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WEEKLY BILINGUAL
NEWSPAPER IN GEORGIA

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POLISH GOVERNMENT GRANTED 1 MILLION EURO FOR DEVELOPMENT PROJECTS IN GEORGIA

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I would like to mention the Polish support to Georgia in terms of sharing experience concerning the EU integration process. Because we have that experience, we have received support from the Netherlands and then offered this experience to Macedonia. Georgia is the second country and the first in the Eastern Partnership with whom we want to cooperate on the same basis. This means that we are ready to give our full support, providing experts, and assistance across all areas of EU integration.



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GEORGIAN TROOPS WILL CONTINUE TO PARTICIPATE IN INTERNATIONAL MISSIONS

Consultations with partner countries will be held in order to continue Georgian military participation in international missions, – it was said after meeting of Security Council.

The council discussed two issues: the preparation for the NATO summit in Warsaw and the international military missions.

“There was talk about further strengthening of country’s defense, deeper integration with NATO.

We also discussed Resolute support Mission in Afghanistan and Georgian soldiers’ participation in the cooperation “ – said the Prime Minister.

President Giorgi Margvelashvili said that he heard a lot of positive information on Georgian soldiers participating in international missions.

According to him, at the meeting there was no discussion on Central Africa peacekeepers, which are accused in sexual harassment by the UN chief.



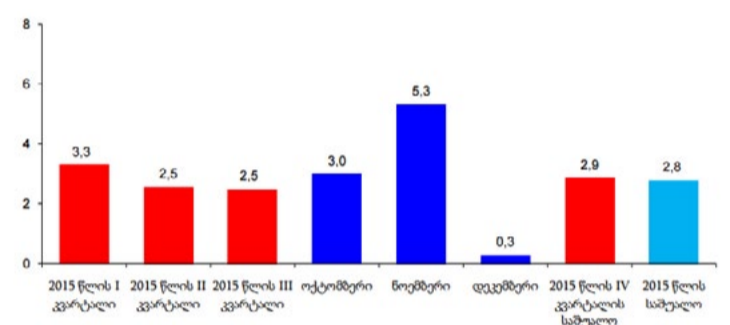
GEOSTAT: GROSS DOMESTIC PRODUCT GREW 2.8% IN 2015

Geostat published the information about the GDP growth 0,3% in December 2015 compared with the same period last year, while the IV quarter of 2015, GDP grew 2.9%. In total, according to preliminary data in 2015 the GDP increased by 2.8%.

“Since January 2012, the state statistics office produces monthly preliminary estimation of economic growth. The estimate is an internationally accepted practice, which is used for short-term pre-

operative data. In those fields where the monthly data (eg. Agriculture) is not available, the estimations are based on the previous data. Respectively, real quarterly calculations may differ from the preliminary estimates “ – explained the facility.

According to the National Statistics Office, there could be a correction in the previous months of the VAT taxpayers’ turnover, which would result in proper corrections of real GDP growth estimates.



GEORGIA IS A LEADER IN THE REGION IN TERMS OF PUBLIC ADMINISTRATION REFORM

The EU appreciates the public administration reform carried out in Georgia, – it was noted at today’s regional conference.

At the meeting it was underlined that Georgia is a leader in public administration reform in the region.

In the frame of the conference, which is called “Civil service reform: legislation in the sphere of

public service and its implementation”, Georgia’s public service reform process, the need to develop public service legislation and its implementation, as well as the experience of foreign countries will be discussed.

The ministries and non-governmental organizations, invited guests and international experts are participating in the event.



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DUTCH AMBASSADOR: WE SHALL OVERCOME OUTDATED TRADITIONS

ANA ZANKALIANI **EXCLUSIVE**

It is already twelfth time that the kingdom of the Netherlands holds the Presidency of the Council of the European Union. There are expectations that the changes within these six months will reflect positively on political and economical status of European Union. Netherlands have four priorities from which the first one is related to migration and international security. The other three fields are employment, energy policy and strengthening the Euro zone. How these changes will affect on Georgia and what plans does the Netherlands embassy have towards Georgia? Observer talked about these issues with the new ambassador of the Netherlands Jos Douma. He already enjoyed 4 months now in Georgia, together with his wife and started active work of diplomacy.

The Netherlands holds the Presidency of the Council of the European Union from January 1 until June 30, how it will affect on Georgia?

The relevance of the Dutch Presidency of the European Union for Georgia is very limited. We preside over meetings in Brussels, mostly technical. We host ministers and guests in Amsterdam and sometimes in other places, on specific subjects and then we try to bring forward European integration and the European Union in particular. That is for the member states mostly. One particular aspect is that, during the Dutch Presidency we hope to decide upon visa liberalization for Georgia, that's a technical process; those colleges of mine preside over. The European Commission published a report on this issue in late December. The Council of Ministers will decide and the European Parliament will vote on it. This is the process we are deeply involved in and, as I said, our role is mainly technical. What we are also trying to do is to bring the ideas of the European Union across to the Georgian public.

Dutch MEPs share expectations that Netherlands under the Council Presidency will draw member states' attention to shared interests and common values, Georgia is not a member of the EU, but still what are the values that we need to accept, especially in terms of the anti-discrimination?

Well again, most of the works outside the EU itself are done by the European delegation. They

are our collective representatives. Of course, they interact with us a lot, because they act on behalf of the European Union. You have seen a very detailed report about Georgia's visa liberalization action plan implementation. Anti-discrimination is one of the topics therein. Our Embassy and all the Embassies of the EU Member States, interact with government and society, especially, with the civil society, to bring forward what we call the European values indeed and what you have mentioned specifically - the antidiscrimination aspects. What we've noticed is that Georgia has come a long way and has made lots of progress, but the emphasis should be on true implementation now; which means that it should not only be written on paper, but, most importantly, in the minds of the Georgians and noticeably in the acts of citizens and of authorities.

How do you assess Georgian way to the European and Euro-Atlantic integration, how successful and visible are the reforms that have been carried out and where do you see the need for improvement?

The implementation by authorities is a formal thing. But then again I come to hearts and minds of people where the reforms should be internalized; i.e. that is more difficult, because sometimes you have to overcome old traditions, prejudices and sometimes an opinion that you've always had. It is a difficult process. We have one program where we, together with our partner NGO, inform clergy and people affiliated with the Georgian Orthodox Church about what Europe actually means. We all have our views and ideas, but should question ourselves whether these ideas are conform to the reality of the EU. For me it was striking to attend such conferences and to notice that it was a revolution for these people, -"Hey, this is it, the true value of European Union". "I never saw it this way". It is important - you recognize that this is it! And I witnessed that. That was wonderful.

What we try to share with Georgia is what we think that are European values and in fact Georgian authorities subscribe to these values. Now we together with Georgian authorities want to have all the Georgians to accept that you can have different opinions, a different religion, different ethnicity, different orien-

tations and that you accept each other. It takes time though, that these values are not just written on paper, but in your hearts.

You actively support business relations between Georgia and Netherlands, in which areas do Georgian and Dutch companies cooperate and what are your future commitments in this area?

Georgia is a really small market, but it is very challenging and interesting one. There is a Dutch export volume on one side and the investment volume on the other side. We were the number one investors in 2014, down to 330 million US dollars; these are the latest figures that we have. When you can zoom into what we actually do here, then you can see that we are active in agriculture, real estate and retail. Despite not having abounding Dutch companies in Georgia, our business companies play an important role in Georgian market and their presence has been evident.

What do you mean in presence?

Take for instance shopping malls. Recently opened Shopping mall Isani is a joint French-Dutch investment, with Dutch know-how in the background. The Spar shops that you find here, is a Dutch concept. Not only as a brand name, but more so as a concept of retail management: how to approach the customer, how to attract customers, how to have customers feel home in your shop. A major player is a development bank, the FMO. They participate in one of the largest banks in Georgia, TBC Bank and they have minor positions in other banks also. And why do they do that? Simply because they see Georgia is a very interesting country for this kind of investments, to develop the country and to develop the economy. So it is not just presence of companies, it is wider financial, emotional and know-how commitments to the country. That makes me to be committed.

Georgian artists and sportsmen often appear in the Dutch media, what do you think what is the reason? And how would you describe cultural and sport relations between the two countries?

I fear that not many in the Netherlands will always know what they see is a Georgian. For them it's a football player, or an artist, or a chess player that plays well. But when you become an



expert, or become interested in it, then there's Georgia again. Two Georgians are playing in one of our football teams in the Netherlands, Vitesse. We have a wonderful chess couple: Sopiko Guramishvili, who is one of the major female chess players in the Netherlands and her husband, Anish Giri, of Indian origin, who is our youngest grand master and Dutch greatest asset in chess. I should also mention Georgian musicians: Qeti Roinishvili, Mariam Batashvili and Nino Gvetadze. A filmmaker Zaza Magalashvili considers the Netherlands as his home, but Georgia as his motherland.

Does it mean that cultural relations are close between Netherlands and Georgia?

Yes, I think so. Whether you can say that for two countries I don't know, but people know how to find each other. When my wife and I have heard that we were about to be posted here, we spoke to people about this country they either were positive about Georgia, or were very curious about it. It appears to be not very well known country, but it has some sparkles.

Your Embassy is very active in terms of social media; do you think that the embassies should use innovative tools to bring two states and nations closer?

I really believe in this type of diplomacy. The embassy was very active before my arrival. The Embassy is very active on Facebook. When we hosted our 10 000 likers, we asked for some feedbacks. The audience, if we may call them that way, likes an interactive relation with the Embassy through this digital, virtual link. First of all, the Embassy is not just a building but should be more than what it is traditionally known for. We should be in the middle of the society, so to speak and that also means the virtual society. Secondly, I believe the Embassy needs to be

open to people. You can see it in our office space, how we actually do that and how people relate to each other. We want to have an open approach, open office space and open Facebook page. We also have a website but that is much more static and it gives basic information about the Embassy. The third is Twitter, that is more my personal activity. With Twitter I try to relate to policy makers, policy thinkers in Georgia and beyond; express ideas, developments and the views from the Netherlands. While we have the Presidency of the EU, I try to involve the Georgian audience in what it actually means. I believe, and the Embassy believes, that this type of interaction can indeed bring people together and that's what we notice especially through our Facebook page. The audience both in the Netherlands and in Georgia and sometimes also beyond, likes what we do, in general and quite often also on certain activities or on certain expressions. Certainly, diplomacy is helpful to bring nations together.

It is the third year that we do not have the Dutch first lady, however, she still lives in Georgia, do you keep relations with Sandra Roelofs, and how do you assess her role in the relations between Georgia and the Netherlands?

