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WEEKLY NEWSPAPER TAVISUPALI SAKARTVELO (FREE GEORGIA)

**რუსების ციხ-ცემლება
ჩოხათუს პრივატუს გამ**

უცნაური გაატიურება მოკვეთა. რომ
გორც რესეპტის პილიტიკური მიმო-
მხილვები არ დაუდინარ, ის უკავში-
დების მიზნი მხოლოდ ისახა. რომ
ვალერალურ ხელისუფლებას დაეღმი-
ვებს, ვინ იქნება ჩეხეთის რესპუ-
ლიკის მომავალი პრეზიდენტი.

რესეპტის სამიზნო რომ შაროლაც
მნიშვნელოვანია, ვინ გახდება იმის
რის პრეზიდენტი, ამასე ისიც შეტყ-
ველებს, რომ განვითარობა შოთათ
კონფედერაციის დიდებითი ი. სისი-
ლაბიკოვიც გახდის, რომორც გა-
განსაკუთრებულ უძმაფოლ-ლებასა
არჩევების თარიღი იწვევს - მათ არ
მოსწონთ, რომ ნაომართ, დანგრეული
ქვეყნისა ას მოკლე ვადებში ახერ-
ხას უნდა მოვალოს. ამ ერთ-ერთ
სისილაბიკოვიც მარტინ და ერ-
ესტონია მარტინ და ერების მარ-

დავადრუსეთის ხელის უფალ-
ზიდან, აშკარად ჩანს მათი
ე უანგარი დაინტერესება ამ
ებით. ხელის უფლება რომო-
წვავე გამოსვლების საბასუ-
ლოლობს, სიტუაცია რაც შეიძ-
არადრამატულად წარმოდ-
- თოქოს, ჯარების გამოყ-
იცებელადაცია, ისევ ვლობს;
უ ზემოქმედების ბერკეტებს
დეტში მიმღინარე არჩევნებიც
მისი კომპარეტუნიის სახლვ-
რჩანა.

რუსეთის შესაძლებლობა, გავ-

10 დეკემბერი - აღაშიანის უფლებათა დაცვის სამინისტროს დღე



6 ებისმიერ მოქალაქეს შეუძლია გაერთიანდებული ერების ორგანიზაციაში შეიტანოს სახივარი ხელისუფლებაზე, რომელიც აღლებეს მის უფლებებს

1976 წელს კი ძალაში შევიდა
მათიანის სამოქალაქო და პრელი-
კურუ უფლებათი საცერთა შოთ-
ასო პატიოს ფაკულტეტების მქ-
ანი, რომლის თანახმადაც, გაერთო-
სისისამ დაიწყო აღამიანის უფ-
ებათი დარღვევების კერძო შემ-
სისხლის აღხოვა.

დამიანის ხამოქალაქე და
პოლიტიკური უფლებების
ერთაშორისობაში პაქტის ვაკულ-
იზმით იქმის მონაწილე ქაფანი
და ლაბ ცნობის გარეთ სამართლებრივი

მიანის უფლებათა კომიტეტის
კომპეტენცია, გ.ვ. ორგანო, რო-
მელიც განიხილავს, შეისწავლის
და გამოიკვლევს ცალკეულ პირ-
თა უწყებისუბან-სახის გრებებს.

ნიშვნების წარდგენა მეორე მხარის არგუმენტების გასაბათო-ლებლად.

ქ მას გარდა, კომიტეტი
სხვეოვნის ხახელმწიფოთს ხის-
რულებში არ ძოვებანოს ხასია-
ზდილო განასტები, ხანაძ ის განა-
ხილავს ხიკვდილმისჯიდის ხასი-
არს.

Հովանես Պատրիարք Աբրամ Առաքած (?!)

დეკემბრის დასაწყისში ლისაბონში გამართული ეუთო-ს სამზიტი მართლაც ისტორიული გამოღვა - საქართველომ კიდევ ერთხელ დაადასტურა „სრული ნეიტრალურების“ პოლიტიკა რუსეთის სასამარგებლოდ, ხოლო შევარდნაძე - ახალი ჰელსინკის პროცესის ავტორად მოგვევლინა

