004.

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<sup>77</sup> ICG interviews, Batumi, May 2004.

<sup>78</sup> Council of Europe, "Conclusions of the Observation Mission", Ajara, 20 June 2004, at <http://portal.coe.ge/enews/EplZlApEkAHuYUCaqP.php>.

<sup>79</sup> "Doubts Shadow Saakashvili's Ajara Election Victory", EurasiaNet Photo Story, 21 June 2004, at [www.eurasianet.org](http://www.eurasianet.org).

<sup>80</sup> Council of Europe, *op. cit.*

<sup>81</sup> *Ibid.*; International Society for Fair Elections and Democracy, statement on the elections for the Supreme Council of the Autonomous Republic of Ajara, 24 June 2004; Georgia Young Lawyers' Association, statement on the elections for the Supreme Council of the Autonomous Republic of Ajara.

Abashidze's exile, however, that the Georgian parliament passed a law on the status of Ajara.

Somewhat inconsistently, local elections were held before the status of the autonomous republic was legally defined. Some Georgian politicians wanted to abolish Ajaran autonomy. Koba Davitashvili, a member of the national parliament and former close associate of Saakashvili,<sup>82</sup> began collecting signatures to put the issue to a referendum.<sup>83</sup> Saakashvili's administration condemned such efforts,<sup>84</sup> but the eventual legislation left the region with little more than nominal autonomy.

The constitutional law on Ajara's status was passed after the minimum one-month period elapsed between publication of the draft and the vote. There was little public participation in its preparation or debate. The Council of Europe's Venice Commission flagged a series of concerns but few were taken into consideration in the final version.

The law gives the president of Georgia extensive powers and oversight over Ajaran structures including the right to nominate the head of Ajara's government. If the Supreme Council fails twice to approve that nomination, the president can dismiss it.<sup>85</sup> He may also do this if it fails to vote on the ministers chosen by the head of the government,<sup>86</sup> or if he considers that its actions threaten "Georgia's sovereignty, territorial integrity, or impede the constitutional activities of the Georgian government bodies".<sup>87</sup> The Venice Commission concluded that "this role of the President of Georgia seems democratically questionable and scarcely compatible with a status of

autonomy".<sup>88</sup> Moreover, the law sets no time limit for new elections once the Supreme Council has been dismissed. During this indefinite interim, a presidential-appointed council would govern.<sup>89</sup>

Under the new law, Ajara is prohibited from establishing ministries of interior, state security, and defence or any military bodies.<sup>90</sup> Nominations by the head of government to his cabinet and Ajaran ministries are to be agreed with the equivalent national institutions before being voted upon by the Supreme Council,<sup>91</sup> another provision deemed "incompatible with a status of autonomy" by the Venice Commission.<sup>92</sup> Ajara's government is thus not only accountable to its citizens and the Supreme Council, but also directly to the president,<sup>93</sup> while its financial autonomy is to fit "within the framework established by the Georgian legislature".<sup>94</sup>

On 30 July 2004 the Supreme Council adopted Ajara's new constitution and approved a four-member cabinet composed of ministers of agriculture, education, economy and healthcare<sup>95</sup> as well as President Saakashvili's nomination of Levan Varshalomidze to head the government.

Tbilisi's control has in addition been felt through high-level public appointments of individuals from Tbilisi to fill national positions in Ajara previously held by Batumi residents. This includes the heads of the Ajara departments of the state security and interior ministries, the prosecutor's office, Batumi prison and port, and the deputy head of customs at Sarpi. These appointments, and the dominant position allocated to the Varshalomidze family, have begun to be criticised by Batumi based elites and civil society activists.<sup>96</sup> The Supreme Council also abolished several institutions that previously mirrored Tbilisi counterparts such as the customs department, the public defenders' office, the

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<sup>82</sup> Koba Davitashvili was first on Saakashvili's National Movement party list in the 2 November 2003 parliamentary elections. Many predicted he would become the new procurator general or head of the control chamber. They split in February 2004, according to speculation because of Davitashvili's opposition to Zhvania and differences over amendments to the constitution.

<sup>83</sup> Holding a referendum on Ajara's future status was also supported by David Gamkrelidze, chairman of the New Rights Party. "New Political Tensions Emerge In Adjara", RFE/RL Caucasus Report, Vol. 7, No. 22, 3 June 2004.