She's been very helpful, but it's not only because of her marriage with Mikheil Saakashvili. It is simply because she explored Georgia. She did so as a student and then she met him. So there was Georgia first. Saakashvili is not in the country anymore and she's still here. For us, she's a normal Dutch citizen and also a Georgian citizen. She brings across a message about Georgia and indeed it generates interaction between the two countries. Sandra Roelofs has been and still is a very good agent both for the Netherlands in Georgia and for Georgia in the Netherlands.

POLISH GOVERNMENT GRANTED 1 MILLION EURO FOR DEVELOPMENT PROJECTS IN GEORGIA

TEIMURAZ SHA **EXCLUSIVE**

Seven years ago, Poland and Sweden initiated the European Union's Eastern Partnership (EaP) that brought Georgia, Ukraine, and Moldova, three out of six member states, closer to the European Union's values and politics. However, the process of transition has been made more difficult as it has interfered with the Russian project of a building a rebranded Soviet Union throughout the region.

With the help of its foreign partners, especially Poland, Georgia has managed to advance on the path to European and Euro-Atlantic integration. Georgia has hopes to receive a NATO Membership Action Plan (MAP) at the Warsaw Summit, a marker of progress and symbolic victory. Observer recently discussed these issues with H.E. Andrzej Cieszkowski, Ambassador Extraordinary and Plenipotentiary of the Republic of Poland to Georgia.

The EU's Eastern Partnership still faces a lot of criticism and skepticism even within the European Union. After seven years of its existence, how do you assess the success of this policy so far?

The EaP was one of the first programs created by the EU to offer opportunity to our Eastern neighbours and to bring them closer to the European Union. The EU does this by proposing and offering, not pushing or pressuring, the partners. Therefore a platform of cooperation was proposed, which included the strengthening of bilateral as well as multilateral relations. I think the EaP has been successful, but we should not look at it only through a geopolitical lens but also consider the effects of the actions taken by the states involved. For example, Georgia, like Moldova and Ukraine, signed an Association Agreement with the EU in June 2014 and got a positive report on the visa free-regime in December 2015. This is a positive example of how to use these opportunities for good.

A NATO Summit will be held in Warsaw this year, and Georgia, an aspiring member of the organization) is still expected to get the MAP this year, which will speed up the membership process. Do you think this might happen soon?

It is quite early to make any predictions, as there is still more than half a year before the Summit and we still have negotiations and consultations inside the alliance. I am sure that at least Georgia will be notified that it will become a member of NATO. We may have additional instruments of practical cooperation between NATO and Georgia which should be decided by then. Recently, we have had a very good mechanism in the Substantial NATO-Georgia Package from previous summit; let us focus on implementation of this package, including training centers. And the main thing now is to continue the integration.

How would you evaluate the dynamic of Georgian-Polish relations?

Polish-Georgian relations are very intensive and it doesn't rely on the party which is in power in Georgia or in Poland. There is continued Polish engagement in Georgia; we have a very intensive dialogue one level of cooperation. We had a meeting last year between presidents, last month there was a meeting between the Ministers of Defense, last week between the heads of parliaments of Georgia and Poland, and now we plan to have an official meeting of Ministries of Foreign Affairs of Georgia and Poland. As soon as Mikheil Janelidze was appointed the Minister of Foreign Affairs in Georgia, his Polish counterpart congratulated him and invited him to Poland.

Additionally, I would like to mention the Polish support to Georgia in terms of sharing experience concerning the EU integration process. Because we have that experience, we have received support from the Netherlands and then offered this experience to Macedonia. Georgia is the second country and the first in the Eastern Partnership with whom we want to cooperate on the same basis. This means that we are ready to give our full support, providing experts, and assistance across all areas of EU integration. One of the most important projects that we have coming up is meetings at the levels of ministries, deputy ministries, and directors to discuss issues related to bilateral relations and to EU integration.

How do you see the future of

Georgian-Polish relations?

We see Georgia as a country that decided to go on the path of the EU and NATO integration. We consider this policy very wise and potentially very fruitful. Integration with NATO will give stability, and integration with the EU has a lot of benefits—democratization of the state, strengthening of institutions, opening up to a huge market of 500 million inhabitants – a real opportunity for Georgia to be an economical partner and use the EU market without barriers, as is considered in DCFTA.

Our relations will become even stronger. We have additional instruments to be applied. Recently the Polish minister decided to continue to cooperate with Georgia as a priority country for Polish development assistance. Ukraine and Moldova will receive Polish aid alongside Ukraine and Moldova. We have more than 20 projects for the current year with value of more than 1 million Euros, focused on areas with special needs. We are focusing on bilateral cooperation and the relations between regions, cities, and municipalities, and it is a very structured process. They have joint projects, meetings, and visits. This is the model which we want to follow, to not only have relations on the governmental level but also on the level of the society because there is friendship and understanding between people.

What is the role of the Polish

Diaspora in Georgia?

The Polish Diaspora in Georgia is highly integrated in Georgian society. We have a few organizations in particular which are very active. Here in Georgia we have one of the oldest communities in the world, which started in the 18th century and was then developed after the Polish uprising of the 19th century. The community was supported by artists, writers, and sculptors of Polish origin. The Polish community has been very active and have made a big impact on Georgian life, especially architecture. You can look at Rustaveli Theatre, Marjanishvili Theatre, Conservatoire, and many other buildings that were designed by Polish artists. We have two community schools and several centers in different universities which provide Polish language courses. Generally, we cooperate with the Polish community organizations in Tbilisi, Lagodekhi, and Akhaltsikhe. We are aware of the organizations and communities in Abkhazia, but as you know there are issues with communication with them and thus we communicate with them only electronically. But I hope the time will come when live communications will become possible.

What do you think about the conflicts in Georgia and Ukraine?

Poland condemns the illegal actions of Russia against neighboring countries. And we stand on side of the territorial integ-

ity and sovereignty of Georgia and Ukraine, and there is not any country which can break these rules. I am sure that the time will come for reintegration of the Abkhazia and South Ossetia regions with Georgia, as well as the Donbas and Crimea regions with Ukraine, through a diplomatic solution.

What is the biggest challenge for Poland during the current crisis in the European Union?

Europe has some significant problems to deal with, like the refugee crisis, as well as Great Britain going out of the Union, but I am optimistic about the EU. You probably know that the EU is based on resolving crises, and I don't remember a single year without crisis in the EU. Still, the idea of European integration is one of the most powerful in the world.

Solidarity between member states is crucial, and it is also very important to recognize how many resources will be mobilized inside the EU to support and assist developing countries. The EU is working, and soon we will say that we managed the economic crisis, migrant crisis, and whatever else to come. Regarding NATO, I think that our goal is to strengthen the eastern borders of NATO because of current security challenges. I am sure that we should invest in the countries that are willing to integrate into the alliance, such as Georgia, which is in the process of integration.



THE NEW PRESIDENT OF PACE: IN WHAT CONTEXT HAS PEDRO AGRAMUNT MENTIONED GEORGIA?

EKA PKHOVELISHVILI (POLAND)

The Parliamentary Assembly of the Council of Europe (PACE) has a new president, Chairman of the People's Party and member of the Spanish delegation Pedro Agramunt. Before being elected for the position, Pedro Agramunt was the chairman of the People's Party in PACE. Since 2000, he has been a member of the Spanish delegation in the Parliamentary Assembly of the Council of Europe. He succeeds Anne Brasseur from Luxemburg, the previous president of PACE. The president has a one-year mandate that is renewable one time.

In his inaugural speech, the newly-elected president stated that "We are not assembled here today in the belief that Europe is perfect. We are here because we believe that in Europe we must solve our problems together," before presenting four major interrelated challenges that are currently facing Europe. The main challenges for Europe are terrorism, the refugee crisis, unresolved conflicts in Europe, and the resurgence of left-wing and right-wing populism.

In his inaugural speech, Agramunt mentioned Georgia twice with respect to critical concerns. He opined that the frozen conflicts in Abkhazia and South Ossetia, along with other unresolved conflicts on the European continent, are endan-

gering the security of Europe, and that "threats to security and frozen conflicts still exist in the regions of Transnistria, Republic of Moldova, Abkhazia and South Ossetia, Georgia, and Nagorno-Karabakh, Azerbaijan."

The new President criticized Georgia for the pre-trial detention of the former Tbilisi mayor Gigi Ugulava in his report last year. He refocused attention on this issue recently as well, referring to Gigi Ugulava and the Ukrainian Nadia Savchenko arrested in Russia as political prisoners in his statement to begin the assessments of the parliamentary majority members in the delegation.

The head of the Georgian delegation in PACE, Tedo Japaridze, made a statement in response to President's speech, specifically the description of Gigi Ugulava as a political prisoner. He stated that "No one is above the law in Georgia. Georgia is a sovereign and independent state, and the Parliamentary Assembly should contribute to the consolidation of democracy."

Currently serving as Chairman of the Foreign Relations Committee in the Georgian Parliament, Tedo Japaridze has been newly elected Vice President of PACE. His new position is a considerable achievement for Georgia, one which may enable Geor-

gian interests, as well as Tedo Japaridze itself, to make bolder statements.

Member of the Georgian Parliament Eka Beselia has stated that the President's speech and his assessments of Georgia were not objective. "We hope that Mr. Pedro, as the President of the Assembly, forgets his personal political friends and sympathies and will be able to make statements which hold to the principles of the Council of Europe," said Eka Beselia.

In response, the opposition has responded to the announcements of the representatives of the "Georgian Dream" and condemned their critical attitude toward PACE. As Davit Bakradze, a member of the parliamentary minority, pointed out, it is more profitable for Georgia not to cause controversy with international organizations and their leaders.

"I can say with confidence that for the President of Parliamentary Assembly of the Council of Europe, the Principles of the Council of Europe are more important than personal or political friendship," said Davit Bakradze. The Council of Europe recognizes the territorial integrity of Georgia and this is the basis for future positive development. Georgia has a strong desire to be a part of Europe's security.



At the same time, Georgia wants Europe to take on some of the responsibility for guaranteeing security.

Officially Tbilisi, unlike the breakaway regions, is a legitimate partner of the Council of Europe, and the steps taken by the Council will surely bring positive developments in the management of conflict. The highlighting of Abkhazia and South Ossetia by Pedro Agramunt as one of the most important factors for the security in Europe is

therefore of major relevance to the issues surrounding Georgian statehood.

It can be said that one of the main purposes of Agramunt's speech was to reinforce the importance of Georgian conflicts to the West. The President of the Parliamentary Assembly of the Council of Europe's mention of Abkhazia and South Ossetia has once again demonstrated that these issues are still urgent at the international as well as local and national level.