ოფიციალური ვერსიით, ლიხაბონის შეხვედრაზე

ხანია განსაზღვრებლით - რეჟისორ.
* * *

ლისაბორში კიდევ ერთხელ გამოჩნდა შევარდნაძე
მეტად მნიშვნელოვანი თვისება: მას არ უყვარს
ნაცვარტონები - ბლობად შეხედას პრობლემას. როგორ
მსოფლიოს წაყვანი ქვეყნები განიხილავნ კოროაცი
სასრცებლო პერსეპტივითა დაგავშინებულ
საკითხს, არსებობოდ წყვეტის, თუ ვინ იქნება დო
მინიჭებული პოზიციის მოწენე, დასაღვეოთი - ჩრდი-
ლობარენტაციური აღიანხისის გაცვი ხისტემით დ

ရခိုင်းကြောင်းမှာ အတွက် အသာဆုံး ပေါ်လေ့ရှိခဲ့ပါ၏ အကျင့်အတန် အမြတ်အမြတ် ဖြစ်ပါသည်။

Եղիշ Զար Բոյլուսյուն

Public Defender Institute Remains a Pie in the Sky

... Since the effect of the repressive pressure on public is beneficial not only for officials but for official opposition as well, the Parliament again failed to or to be more precise did not elect an ombudsman. At the session of November 29 the candidature of Giorgi Khutishvili presented by Shevardnadze for the second time was not discussed at all, though the parliamentarians and Mr. Khutishvili himself were waiting for the whole day when the issue would be raised. As it became known later, Shevardnadze himself changed his mind. The decision of Shevardnadze to remove the candidate who had once lost his election seemingly confused his supporters and brought hope to the opponents who possibly decided that their President took into account the factor of mistrust to his candidature. At the session of November 15 when the candidature of Khutishvili was discussed for the first time it became evident that after Kavasdze's Committee and Constitutional Court a new even more fictitious institution in the face of public defender who would at best defend nobody, while at worst would defend unlawfulness. With his notorious ideas Mr. Khutishvili surpassed Mr. Kavasdze himself who at least has the experience of considering the existing state of affairs. After this the press, the representatives of the legislative bodies and some political parties unanimously attacked the unsuccessful candidate. It seems, the Khutishvili's gala-speech did not pass unnoticed by International Organizations and probably this very fact can be responsible for the tactless behavior of Shevardnadze whose protégé until the last moment was completely unaware of being rejected. Who will be the next candidate: Mrs. Tevdoradze who spared no efforts to create an image of true defender or will the Parliament be presented with another notorious nomenclature official!?

Evidently the former has certain chance if only for her being the member of Citizens' Union not someone from the "street". However it is equally evident that while this energetic humanistic lady is quite tolerable and desirable in her modest role of the Chairman of the Subcommittee, she may become absolutely intolerable if armed with real rights and authorized with the control functions. It is more probable that if that be a case she would be induced to restrict her energy, exactly in a way she had been induced to withdraw her candidature.

There is a suspicion that actual implementation of the rights of the public defender is not convenient either for the supreme authorities or for obedient parliamentary majority. Such prospect should not suit the official opposition fractions either since certain repression factor exerted to the society undoubtedly plays in their hands as well. For this reason they had offered as an alternative to Mr. Khutishvili a person who was not only unknown for the broad layers of population but even for the part which is oriented to this very opposition. The name of their candidate is Mrs. Marika Bagdavadze who proved to be absolutely helpless as an opponent of Mr. Khutishvili.

One is evident, both "The Citizens" and their opponents are striving to have their own rather than a public defender occupying this position.

In any case one should anticipate that the ombudsman if it ever is elected will find himself in the middle of nowhere and very soon one more myth about the progressively developing democratic institutions in Georgia will burst like a soap-bubble.

Stop repression on political grounds

To the President of the Republic of Georgia Mr. Eduard Shevardnadze

To the Chairman of the Parliament of the Republic of Georgia Mr. Z. Zhvania

To the Chairman of the Supreme Court of the Republic of Georgia Mr. M. Ugreshelidze

Dear Sirs,

As it is known to us, the speech of Mr. Shevardnadze during his radio-interview on November 18, 1996 where he declared that the moratorium on death punishment factually is in effect in Georgia for a long time already does not correspond to truth considering the fact that "Amnesty International" publishes information about execution of the death sentences and especially as this declaration coincided in time with the day when Mr. V. Kobalia was sentenced to death and the work on preparing new Court Trials against those who are in opposition to the political system which is in power in the republic began. At the same time, we are actually facing the case when the charges are literally repeated and once more will be passed to the Court Hearing while numerous protest of our colleagues and us demanding to annul death sentences pronounced to the political opponents I. Dokvadze and P. Gelbakhiani and later to B. Zarandia ended with zero result.