<sup>84</sup> "Whole World Watches The Heroism of Ajarians", *24 Saati*, 6 May 2004, p. 3.

<sup>85</sup> Article 12, part 2 of the Constitutional Law on the Status of the Ajara Autonomous Republic.

<sup>86</sup> This amendment was passed in the first reading by the Ajara Supreme Council on 28 July 2004. "Did the Ajarian Supreme Council Violate the Law?", *Rezonansi*, 30 July 2004, p. 6.

<sup>87</sup> Article 12, part 1.

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<sup>88</sup> Council of Europe, Venice Commission, "Draft Opinion on the Draft Constitutional Law of Georgia on the Status of the Autonomous Republic of Ajara", Opinion No. 291/2004, Strasbourg, 8 June 2004, p. 5.

<sup>89</sup> Article 12, part 3.

<sup>90</sup> Article 20, part 2.

<sup>91</sup> Article 20, part 3.

<sup>92</sup> Venice Commission, *op. cit.*

<sup>93</sup> Article 15, part 4.

<sup>94</sup> Article 22, part 1. Central authorities may also allocate state income to Ajara (Article 22, part 2).

<sup>95</sup> The opposition Republican Party voted against the new cabinet.

<sup>96</sup> ICG interviews, Batumi, May 2004.

constitutional court, and the economics council. Ajara inhabitants have begun to complain that Tbilisi is unwilling to continue to finance services they benefited from during the Abashidze regime, especially in the social and cultural fields such as Ajara TV and the Batumi State Opera and Ballet Theatre, as well as Conis (Ajara airlines).

## V. CONCLUSION

As tensions rise between Tbilisi and the breakaway regions of South Ossetia and Abkhazia, it seems natural to assume that the non-violent resolution of the Ajaran crisis provides applicable lessons. However, the basis of Ajara's autonomy was weaker than in the other two regions. Autonomy was originally granted due to the population's Muslim religion, a distinction that has tended to fade during the past decade. The Ajaran sense of identity is not ethnically different from that of other Georgians, and the people never publicly called for national self-determination. Ajara is important as the first renegade region over which Tbilisi has successfully regained control, but the mechanisms and strategies employed probably have little applicability to the South Ossetian and Abkhaz cases.

The new law on the status of the Autonomous Republic of Ajara leaves Batumi with little more than symbolic powers and diminishes the attractiveness of President Saakashvili's offers to review the autonomous status of South Ossetia. Indeed, the government has failed to state clearly that any autonomy offered to South Ossetia would differ meaningfully from the very weak version applied to Ajara

A decade of tension with Batumi may justify the central government's reluctance to offer Ajara greater autonomy at this time. Georgians deeply fear any further disintegration of their state. However, Ajaran autonomy, even when Abashidze was at his most difficult, never morphed into a campaign for secession. Ultimately the Ajaran people remained committed to the Georgian state.

Tbilisi's reluctance to allow Ajara the institutions and decision-making ability to exercise effective autonomy is a missed opportunity for local government reform and greater decentralisation of the state's internal structures. Georgia's constitution was amended in February 2004 to insure that

representatives of local self-government would be elected (Art. 2.4). With Ajara's head of government nominated by the president, however, it seems highly unlikely that the heads of other regions will be given greater democratic legitimacy.

The new Saakashvili government succeeded in significantly reducing Ajara's autonomous status in large part because it faced little or no resistance from the Ajarans themselves. Only the Republican Party clearly opposed the National Movement's plan. There was no need for long dialogue or compromises with Ajaran leaders. Many in the region undoubtedly felt that the president would better protect their rights than their own Batumi officials. This is partly the consequence of years of repression and disenchantment under the Abashidze regime. But it is also the consequence of low popular knowledge of political rights and lack of experience in participatory decision-making. Genuine stability and democratisation in Ajara will require a gradual transformation of political culture, which Tbilisi should encourage rather than seek to control.<sup>97</sup>

**Tbilisi/Brussels, 18 August 2004**

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<sup>97</sup> Disenchantment with the new order, while still low, has started to appear. On 2 August 2004 some 170 former police officers staged a rally requesting re-instatement. On 24 July, when Batumi authorities tried to move the central market to the suburbs, several hundred protesters appeared, shouting "Babu! Babu!" ("Grandpa!"), an Abashidze nickname.



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**As at August 2004**



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