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ICC STARTS TO INVESTIGATE AUGUST WAR CRIMES

GIORGI CHAPIDZE (BULGARIA)

The International Criminal Court (ICC) authorized on January 27 the Prosecutor Fatou Bensouda to investigate crimes within the jurisdiction of the ICC allegedly committed in and around South Ossetia, Georgia, between July 1 and October 10, 2008. On 13 October 2015, the ICC prosecutor submitted a request to investigate the case under the article 15 of the Rome Statute for War Crimes and Crimes Against Humanity, including the forcible transfer of population, persecution, attacks against the civilian population, willful killing, the intentional direction of attacks against peacekeepers, and also destruction of property and looting.

After examining the request and the supporting material, the Chamber concluded that there is a reasonable suspicion that the crimes mentioned above took place in Georgia from July 1 to October 10, 2008, creating a basis for issuing the authorization for the prosecutor.

In accordance with statements published on the ICC's website, the court has a mandate to conduct an examination in the absence of an investigation process by a state actor or by the United Nations Security Council. Georgia has ceased to investigate the case, and therefore the ICC has the right to start an inquiry.

This conclusion was referred to by the Georgian Minister of Justice Tea Tsulukiani as unambiguously positive. She stated that the investigation is in the Georgian national interest. The minister also noted that the pre-trial investigation will draw attention to the investigations of

ethnic cleansing, affirming that the aim of the perpetrators of violence was to change the ethnic composition of the region. The ICC's conclusions align with these statements. The Ministry of Justice of Georgia expressed its willingness to cooperate with the prosecutor Fatou Bensouda and provide her with the relevant materials and information within a one-month period.

Unlike Tea Tsulukiani, the Defense Minister of Georgia, Tina Khidasheli, is not content with the statements of the ICC prosecutor and hopes that it was based only on the findings of the pre-investigation process. It is just as important that the case be resolved within the framework of the judicial system. According to her, the ICC portrays only Georgia and South Ossetia as participants in the conflict, whereas the prosecutor Fatou Bensouda alleges that there was a third participant in these crimes. Accordingly, there is a possibility that the court will prove that Russian troops committed war crimes and crimes against humanity during the August War. The Minister endorses the court's decision and has issued an investigation mandate for the period between July 1 and October 10. She hopes that the ICC will end the current ambiguity and shed light on the truth. More importantly, she thinks that perpetrators should be punished after their crimes have been confirmed. The same idea was floated by the prosecutor in her statement claiming that arrest warrants will be issued if war crimes and crimes against humanity have been proven to occur.

The press secretary of the Ministry of Foreign Affairs of the Russian Federation has declared that the ICC is not impartial, but is seeing the facts from the viewpoint of an aggressor. She stated that alleges Russian and South Ossetian troops were merely victims. She added that the Russian Federation is dissatisfied with the prosecutor's pre-trial conclusions. How likely is it that the investigation process will result in positive outcome for Georgia? Some aspects of the pre-trial findings suggest a positive outcome. The findings indicate that by August 12, Russian troops had become an occupying power able to enforce Russian regulations and assert effective control over the territory. The court concluded that on August 13, 2008, Russian troops established checkpoints enabling them to control the area in conflict. Unfortunately for Georgia, the role of the Russian troops is portrayed in a positive light, as it is noted that their control resulted in a significant decrease in the accounts of pillaging and torching of civilian property by South Ossetian forces. This conclusion does not assume that Russian troops were the ones destroying civilian property.

According to the ICC report, the Russian military took immediate measures to ensure that the OSCE observers were unable to investigate the truth of claims that the crimes and destruction were perpetrated by South Ossetian forces. Despite this, the court deems that only Georgia and South Ossetia were party to the conflict, and the Russian Federation is merely alleged to

have violated Georgian airspace several times. It is noted that on the night of August 1-2 in 2008 a series of intense exchanges of fire occurred between Georgian and South Ossetian controlled areas. The Georgian side affirms that the first fire was from the area controlled by the separatists, whereas, the ICC argues that the identity of the perpetrators and the timing of the attack remain contested. The ICC report also claims that on August 8 Georgian troops deliberately attacked Russian peacekeeping forces in two locations, a finding which is disastrous for Georgia. It is also left vague "whether the Russian peacekeeping force was at that time directly participating in the hostilities and whether the Georgian forces initiated the attack or were instead responding to an attack." The Georgian side argues that by the time of the August War, Russian "peacekeepers" did not in fact have the status of peacekeepers as they were not fighting for self-defense and not impartial but in fact supporting the separatists. The court may draw attention to the European Parliament's resolution of November 29, 2007, noting that "the Russian troops have lost their status of neutral, impartial peacekeepers."

The pre-trial findings also include the fact that Georgian troops were confronted by Russian forces supporting the separatists. The possible proof of the war crimes committed by the Russian troops is the fact that on August 8, Russian air forces reportedly attacked locations in central Georgia, including Variani and Gori, and gradually ex-

tended their attacks to Tbilisi. The Russian forces were joined by South Ossetian troops only after these campaigns. The court may make the argument that the Russian armed forces were acting as bystanders and were not preventing the attacks by South Ossetians to protect ethnic Georgians when they had an effective control over the region.

The court notes that deliberate attack targeted mainly ethnic Georgians and Georgian villages, using tactics of killing, beating and threatening civilians, detention, and burning houses. These acts were reportedly committed to reduce the ethnic Georgian presence in the region and the overall objective was to change the ethnic composition of the territory. Moreover, it is noted that the hostile acts were allegedly committed by members of the Russian armed forces. It has been verified that after Russian aircrafts attacked, Russian and South Ossetian forces were entering the bombarded Georgian villages together. The investigation may prove that war crimes and crimes against humanity were committed not only by separatists but also by Russian troops. It would be harmful for Georgian national interests if the alleged attack by Georgian forces on Russian peacekeepers is confirmed, but the truth of the status of Russian troops as peacekeepers must be verified in the first place. If the Georgian side cooperates with the investigation and provide supporting materials and information, this process will put an end to the speculations about the sides' involvement in war crimes.



NATO REPORT GIVES HOPE TO GEORGIA

GURAM PTSKIALADZE (BULGARIA)

On January 28, 2016, Jens Stoltenberg released his second annual report as NATO Secretary General. The annual report provides an overview of how NATO has promoted and supported peace and security in 2015. It includes details on how NATO is enhancing deterrence and defense, investing in security, transforming capabilities, building relationships, sharing expertise, advancing the role of women in peace and security, and adapting as an institution.

In his report, Stoltenberg reviews the ongoing events of the world: the Middle East, Northern Africa, Syria, Iraq; Terrorism, Russia's coercive steps – these are the core issues of his annual report.

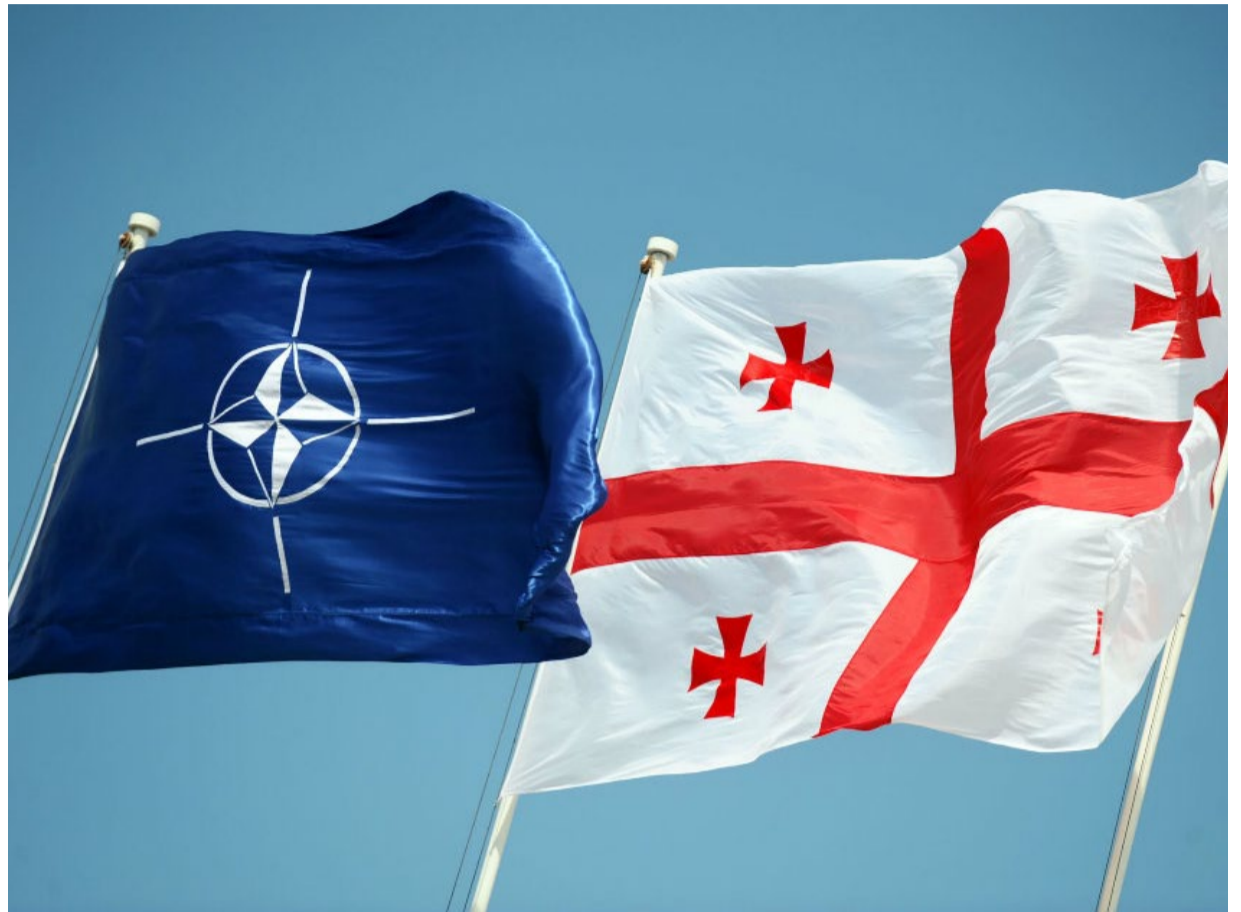
The document includes the agreement between the sides on the Substantial NATO-Georgia Package. The package includes the establishment of three facilities: a Joint Training and Evaluation Center, a Defense Institution Building School, and a Logistic Facility. Additionally, the package includes the provision of expert advice in the areas of acquisition, strategic and operational plans, Special Operations Forces, military police, cyber defense, maritime security, aviation, air defense, and strategic communications. The final aspect of the package is support and contributions to NATO exercises in Georgia that are open to NATO partners. The first phase of implementation began in December of 2014, establishing the DCB Core Team in Tbilisi and the relevant coordination processes. Several other projects were also launched. The first NATO-Georgia military exercise open to partners, Exercise Agile Spirit, was held in July 2015.