On November 21 the UN Committee against Tortures listened to the report concerning the facts of using tortures in the Republic of Georgia. Some reports were sent to the Committee from Georgia. As it became known to us, in the nearest future various bodies of the United Nations are going to consider the claims of members of the tried political opposition of Georgia. Apart from the tortures, the issue to be discussed concerns the fact that actually all Court Hearings failed to prove the criminal charges incriminated to the defendants which in its turn testifies that in Georgia people are persecuted for their political beliefs and the International Law is roughly violated without any sound reason. We appeal to you with the respect to contribute to the lawful bringing of the moratorium on death penalty in effect, annul the death sentences pronounced to I. Dokvadze, P. Gelbakhiani, B. Zarandia and V. Kobalia. We demand to return for the repeated investigation of Cases #7493810, 539483, 7792809, 13, (83)238, 7493846, 9733054, 7495927; we demand to investigate the Case # 1095211 with participation of the independent lawyers; and we demand to appoint a new investigation of the Case related to the most unfortunate event of August 29, 1995 in that part which concerns the possible participation of the members of the Security Service and military organization "Mkhedrioni" in this crime.

We express the hope that the Republic of Georgia will strictly observe the demands which are put forward as a prerequisite before its possible being joined to the Euro-Council such as refuse from tortures and death sentences, stop repression on political grounds.

Tash - representative of Tibet Government in Exile, Rabgial - representative of Tibet Government in Exile, Svetlana Filonova - a journalist; F. Minkos - representative of European Council; Sesil Vishor - representative of the European Council; William Shabas - professor of justice, Canada; Elizabeth Zamparuti - a lawyer, Italy; Leban Lake - a lawyer, Great Britain; Paolo Chavari - a journalist, Italy; Sejio D'Elia, a public figure, Belgium; Karmen Vartolats - a journalist, Italy; Leonard Wineglass - a lawyer,

USA: Antonio Stango - Chairman of the Helsinki Committee, Italy; Aleksei Simonov - Glasnost Defense Fund; Alexander Rulenko-Desniak - Chairman of National Unions Congress, Russia; Anatoli Pristavkin - a writer, Chairman of Pardon Committee at the administration of the President of the Russian federation; Anatoli Shabad - Voters' Club of the Russian Academy of Sciences; Ekaterina Milostova - human rights defender; Mikhail Milostov - Deputy of State Duma, defender of human rights, former political prisoner; Nadezhda Bogarikova - defender of human rights; Boris Titenko - Deputy of the 5th State Duma, staff member of the administration of the President of Russian Federation; Sergei Chernjak - radio "Svoboda"; Alexander Kamenev - radio "Svoboda"; Grigori Nekhoroshev - radio "Svoboda"; Pavel Gutionov - Chairman of the Committee for Freedom of Speech and Journalists Rights; Mark Zakharov - chief director of Lenin Komsomol Theater; Bulat Okujava - a poet; Egor Gailar - chairman of the "Demvibor Rossii" party; Elena Lebedeva - a secretary of Youths Anti-Fascist Movement.

The deputies of the State Duma of Russian federation: Valeri Borshchov, Sergei Kovalev, Sergei Jushenkov, Irina Khakamada, Arkadi Jankovski, Alexander Pochinok, Giorgi Adrichkov, Rinat Sultanov, Iuli Ribakov, Mikheil Men, Sergei Ivanenko, Boris Misnik, Sergei Mitrokhin, Eduard Vorobjev, Galina Starovoitova.

Will the Death Penalty Be Abolished?

To Mr. Shevardnadze's Opinion
Haste in Such Case Can Become Equal to Crime

My comments regarding this issue will be a little detailed.