The NATO-Georgia Joint Training and Evaluation Center was inaugurated in July 2015 by Georgian leaders and NATO Secretary General Jens Stoltenberg, at its headquarters in Krtsanisi, where it is part of Georgia's Training and Military Education Command. The center is a combined NATO-Georgia project based on Georgian and regional needs, and complements existing training programs, policies and doctrines. The center is tasked with strengthening Georgia's capacities to address a range of threats as well as improving the interoperability of Georgian and Allied forces and contributing to regional security cooperation.

Between June 5 and June 20, Georgia participated in the biggest ever Allied naval exercise in the Baltic Sea. They trained in marine interdiction, anti-submarine warfare, mine warfare, anti-air warfare, and amphibious landing. Around 5,600 troops took part from Denmark, Estonia, Finland, France, Germany, Latvia, Lithuania, the Netherlands, Poland, Sweden, the UK, and Georgia. The Baltic Sea and the Coast of Poland Agile Spirit 2015 Multinational Land Exercise was held in Georgia between July 8 and 22 with a scenario on peacekeeping operations in which over 800 troops from Bulgaria, Latvia, Lithuania, Romania and the US participated, although no Georgian troops participated.

The report underlines the support of NATO for Eastern countries, saying that "In the East, we continue to support the Ukraine, Georgia, and Moldova to better resist outside pressures. Russia is our largest neighbor. We need to have a relationship with Russia that is based on mutual respect. There is no contradiction between increasing the strength of NATO and engaging with Russia. Indeed, it is only by being strong that we can develop a cooperative and constructive relationship. Russia has continued to pursue a more assertive and unpredictable military posture in 2015 and is persisting in illegally occupying parts of Georgia, the Republic of Moldova, and the Ukraine, and continuing to support separatists fighting in eastern Ukraine." NATO condemns the current actions of Russia, as over the last several years there has been a significant increase in Russian military activity near NATO's borders as well as a demonstrated willingness to use force in pursuit of its foreign and defense policy goals. Russia's use of force in Georgia in 2008, and again with the annexation of Ukrainian territory in March 2014, has fundamentally challenged the vision of a whole, free and peaceful Europe, and undermines the principles of international relations as agreed in the Helsinki Final Act.

For the first time since the Second World War, one European country has illegally annexed part of another. Concurrent with its increasingly aggressive behavior, Russia is reducing military transparency through the non-implementation and selec-



tive implementation of some of the most important arms control agreements and confidence- and security-building measures that comprise the Euro-Atlantic security architecture. Russia avoids the mandatory military transparency by unilaterally suspending its observation of the Conventional Armed Forces in Europe (CFE) Treaty and the selective implementation of the Vienna Document and Open Skies Treaty. Russia exploits loopholes in these last two agreements, misreporting or failing to report major military exercises and using no-notice (snap) exercises.

All in all, a new report is supposed to be incontestable, and the Georgian Defense Minister's announcement confirms it. Tinatin Khidasheli pointed out that NATO's willingness to deepen relations with Georgia is reflected in Stoltenberg's report. The next pivotal stage of bilateral negotiations is at the Warsaw summit taking place on July 8-9 this year. A Resolute Support Program and bilateral relations with partner countries will be on the agenda, among other issues. For Georgia, the main task is to advance its relations with NATO.

Notwithstanding that Georgia and NATO have made deals at Wales's summit, the central aim—allotting MAP—remained unattained, which is why we have no choice but to not recognize the results as admissible. On the other hand, under the agreement with the Euro-Atlantic organization, Georgia made decisive steps in 2014 with the aim

of progressing towards bilateral relations. Georgia actively takes part in international missions under the provision of NATO, and in Afghanistan, Georgia has the largest contingent of troops after US, surpassing the UK, Germany, Italy, France, and other countries. By doing so, the south Caucasian country emphasizes its full readiness to move forward with bilateral relations and accomplishing their key goals of first receiving MAP and then joining NATO.

After having failed to get MAP at the Wales summit, Georgia continued to carry out its duties. Coming to terms with the organization and its requirements is regarded as an unambiguously positive goal by both NATO and Georgian officials. Taking this into consideration, Georgia will presumably ask to receiving a Membership Action Plan which would mean a new level in bilateral relations.

Stoltenberg's review allows us to believe that Georgia is on the right path towards NATO membership, since Georgia's cooperation in NATO's activities and steps toward membership in the organization are mentioned in the annual report. On the other hand, NATO castigates Russia's coercive policy not only in the Ukraine but also Georgia.

At the Warsaw summit, the participants will expand bilateral relations and accomplish projects proposed by Georgia at the Wales summit. The upcoming meeting will include discussion of the progress of aspiring mem-

ber countries towards full membership. The main concern will be negotiations with the Ukraine. Aside from the Ukraine, Montenegro has become a leading candidate to join NATO, and the delegates will confer on whether Montenegro's candidature is worth membership. As for Georgia, its main aim is to bring up the process of getting MAP on agenda.

The primary obstacle in the path of getting MAP for Georgia is Russia. The Regime of Putin made it clear even before the war in 2008 that extending the borders of NATO to the east is perceived as a threat to its national security.

To counter this expansion, Russia will do its best to avoid such a threat. The events which occurred in Ukraine have highlighted the relationship between the West and Russia. As far as NATO is aware of Russia's position and the associated danger, the organization might put off the issue of granting Georgia the MAP until an ambiguous time. As we have considerable time before the Warsaw summit, it is difficult to make an accurate prediction, but we can assume that the Georgian government will keep working not only though NATO but also its member countries. It is therefore obvious that the relationship between the Russia - Ukraine - NATO triangles will define the outcome for Georgia to a great extent at Warsaw summit while the decision is made on the position Georgia in NATO.

THE PM PLANS NEW REFORMS TO IMPROVE THE BUSINESS CLIMATE IN GEORGIA

GURANDA DZAMELASHVILI

The Prime Minister of Georgia, Giorgi Kvirikashvili, has introduced the four points plan for improving the business climate in Georgia at the 11th Consultative Board Meeting of the International Chamber of Commerce of Georgia on January 28.

The Prime Minister has highlighted the importance of tax reforms as well as noting that Georgia will change its tax administration system to follow the Estonian model in the very near future. The government will also launch a tax inspection reform.

“We will be abolishing the profit tax. We are preparing the relevant legislation which will be discussed by the government in the near future. A couple of months from now only distributed earnings will be taxed. We need to start a significant liberalization of the business environment and a comprehensive tax reform is something that we think is crucial for making these changes,” said Kvirikashvili.

“We are changing the rules of tax inspections. There will be detailed rules for tax inspectors on how to conduct their inspections, and there will be institutional reform of the tax police. Additionally, we will provide opportunities to start-up businesses, especially those by innovative youngsters,” he added.

The second block of reforms is government reform, which the Prime Minister considers very important. The third and equally important block of reforms is regional and infrastructural development.

“The current speed of infra-



GEORGIA
INTERNATIONAL
CHAMBER OF COMMERCE

structural development of the country really needs to be accelerated. We believe that we can come up with better solutions to create better infrastructure for the country, of which the first is fast completion of all highway projects and also construction of several new roads to increasing the transit capabilities of this country.”

The fourth block of reforms is to change and improve the education system, and pay more attention to the professional education sector.

The Prime Minister underlined the fact that Georgia has one of the most liberal economies in the region, and has recently launched negotiations with China about free trade which will have a positive effect on the economy as well as improving the country’s image and role in the region.

Kvirikashvili noted that “Georgia has an excellent geographic location, less bureaucracy, and very low taxes, especially after the reforms that I’ve already mentioned, we will have lower taxes for the private sector.”

Fady Asly, Chairman of the ICC Georgia, supports the Prime Minister’s initiative. The ICC Consultative Board is the only

body of its kind in Georgia, consisting of eight ambassadors, the Heads of three major international financial institutions, and the Heads of two major international organizations. It meets quarterly with ICC Executive Board to discuss openly and transparently of major issues affecting the economy in the country. In a statement, Asly demonstrated the ICC’s support for the Prime Minister’s reforms:

“Prime Minister Kvirikashvili is the right person in the right place. We do trust him and will be supporting him totally as he works to make his changes. As a matter of fact, I think that his appointment is the best news I’ve heard in Georgia in the past three years. I remember that we had spoken about issues which concerned the business community and companies that were facing problems. He had always been supportive since he was Minister of the Economy,” said Asly.

The Chairman of the ICC Georgia has been indicating the need for reforms in business and the revenue system many times over the past three years. He has repeatedly made critical statements in the media on the subject, such as the following:

“While the revenue service prevents business activities, investments in the country will be at a low point. Tax administration, revenue service, intimidation - all this must be stopped.”

Asly also addressed these topics in an official letter to former Prime Minister Garibashvili in March of 2015.

“It’s been a year since we asked you to take urgent measures to stop the harassment and blackmailing of businesses which is carried out by the Revenue Service, which is the number one obstacle to the development of business in Georgia. You systematically ignore our messages and emails, and your silence and inaction deteriorates the situation further. Once again, we urge you to stop the harassment and we sincerely hope that you will finally take the necessary steps.”

The following response is from the former minister of Finance Nodar Khaduri:

“I can’t say that businesses in Georgia are under pressure and I can’t remember these statements of Asly when the pressure was really on businesses and on Asly’s business.”

Contrary to Asly’s statement about decreasing investments,

the National Statistics Office of Georgia has published different information. According to their website, investments in the last four years have increased: in 2012, Georgia received 911,6 million USD in foreign investment; in 2013, 941,9 million; in 2014, 1758 million; and in the first three quarters of 2015 1019 million USD worth of investments were made in Georgia.

The External Trade Turnover has also increased, but not significantly. In 2013 it was 10413 million USD; in 2013, 10921 million; in 2014, 11454 million; and according to preliminary data, in 2015 it consisted of 9928 million USD. The current Minister of Economy Dimitri Kumsishvili predicts economic growth after signing the free trade agreement with China. China and Georgia have commissioned a survey by the company PMCG to calculate the economic effects of this agreement. According to the survey, the free trade agreement with China will increase exports by approximately 9%, but it is also expected that Chinese imports will increase by 2%. The free trade agreement will reduce the amount of tax revenue connected to imports by 0.5%.



TIFLIS PALACE HOTEL NAMED WINNER OF TRIPADVISOR'S 2016 TRAVELERS' CHOICE AWARD

TAMAR CHAPIDZE

EXCLUSIVE

Tiflis Palace, located in the Old Tbilisi district, is one of the most distinctive hotels in Georgia, with its high level of service and impressive views. This year it has received the honor of being awarded the 2016 TripAdvisor Travelers' Choice Award.

Observer spoke with Nini Nebiereidze, Sales Manager at the *Tiflis Palace*, about what determines success in the hospitality industry and how the management of the hotel has received this award.

First of all, I would like to ask how was this title awarded to the hotel, and how important is this award for you?

"TripAdvisor," as you know, is the world's biggest and most well-known travel web site, through which international tourists plan their trips, travel, and then publish their opinions, reviews, and advice on places where they have stayed.

The site provides an overview of more than 290 million travelers' opinions on 5 million hotels and restaurants. This makes TripAdvisor a very reliable and significant source of information and evaluation for the tourism industry.

This rating is based on tourists' voluntary assessments and reviews, which are especially important to and appreciated by us. This means that travelers liked their time at *Tiflis Palace* hotels and would recommend our hotel to others for a visit.

Were you expecting this award, or it was a pleasant surprise for you?

This was a pleasant surprise. It is impossible to predict in advance how our guests from different countries assess our hotel at different times.

What is the main component which attracts foreign tourists and business travelers to your hotel?

We can distinguish five main components from our guests' assessments. First of all is the location. *Tiflis Palace* is located in the city center and it is surrounded by the city's historic and tourist attractions: sulfur baths, Narikala Fortress, Aliyev Square, Maidan, and Metekhi Bridge and Temple. A few minutes' walk from the hotel is the famous Chardin Street of restaurants, cafes, and souvenir shops, with a wide range of choices. Additionally, the hotel has its own parking and affordable access.

The next component is the views from the hotel. It should be noted that *Tiflis Palace* offers undoubtedly the most beautiful panoramic views which extend to the hotel rooms as well as in our restaurant, *Tiflis Veranda*, on the top floor of the hotel. It's enough to just go out on the balcony and you will find the most picturesque and impressive views of Old Town.

The third important component is our neat and comfortable

rooms. All rooms at *Tiflis Palace* are appropriate to international standards and well-equipped. For added convenience, guests in rooms have access to an individual climate-control system, free bathrobes and night slippers, and tea and coffee, which allows them to stay in a comfortable and a cosy atmosphere. The hotel rooms are also cleaned daily.

Guests also note that they enjoy the quality of service and the friendly and positive attitude from the staff. Smiling, polite, and attentive staff, alongside our other advantages, is our hotel's calling card. Qualified staff are always ready to assist guests in any matter in a positive and friendly manner, and this is one of the reasons for our visitors' loyalty.

It should be also noted that the hotel offers conference services, which are much in demand by business guests. Here are held daily high-level conferences, which are often organized by the diplomatic corps, non-governmental organizations, and public and private sector representatives.

Guests on business trips get a unique opportunity at the *Tiflis Palace*. Our high-level events are not only organized to conduct business, and guests also can enjoy the benefits of the hotel while spending a pleasant evening in a beautiful restaurant with live music accompanied by delicious dishes.

Georgia does not occupy a leading position in the field of hospitality. How do you manage to provide such a high level of service?

From the opening of the hotel, we have invited experienced hotel specialists from Turkey, as they are very developed in hospitality field. Of course, this strategy has proven to be very successful. In order to maintain the results, we conduct training courses for our staff three times a year and every time we try to improve the quality of service.

We also pay attention to the guests' feedback, including recommendations and observations, which is why TripAdvisor is so useful. Each guest's opinion is very important and we try to take their recommendations into account. We review and improve the level of service of the subject of our guests' feedback at the daily level.

What is your vision of the hospitality sector's development in Georgia?

It should be noted that in recent years, many high-level hotels have opened, and as a result we have a relatively competitive environment in the tourism industry. This, in turn, contributes to the general field of development and the implementation of new standards.

However, the tourism and hospitality industry still has a lot of issues to overcome. In my opinion, in order for Georgian hospi-

tality to pass at the international level and to attract guests not only by the sights, but also by the quality of service, it is necessary to create travel services and systems and introduce standards and regulation at the state level. Standardization will allow us to come closer to the international standard and to provide quality service.

How was the economic crisis reflected in the hotel business, and how did you manage to keep the same price in the market?

The economic crisis, of course, had a distinct influence on the incoming number of tourists. However, the *Tiflis Palace* team takes into account new trends and works daily on the development of services, a high level of service, and maintaining all of our advantages. This is what keeps our loyal guests with us and attracts new travelers.

It has been three years since *Tiflis Palace* opened. Which famous guests have stayed at your hotel?

The hotel's most famous guests are Gorillaz, The Brothers Grimm, the actor Murat Yildirim, and also others.

How are you going to surprise guests this year and increase their satisfaction?

This year we are offering changing seasonal promotions, various themed events, and a lot of pleasant surprises for our guests.



THE PRESUMPTION OF INNOCENCE – RIGHTS STAY ON THE PAPER IN GEORGIA

IRAKLI PAVLENISHVILI

The assassination of the prosecutor for the Samegrelo-Zemo Svaneti region, prosecutor Vakhtang Kiria, on January 17 has become the most widely resonating crime in Georgia. The Deputy Minister of Internal Affairs declared in a TV interview that the founder of the news agency “American voice,” Bidzina Kuchava, was responsible for the Kiria assassination.

This statement made by the first deputy of Ministry of the Internal Affairs was seen as a violation of the presumption of innocence by Natia Korkotadze, lawyer representing Bidzina Kuchava. The 40th article of the Georgian constitution says that a person is considered innocent before his offense has been proven according to the rule of law and by a guilty verdict being declared in court. This is a foundational principle of criminal law and is one of the guarantors of a fair court, and is repeated in numerous international law documents. The United Nations Universal Declaration of Human Rights (UDHR) Article 11.(1) states that “Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a pub-

lic trial at which he has had all the guarantees necessary for his defense.”

Talakvadze tried to extricate himself from the situation by announcing that the prosecution does not bear the legal burden of protecting the presumption of innocence. He added that the prosecution is obligated to identify suspects.

Innocence presumption is defended by international human right organizations and international institutions. The European Court of Human Rights has examined several cases regarding innocence presumption. In the case of Krause v. Switzerland in 1978, the court marked that a public official does not have the right to make statements which reflect their opinion regarding a suspect before this suspicion has been proved in a court of law. The same topic was considered in the 2008 cases of Vitan v. Romania and Cionca v. Romania, and also in the 2002 Butkevičius v. Lithuania case. The same legal problem arose in 2010 in the case of Fatullayev v. Azerbaijan.

In all the court cases mentioned above, public officials made affirmative statements in violation of the innocence presumption

in TV interviews and public appearances. In these cases the court has underlined that statements were made not in the trial during legal procedures but in the domain of public appearances. In cases where public officers have made statements during the trial process, such as *Daktaras v. Lithuania*, the court acquitted the public officer. The European human rights court definition of the innocence presumption forbids public officers from making statements during ongoing cases regarding the criminality of suspected persons before the final judgment is made by the court. Innocence presumption is violated when a public officer makes a speech which propels the community to believe in the unproven criminality of suspected persons. Statements made by public officials can also hinder court in its objective examination of the factual background of the case.

This case has attracted a high level of interest from the community, and therefore a transparent investigation should be conducted by the government. Public officers’ statements should contain the facts only and not their interpretations or conclusions. Hence it follows that Archil Ta-

lakvadze’ statement, in which he was affirmatively declaring Bidzina Kuchava’s culpability in Vakhtang Kiria’s assassination, should be determined to be a violation of the innocence presumption.

This isn’t the first circumstance where high-ranking public officers, who have a greater responsibility than common citizens to defend the innocence presumption as a constitutional principle, have instead violated the principle. For this reason, this legal issue was called out as a problematic topic in the 2014 OSCE annual survey about Georgia. A United Nations special representative in Georgia has stated that “Innocence presumption doesn’t exist in Georgia” while they were observing the status of freedom of assembly in Georgia for a week. Representatives of the government were primarily violating innocence presumption against their political opponents. For example, on January 23, 2013, a representative of the leader of the Georgian Dream Coalition, Gogi Topadze, claimed in his interview to Prime Time newspaper that Kakha Benukidze participated in illegal economic activity and must thus

be charged for his crimes.

These violations are not only perpetuated by pro-government or pro-opposition media but by both. For example, on January 8, 2013, there was a robbery of a Bank of Georgia office in Nutsubidze street. Rustavi2 TV and other television and news sources declared citizens who were detained on same day on Chavchavadze avenue as offenders in the robbery of the bank office. It has since become known that they were detained for other crimes.

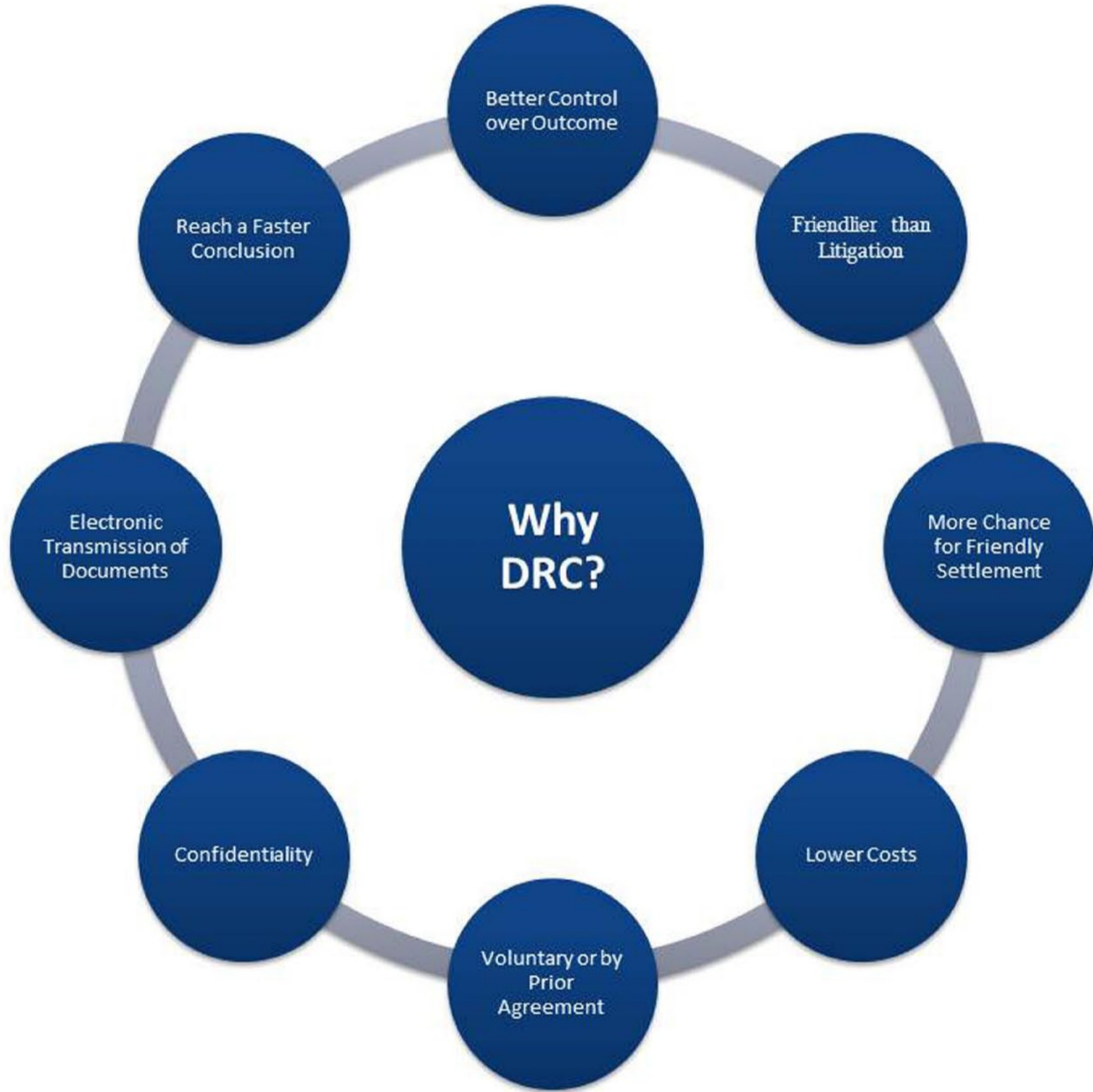
By examining the evidence above, including international legal regulations regarding innocence presumption, UN and other external surveys, and domestic legislation within Georgia we can draw the conclusion that the constitutional principle of innocence presumption is frequently violated in Georgia. Georgian politicians as well as representatives of the media and community members often accuse citizens of crimes without proof to prove personal or political agendas.