Presently the problem of death penalty is under active discussion indeed. One can often hear bitter words that presently in Georgia there are tens of those who were sentenced to death, while in other bigger countries their amount is much less etc. Generally when speaking of using such norm of the Law as death penalty any digital manipulations are certainly out of place. We are dealing with human lives. I would like to stress the following: first, Georgia was twice subjected to the disaster of civil war with its all most severe consequences, but more than from civil wars we suffered from the wounds made by criminals, murderers and armed bands of terrorists. Now we all see that as I would put it all this belongs to past and now it is quite normal to discuss penitentiary policy of the State. As you are aware the Constitution of Georgia provided us with the possibility to make a correct and unmistakable choice. The second, it's already two years that no death sentence has been executed in Georgia. That explains the fact that the number of those sentenced to death reached a certain figure. We are dealing with the actual moratorium. The President is authorized (and I would like to specially stress this) with the right of pardoning envisaged by the Constitution, however the haste in this most complex issue I would qualify as a crime. We should not forget that on the second side we are having tens and hundreds of exterminated families, people who were tortured to death. In addition to the terrorist actions we are having raided and ruined houses, bridges, power lines and many other things. We should not also forget the lesson the Manifest on Pardoning and Reconciliation which was declared at the Square of the Republic actually triggered the second wave of the civil war. Often one can hear: a man was sentenced to death, where is the President? Why does not he stop the pronouncing death sentences in the court? God forbid for President to interfere with pronouncing sentences. This would be trampling of all those democratic values to establish which our people suffered so much. Neither should we forget that we still have the remnants of the traditions of vendetta which come from the old time. I know that on these problems is hardly working our Parliament. I also do think a lot about it. I am also thinking that many severe and brutal crimes for committing of which people were sentenced to death occurred under the conditions of complete chaos and unlawfulness. This also should be taken into

consideration. Anyway, in the process of considering the appeal about halting the President can take this into account. For this reason delay in this most complex issue is unforgivable, while haste may become equal to crime. Before the end of the year (I think so) the President will have the possibility to formulate his views and share them to the citizens of Georgia in relation to this one of the most acute problems.

From the radio-interview of November 18 of Eduard Shevardnadze.

"Asaval-Dasavali" newspaper, #27, November 19-25, 1996

Vicious Circle

According to the information from the Ministry of Internal Affairs in the beginning of December was arrested the high rank official of the Ministry of Health Mr. Levan Meskhi who was found to have a gun with 8 bullets and 6 g of narcotic substance. During the search of his flat the police found 1 kg of a virulent narcotic substance

As if in answer to this criminal incident, the Minister of Health Care Mr. Avtandil Jorbenadze on December 4 in the Ministry of Health held a Session of State Commission Against the Distribution of Drug Addiction and Unlawful Turnover of the Narcotic Substances of Security Council. It is noteworthy that it was not a measure planned as means of urgent reaction like the ones typical for old Communist Party traditions. The recent fact when from the flat of one of the leaders of the Ministry of Health were confiscated great amounts of narcotic substances was almost completely ignored as if nothing important had ever happened.

The Session one can say was of international character with participation of the Head Expert in Juridical Issues of the UN International Project on Controlling Narcobusiness, former regional judge of France Mr. Bernar Leroi. The issues of the narcotic substances business, their transition, preparation were discussed as well as the problems of the registration of drug addicts and their rehabilitation programs. In the course of discussion the UN expert stressed that unfortunately the Caucasian region will very soon leave behind other countries not only in selling and distribution of the drugs but also in their unauthorized production and generally the Caucasian region represents one of the greatest dangers for the World from the point of view of the drugs transit. Hence, the strong legislative basis formulated with strict observance of international standards is the must. It is clear that this danger at least partially is lessened the enthusiasm which involved the whole Georgia in its struggle against drug addiction. Reassuring is also the fact that in the work of the Session were participating: the Minister of Internal Affairs Mr. Kakha Targamadze, Head of the National Bureau Against Drug Addiction and Narco-Business Mr. Jemal Janashia, Head of the Frontier Department Mr. Valeri Chkheidze and what is most important, the head of the Research Center of Narcology Mr. Gela Lezhava who is in charge of one of the Subcommissions subordinated to the above Commission.

It is that Gela Lezhava who only four years ago was delighted by the moral victory of the Georgian drug addicts who were fighting for high ideals. Mr. Gela Lezhava happened to discover that the real state of affairs was far less hopeful as it seemed on June 24, 1992: no sufficient funding is provided to cope with this problem and the number of drug addicts increased so rapidly that it became difficult even to record them: in past he knew that in Georgia were exactly 10 000 drug addicts who though were armed but were fighting for the high ideals.

It seems that Mr. Leroy was absolutely unaware of the fact that once in Georgia even well-known physicians and high-rank officials of the Health Care were actually melting with pleasure when speaking with promising young Georgian drug addicts. Evidently, he is unaware also of the fact that infatuation with narcobusiness is not foreign for the high-rank officials of the same Ministry of Health.