This establishes reasonable doubt about politically motivated trials and harms the foundation of Georgian democracy.





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FLU VIRUSES – A NEW CHALLENGE FOR THE WINTER SEASON

SOPIO JAVAKHISHVILI

The world faces the threat of a new viral outbreak. An epidemic outbreak of Zika, a virus transmitted through mosquito bites, has begun in South America, particularly in Brazil. The virus has been linked to congenital defects, such as smaller-than-normal brains and skulls in newborns, but as of yet the exact links between the virus, associated diseases, and neurological abnormalities in newborns have not yet been established.

To discuss this challenge, the lead of the World Health Organization Margaret Chan has called for an emergency meeting of independent experts on February 1. The World Health Organization, a UN agency, estimates that by next year the number of infected people will exceed 3 or 4 million. At the moment, there is no vaccine but scientists are actively researching one. The virus seems to be endemic to certain countries, and as at present there have been no confirmed reports of the virus spreading from person to person it is therefore unlikely that this will affect Georgia. While Georgia may not be directly affected by the Zika virus, there has been an increased incidence of viruses and infectious disease in the nation. According to latest reports, the H1N1 flu virus has caused another death. The director of the Na-

tional Center for Disease Control Amiran Gamkrelidze stated that the 39-year-old man who was infected was from the Adjara region. Amiran Gamkrelidze also reported that for the NCDC laboratory has confirmed the role of the H1N1 virus in the death of 6 people thus far. However, the National Center for Disease Control and Public Health has also stated that as of the third calendar week of 2016, the number of infections is below the threshold for an epidemic-level outbreak of the flu, with 332,6 cases per 100,000 inhabitants. Due to the long-term dynamics of the epidemic spread of influenza, the threshold is 450-500 cases per 100,000 inhabitants. Still, the last three weeks have come with their share of flu-like illnesses, severe respiratory infections, and hospitalizations. The NCDC's statistics show that the intensity of last year's flu spread is almost the same as this year's, but some in the country are indeed transmitting H1N1, the flu virus which gained international attention during the 2009-10 pandemic.

Regarding the flu virus, Observer spoke with the epidemiologist for the National Center for Disease Control and Public Health, Giorgi Chakhunashvili, MD, who pointed out following: "By the 3rd week of January this year, the rate of flu



infections does not exceed the threshold for an epidemic (500 cases per 100 000 population), as it is 332.6 cases per 100,000 inhabitants. Currently, there have been 6 fatal cases, including 5 influenza virus A / H1p subtypes which have been confirmed in the laboratory."

At the time of our conversation, the laboratory had detected 160 distinct flu virus strains, including 153 - A / H1p and 7 - A / H3.

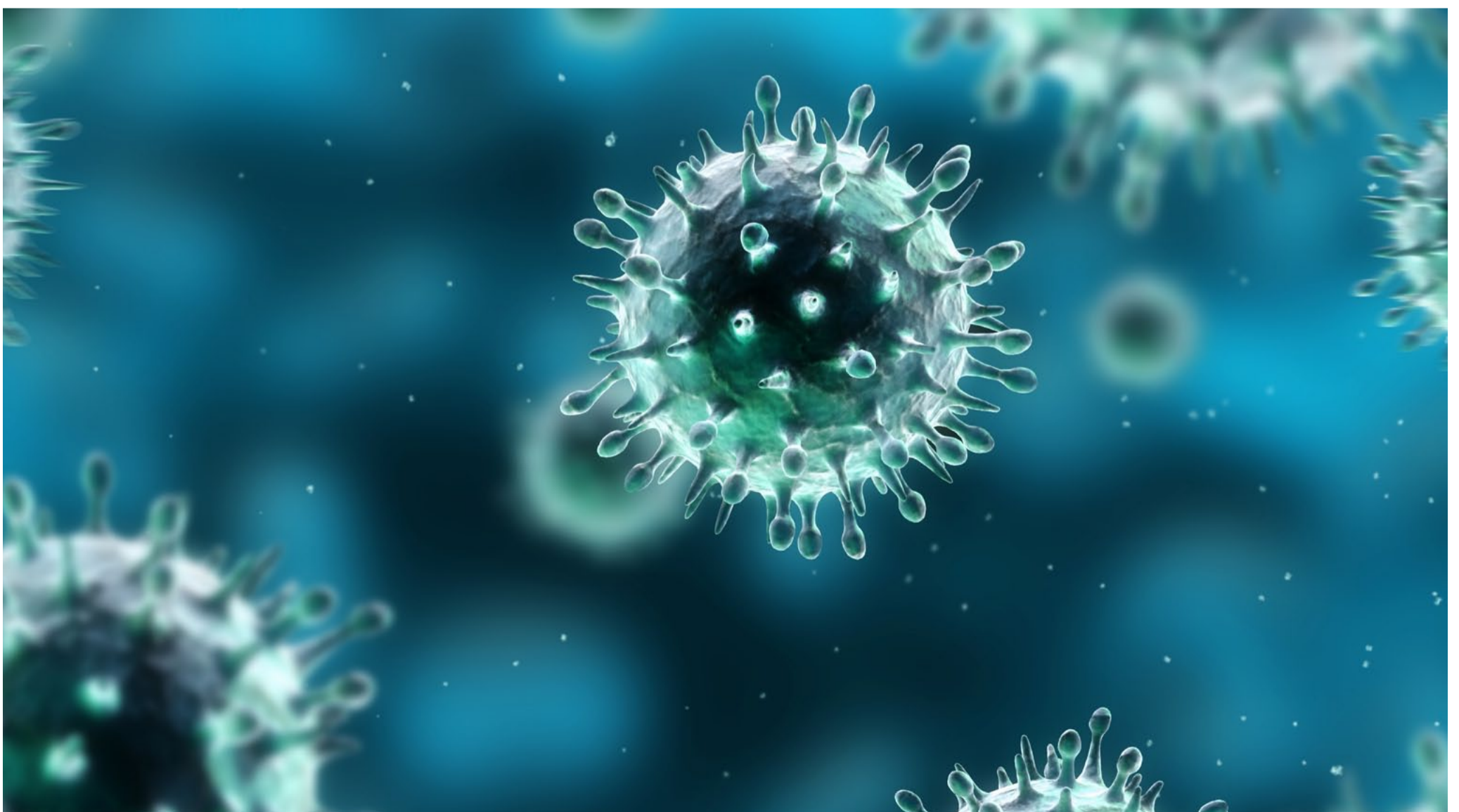
"The best protection against the influenza virus is the vaccine. Therefore, before the start of the flu season, our center had already injected 120,000 people from at-risk groups. We have also issued

instructions to fight the rise in the incidence of influenza. These actions include avoiding large gatherings of people, regularly consulting a doctor, frequently washing hands to reduce the possibility of transmitting the virus by touch, and aerating your living spaces. If you are experiencing any of the symptoms of the flu, such as difficulty breathing, shortness of breath, bloody sputum - consult a doctor immediately", - said Chakhunashvili.

People with chronic diseases and pregnant women especially are encouraged to take care of themselves and pay attention to possible illness. Because of the

prevalence of viruses, the Ministry of Health has recently announced a full mobilization of medical personnel. The minister Sergeenko gave his own car to staff to go out on any notice to provide patients with timely assistance.

The National Center for Disease Control has also held numerous conferences on this matter at which reports were presented and recommendations were suggested for implementation. It seems that the state is devoting adequate resources to the prevention of viruses, and it is now up to society to get involved as well.



NEPOTISM – FAVORITISM GRANTED TO RELATIVES OR A CRIMINAL OFFENSE?

TAMAR UMFRIANI

The 2015 general survey in Georgia identified that the amount of employed people in 2014 as compared to 2013 has increased by 2.2 %. This statistic makes this year as highest number of employed people during the last 11 years. The rate of unemployment in the country has decreased by 21.2% and in the countryside statistics show a 5.5% decrease.

Beside this optimistic news, there is an unambiguous reality that people have been fired from job without any justifiable reason and as usual their posts were taken away by relatives of politicians from “Georgian Dream”, the main government party.

“International transparency – Georgia” talks about the above facts—clearly connected to nepotism and comes out with an initiative to create new laws against nepotism in Georgia. By their proposition, there should be some changes in part 3321 of the criminal code. It means to discover facts about nepotism against public employees whose rights could be abolished intentionally by an employer. If

an employer is guilty of such a crime in which case he knowingly commits this felony will be sentenced two years of jail time and forbidden from taking any kind job for three years.

According to the statement in public jobs usually there is no jurisdiction or authority that controls the rules of hiring people. So the hiring process goes along the wrong lines disregarding the standards of international transparency or the guidelines provided by law. And although laws are often vague which stimulates nepotism to arise, our duty is to prevent it by criminal code.

The case which transpired in 2013 in Sagarejo could be considered as an example of nepotism. Director of charity house Iliia Kuchashvili was fired from his job on 1 February after working on that position for four years. On the same day relative of deputy Tina Khidasheli and her husband Davit Usufashvili was proposed for that position. As Kuchashvili says he was asked to leave the job several times during the last months and after rejecting their request he was finally given



საერთაშორისო
გამჭვირვალობა
საქართველო

a notice stating the termination of his employment. Section 78, 79 & 99 of Acts from the law of public jobs was mentioned in the notice of termination. Those sections state the misuse of power and irresponsibility as the cause for termination. However there was no warning about it in Kuchashvili’s case before he was fired.

In this case the role played by the new director Davit Otiashvili is the most interesting. He was unemployed before he got this job. He verifies he is related to Tina Khidasheli and her husband, but refuses to accept the fact that he might have got the

job as a result of nepotism.

We can think that this case has nothing to do with nepotism, considering Georgia is small country and most people are relatives. But this fact cannot be ignored. Iliia Kuchashvili was fired from her job without any valid reason on 1 February of 2013 and the relative of deputy was proposed for the position without any prior announcements relating to the vacancy of the position.

The deputy of “Georgian Dream” Eka Beselia has been the protagonist of a similar kind of case in 2012. In that year the head of policy in Poti was fired and Beselia’s relative Zurab ala-

sania got the position. In her interview she didn’t hide her connection to alasia and agreed she recommended him for that position. Although stating that she recommended him for his qualification and experience and not because of their connection.

It’s worth speculating whether there will be any progress if “International transparency – Georgia” could really make their initiative work. Would it change the unspoken rules written in Georgians head and habits? At least it is worth to try. Currently the organization tries to collaborate with every citizen who thinks that he is a victim of nepotism.

COUNCIL OF EUROPE NEGATIVELY ASSESSED PROTECTION OF SOCIAL RIGHTS IN GEORGIA

The European Committee of Social Rights (ECSR) today published its annual conclusions for 2015 showing 277 violations of the European Social Charter across 31 Council of Europe member states.

The ECSR adopted 762 conclusions on the articles of the Charter relating to children, families and migrants.

“Social rights are suffering in this difficult economic and political climate. States have an obligation to protect vulnerable persons including elderly people, children, people with disabilities and migrants.

The Social Charter is the Social Constitution for Europe and an essential component of our human rights architecture. I call on our Member States to respect the Charter standards and findings”, said Secretary General Thorbjørn Jagland.

The following chapter concerns Georgia which ratified the Char-



ter on 22 August 2005. The deadline for submitting the 8th report was 31 October 2014 and Georgia submitted it on 26 December 2014. On 13 July 2015, a request for additional information was sent to the Government, which did not submit a reply.

The Committee concludes that the situation in Georgia is not in conformity with Article 7§1 of the Charter on the grounds that the prohibition of employment under the age of 15 does not ap-

ply to all economic sectors and all forms of economic activity; the daily and weekly working time for children under 15 is excessive and

therefore cannot be qualified as light work; during the reference period there was no labour inspection supervising that the regulations on child labour were respected in practice. Similar concerns were raised about the employment of young people under 18.

The Committee also concludes that the situation in Georgia is not in conformity with Article 7§6 of the Charter on the ground that the time spent in vocational training is not included in the normal working time and remunerated as such.

According to the report there are no adequate regulations on dangerous, unhealthy or arduous work in respect of pregnant employees, employees who have recently given birth or who are

nursing their infants.

In addition the medication costs in particular represent too high a burden for the individual effectively being an obstacle to universal access to health care.

Finally, there were concerns regard migrants rights where the committee indicates it has not been established that adequate measures have been taken against misleading propaganda in relation to emigration and immigration.

STATE CONSERVATOIRE HOSTS MUSIC FESTIVAL

NINI MACHAVARIANI

A music festival called *Close Encounters* opened on January 29 and will run until February 1 at the Tbilisi State Conservatoire. Musicians hail from different generations, traditions, aesthetics, and styles from throughout Georgia and Switzerland. The first classical and electronic music festival in Georgia was organized in 2005 by Switzerland and the Swiss composer Felix Profos and Switzerland based Georgian pianist Tamar Kordzaia. The main objective of the festival is to encourage joint work between European and local musicians. Consequently, a lot of foreigners have visited the composer who has also performed his own compositions. Tamar Kordzaia said in an interview with *Observer* that the idea for the festival was born before 2005. After many musicians became interested in her work, Kordzaia decided to hold the event in Georgia. From time to time she held solo concerts in Tbilisi, Gori, and Batumi.

The title of the festival, “Close Encounters” was taken from the Steven Spielberg film. “People send signals to each other through music; they speak the language of music, and it brings people closer in any space,” said the pianist.

This is the fifth year that the Swiss-Georgian music festival “Close Encounters” has been held in Georgia, and this year its program will be presented in Tbilisi along with Georgia’s oth-

er regions and Switzerland.

The concert will be divided into thematic blocks over the course of two days. The festival was opened by the avant-garde Mikhail Shughliashvili, who also presents his new album which has already been released in Germany. This year is also the 75th birthday of the composer, and therefore the musicians have dedicated a concert to him and performed his compositions.

Listeners had an opportunity to hear the Kappeler- Zumthor duet, Cedric Schindler and Frederick Anthony Robinson’s sensor-controlled compositions, the Anchiskhati choir, and the Swiss Mondrian Ensemble of Italian Renaissance music, as well as Georgian and Swiss experimental DJs.

As the organizers recall, the first festival in 2005, was much more conservative. While this year the festival will close with a concert of Georgian folk music and the Italian Renaissance, according to Kordzaia, the music is modern in every way while being influenced by features of the old compositions.

“There have been many difficulties during the organizing of this festival, the first of which is about funding. Everything is done at the last minute. We work under stress till the last moment because we do not know whether we will get funding or not. Most importantly, we have never had problems among musicians.



Even during difficult times, we find solutions together. Musicians always express solidarity,” said Kordzaia.

It should be noted that every musician who performs during the festival can take part in *Close Encounters*.

Every concert is different and has an interesting variety of music as well as musicians. Last year was special, as Mikheil Shughliashvili performed “Big Fantasy,” which musicians performed in Zurich several times. A German radio station recently named this work one of the most important pieces of contemporary classical music.

Carolina Oman, a participant of the festival, said in conversation with *Observer* that “I came recently to Georgia, and I was fascinated by your country. I am happy that I am here today, and that I have a chance to collaborate with the musicians participating in the festival. This is new for me and therefore I cannot yet say what to expect, but I’m sure everything will be good.” Another participant, Hannah Voltaire, hopes to visit Georgia again in the summer with Tamar Kordzaia.

The festival is organizers do not plan to return to Georgia, but always try to maintain contact with

Georgian musicians.

“It is very important for musicians to always try to achieve more and to develop what they play. There is no formula for success. It all depends on how much we work and of course on luck, but I think that we are the creators of our own luck,” says the pianist.

Kordzaia also plans to organize master classes for young musicians in Georgia and recommends that they listen to chamber music. The festival, sponsored by the Ministry of Culture and Monument Protection, has provided the audience several pleasant evenings.



PUT YOUR HEAD INTO THE GALLERY - A NEW INTERACTIVE PROJECT SURPRISES

NINI MACHAVARIANI

The Architect Tezi Gabunia held a new interactive presentation of their project on January 28 at the *MULTIVERSE ARCHITECTURE* (MUA) office. The project, entitled, "Put your head into the gallery," caused a great deal of interest among young visitors. At the event, the works of the architect were presented: anyone had the opportunity to become a museum exhibit at the exhibit hall.

"This is an innovative project. When the art is distant from the audience, it disappears. In this case, any person can become a part of the art," said the project coordinator, Mariam Nadareishvili.

It should be noted that the exhibition comprises a kind of wax statues and thus can be transported easily.

Prior to this project Tezi had his first "fake" solo exhibition, where he presented the analogue layout of a real gallery. The exhibit series focused on academic painting which, in addition to social networks, was exhibited in Batumi Center of Contemporary Art. The architect told Observer that the idea for this project came

about quite spontaneously. "I accidentally found my head in this model of the gallery, and after the photo shoot, the idea was born to create a project called "put your head into the gallery." This is an interactive project and serves to promote art," said Gabunia.

The co-author of the project is Ucha Urushadze, a model who is represented by Vector Modeling. The text component belongs to Mariam Nadareishvili and the photographs were taken by Andro Eradze, Chipso Pelikano, Ani Beridze and Nika Maisuradze.

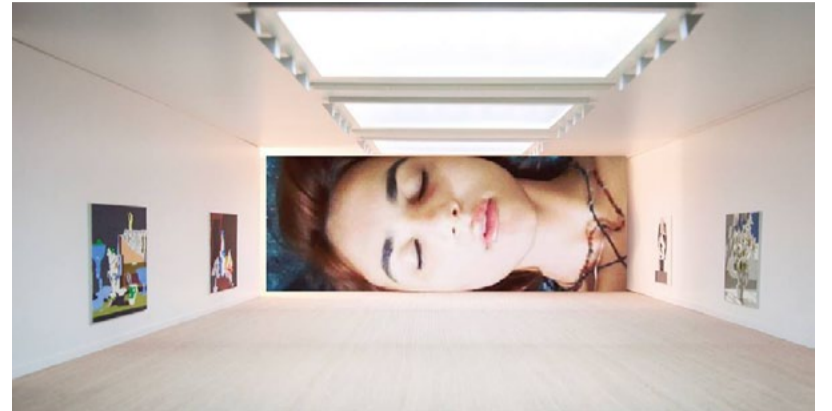
"I am pleased that a lot of people put their heads into the gallery. We took more than 200 photos, we are working on them now, and next they will be uploaded on Facebook," said the architect.

Gabunia plans to work on new projects in the near future that will be presented both in Georgia and abroad. However, Georgia stays his priority. It should be noted that the project caused big interest from abroad, especially the "Art People Gallery" that is based on the United States.

"I plan many interesting projects, personal exhibitions and

the extension of this model in another direction, which will stay a surprise for the moment. Working on the project was full of fun. As for those people who did not become part of the gallery, I promise to offer something new," said Tezi.

Tezi Gabunia was born in 1987 in Tbilisi. He studied architecture at the Technical University, after which in 2001 he opened an art studio and created more than one hundred works. Since 2015 he's been a member of CopyPaste. An artist-engineer, he calls his working methods falsification. In his opinion, it is a reflection of the main features of the modern world - the absolute virtualization of society. The work is realized in a modern, visual language, which creates a new generation of art that is not created by the artist but is a result of a factory production. The production process is completely industrialized to create a large number of products in a short time. The concept also removes the artist as the original creator. The language of virtual exhibition is one of the primary media in Tezi's production.



“FILM IN GEORGIA”: A SERIOUS STEP IN DEVELOPING MODERN GEORGIAN MOVIE INDUSTRY

NINO TSINTSADZE

Georgian government added a new component “*Film in Georgia*” to the program „*Produce in Georgia*”. Prime Minister Giorgi Kvirikashvili presented the project on January 26. The presentation were attended by Vice-PM, Minister of Economy and Sustainable Development of Georgia Dimitri Kumsishvili, Minister of Culture and Monument Protection Mikheil Giorgadze, the heads of Georgian National Film Center and other invited guests.

“Our task will be to promote the development of the film industry. So that producers avoid bureaucratic obstacles. We will promote this project to encourage talented people. They need to make realization of their knowledge and to contribute our country’s development. We also intend to increase private sector competitiveness, the country’s export

potential and create new jobs. That is how we will strengthen our economy and our country’s development,” Explained Giorgi Kvirikashvili.

The project aims to make Georgia attractive place to make films in Eastern Europe. Local and international stakeholders will have an opportunity to shoot the film in Georgia and get back the relevant qualified expenses around 25 %. The Prime Minister considers that such incentives in the film industry will have great economic results for the country.

“*Film in Georgia*” means so-called „rebate” system implementation. The minimum limit of qualified expenses is 300 000 GEL for documentaries, commercials, reality shows and music videos. And the 500 000 for feature films, TV films, TV series/mini-series, or animated

films.

The system includes two stages. The first one is cash back of 20 % which is the minimum limit of qualified expenditure in Georgia. And the second stage implies, on the basis of satisfaction pre-established criterias, more 2-5% rebate. Specifically, it covers the process of filming local staff employment, promotion of the country through of film and consideration with another numbers.

David Vashadze, the head of Distribution and Export at Georgian National Film Center confirmed in his interview with *Observer* that the film center is ready to get applications. “The application is already uploaded on our web page, accordingly in case of interest they can start to apply. Simultaneously some cosmetic works are underway, but this will not affect to the project implementation. Also so-called

guidelines are under construction where the producers can became familiar with all the details of the project and rules for the use of the rebate system.”

Vashadze also noted, that „*Film in Georgia*” is designed to encourage both foreign and Georgian projects. It is important that requirements can apply a legal entity registered in Georgia and hence for the use of rebate system, foreign companies should contact or the Georgian partners or they should register company in Georgia.

The forecasts of National Film Center project will bring great success for the country’s film industry development. „Rebate system is a great benefit for foreign producers, and we were working for years to create this system in Georgia. Some years ago, it would have been a very big advantage for the country.

But in todays film market it is kind of obligatory to have a rebate system. Without it, none of the American film production chooses new country for location. Because in most case for the filmmakers a simple and profitable system is more interesting than locations.

Proceeding the specifics of the field, the first half of the year probably will be spent to introduce and promote the system. And from the second half of the year we are waiting quite large results and interests,” said Vashadze.

By implementing of the project “*Film in Georgia*” modern Georgian film industry put a serious step forward in the world film market. This project is important not only for sector’s development, but rather to promote the country and increase the economic and tourism indicators.



MONEY OR PERSONAL CONFRONTATION - WHY WAS THE HEAD COACH OF GEORGIA'S NATIONAL FOOTBALL TEAM FIRED?

NINI JAPARIDZE

It has been known for a long time that the position of the coach at Georgia's national football team is one of the most underrated positions ever to exist in the country. The recent scandal involving the head coach of the National team, Kakha Tskhadadze, the president of the Football Federation, Levan Kobiashvili, and the Minister of Sport and Youth Affairs of Georgia Taniel Khechikashvili, is yet another if not the best example of this. The Minister refused to pay a monthly salary of 120,000 gels to the coach and instead reduced it twice. Another initiative of his was to establish a bonus system for the coach's salary. The president of the Football Federation as well as the vice-president Kakha Chumburide and the majority of the executive committee supported the Minister's initiative and were automatically opposed to their colleague Kakha Tskhadadze—the ex-captain and current head coach of the national football team.

In one of his interviews, Chumburide even went so far as to say that Tskhadadze's work was worth only half his salary. He highlighted the advantages of the bonus system and implied that if

Tskhadadze led his team to third place in the qualifying round of the 2018 World Cup he would receive his bonuses. The offer seems highly appealing, but if one takes a look at the recent history of Georgian football it will be obvious that this would never happen. The last time Georgia finished third in their group was during the Euro 96.

Footballer Achi Arveladze does not approve of the idea of connecting the team's performance to the coach's salary. "It's a pity when confidential details like this are revealed. Football is its own world. It's never done with just a little money. The coach in Germany is being paid 6 million, and aren't there unemployed people there? This approach, and stressing attention over money, doesn't make any sense to me. For some, this contract could be normal, but for others, especially Georgia, it's not enough. It's important to understand that everything has its price. Football requires energy and health. You can't ask for the same results from the footballer who has the salary of 500 gels and one with a higher salary."

Why has the salary of the coach become the subject of discus-

sion? Is Tskhadadze kept down in order to encourage him to resign on his own? These are the concerns which have been highlighted so frequently through Georgian media in recent days. The possibility of a personal confrontation between Tskhadadze and the executive committee is also being considered.

Observer contacted the Public Relations department of the Georgian Football Federation but they made no specific comment regarding the issue:

"The President of the Federation has already revealed his decision and it won't be changed. Soon a meeting must be set in order to decide the form in which the contract will be terminated," said the PR representative Oto Giorgadze.

Arveladze supposes that every job in Georgia is underappreciated, especially if it is one which holds responsibility. He ruled out the confrontation between Tskhadadze and Kobiashvili, naming Tskhadadze as one of the best coaches the Georgian National football team has ever had.

"I think that Kakha is one of the best coaches, and he doesn't deserve to be retired. He was professional and everybody was

content, even Kobiashvili. There could be all kinds of problem but this one is beyond of understanding," said the footballer.

In recent years, the Georgian football team has had a number of well-known coaches, including Hector Cuper, Klaus Toppmoller, and Alain Giresse. Nevertheless, Georgia has never finished in the third group of the World Cup. Under Tskhadadze's predecessor Temur Ketsbaia the national football team achieved the historical results. In 2010

the team had an undefeated season. In the UEFA EURO 2012, Georgia defeated Croatia with one point. Despite high level of play, Ketsbaia acquired a lot of antagonists. In 2015 he had no other option but resignation. Tskhadadze has been working as the coach now for about a year. In lobby interviews it is said that the next coach could be Gia Guechadze, now serving as the head coach of the youth national team. For now, it remains only a rumor.



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“REGION” WINS SUPER LEAGUE ALL STAR - 2016

VAKO KIPIANI

Super League All-Star game was held at renowned Sports Palace, which was attended by two thousand fans. Match traditionally conducted without penalties. Two teams Tbilisi and Region competed with each other and made a real show. The game ended with the victory of Region by 148:122.

Participants of Georgian All-Star were selected by online survey and the reserves were selected by the coaches. Region team was led by Kote Tugushi and Ramaz Gogoberishvili and “Tbilisi” - David Ustiashvili and Irakli Khoshtaria.

The top scorer of the Region became Giorgi Barbakadze with 31 points and won MVP title. During the break, Bera Ivanishvili presented his music that he had created exclusively for this game. He showed his support by wearing the national team t-shirt that belongs to Tornike Shenge-

lia. During the break there was also “Slam Dunk Show” by acrobats “Hopers” and “ME & MY”.

Three players took part in “Slam Dunk” competition. David Kyles from “Rustavi”, Matt Glover and Giorgi Barbakadze “Sukhumi”. Barbakadze called Bera to perform slam dunk with him. Bera tried for five times, but without success. Finally, Barbakadze performed a slam dunk with one hand and became a winner of the competition.

The players congratulated 75-year jubilee of Tbilisi “Dinamo” to the veteran player Amiran Skhiereli, which has won the European Champions Cup, the championship of the Soviet Union and many other prizes. Currently President of Tbilisi Dinamo Vakhtang Natsvlishvili gave him a cash reward.

Three-Point contest was also interesting in which participants were selected according to statis-

tics of the current Super League. Akaki Lomouri, a winner of last year’s All Star joined top five three-point shooters and successfully defended his title.

Finally Lomouri played against Barbakadze. In the final competition both of them got equal 16 points. The coach appointed additional round, where Lomouri won with a score of 19:16.

Giorgi Barbakadze expressed his gratitude to the organizers. “Everything was well planned, and we tried to do our best to make the show. As for winning, I was MVP- title and I am glad that I became worthy of it. In addition, I won the slam dunk contest,” said the basketball player.

Audience was satisfied. Teams made 270 points for the throw and gave a lot of nice moments to the audience. Hopefully, the next All-Star game will be more sophisticated and full of show elements.



WEEKLY SPORT NEWS

Basketball

Dallas Mavericks of Zaza Panchulia met with Brooklyn nets on January 29 and defeated by 91-79. Two matches later, Georgian center was back to the game. He scored on a double-double: 16 points, 12 rebounds, 3 assists. 6 out of 10 field goals (60%). Zaza’s play was one of the best. Zaza’s teammate Chandler Parsons had 19 points, season-high 10 rebounds and 3 assists. Lopez always seems to perform well against Dallas, but in this game he finished with 28 of Brooklyn’s 79 points, that is 35% of the Nets’ scoring.” It is worth mentioning, that Dallas is in the sixth place in the Western Conference. Team has 27 wins and 22 losses. Dallas will host next game against “Phoenix Suns”.

Football

Georgian Football Federation has revealed the best of the 6 categories.

- Best referee**
Giorgi Vadachkoria
- Best coach**
Gia Geguchadze
- The best female player**
Gulnara Gabelia
- The best young player**
Otar Kiteishvili
- National Cup best player**
Alexander Iashvili
- Player of the year**
Jaba Kankava

Georgian Football Federation has completed negotiations with the national team and agreed schedules for a friendly match. Before the 2018 World



Cup qualifying meeting, three friendly matches are planned. On March 29 the national team will meet with Kazakhstan. Our team will travel to Austria in late May, where they will compete with Slovakia on May 28. National team will meet Romanian team, one of the participants of Euro 2016, in Bucharest on June 3.

Football Federation Executive Committee made decision that Gia Geguchadze will become a head coach of the Under-21 football team. As for the national team, as the GFF president, Levan Kobiashvili announced at the meeting Kakha Tskhadadze will not be the head coach any more. However, it is not yet clear who would take this position.



“Dinamo” has a new head coach. 53-year-old Juraj Jazabek that was the head coach at “Spartak” will replace Gia Geguchadze.



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