

Court Found Lelo Leaders Guilty of Fraud, Prison Term Waived



► Japaridze says they deny having committed fraud and will appeal the verdict in the second instance court.

BY NATALIA KOCHIASHVILI

Founders of TBC Bank and current leaders of the Lelo opposition party Mamuka Khazaradze and Badri Japaridze, as well as Avtandil Tsereteli, then owner of LTDs Samgori M and Samgori Trade were found guilty of fraud by Tbilisi City Court on 12th of January.

According to the judge, the court reclassified the charges for Khazaradze and Japaridze from money laundering to fraud, although they were found guilty, due to the statute of limitations their prison time of 7 years was waived. As for Tsereteli, his charges were requalified to complicity in a pre-arranged fraud committed by the group which caused significant damage, thus was sentenced to 7 years of prison, which was canceled as well. The measures of restraints such as the seizure of property and ban on border-crossing were lifted too.

The Prosecutor's Office of Georgia has released a statement according to which, the prosecution will appeal the decision in the Court of Appeals within the time limit set by law.

"Tbilisi City Court fully shared the evidence presented by the prosecution and found Mamuka Khazaradze, Badri Japaridze, and Avtandil Tsereteli guilty of fraudulent misappropriation of \$16,664,000 belonging to JSC TBC Bank on charges of Article 180 of the Criminal Code of Georgia. However, the court did not agree with the prosecution's assessment of the legal qualification of the crime committed, which is why the defendants' actions were qualified as fraud" statement read, clarifying that decision will be appealed in Court of Appeals.

The Lelo leaders and Tsereteli deny the charges against them and state that

the case is politically motivated, saying that they will appeal the court's decision as well. Khazaradze stated on the previous day that behind the criminal charges against him stands the founder of the Georgian Dream party, Bidzina Ivanishvili, claiming that 'we are dealing with political persecution and an oligarchic system.' They say that the criminal case aimed to reject the Anaklia deep sea port project 'which aimed to strengthen Georgia's geopolitical role.'

The Anaklia Development Consortium won a state bid to construct the port and signed a deal with the government in 2016 with TBC Holding as its principal partner, but the project was paused in 2019 because according to Khazaradze 'strategic project wasn't favored by Russia'.

Khazaradze argued the ruling on fraud was based on the 2012 write-off of the loan. TBC Bank founders have claimed that multiple bad loans from 2008 were forgiven in 2012 as they coin-

cided with the Russo-Georgian War. But Khazaradze pointed out that the Bank's action had not been probed separately. 'This is nonsense,' he said - 'in 2008 we were accused of money laundering, but now it turns out that we have committed fraud. This is a farce and the fight will continue.'

Lawyer for the founders of TBC Bank, Zviad Kordzadze commented that yesterday the court confirmed that no money laundering had taken place.

Recall that investigation into the case was launched in August 2018, while criminal charges against Khazaradze and Japaridze were filed on July 24, 2019. Prosecutor's Office claimed that in April-May 2008, TBC Bank gave 17 million USD to LTDs Samgori M and Samgori Trade, which were owned by Tsereteli, as a loan without providing anything in collateral, while on the same day, the money was placed in the private bank accounts of Khazaradze and Japaridze, adding that in October-November 2008 the companies were given one more year to cover the loan.

Transparency International (TI) Georgia, a local watchdog, stated that monitoring of case files and the trials, it was clear the case was 'unambiguously politically motivated.' The NGO argued the investigation could have served to punish opponents of the GD government and halt the Anaklia Deep Sea Port project, a joint venture of TBC Holding and a U.S. investor under a consortium.



► Opposition leaders from various parties are supporting the Lelo founders, maintaining that the case is politically motivated.

EXCHANGE RATES: US DOLLAR - 3.0875 | EURO - 3.5065 | GBP - 4.2064 | 100 RUSSIAN RUBLE - 4.1407 | SWISS FRANC - 3.4329 |

Russia does not have veto power on NATO enlargement, US senators say

BY KHATIA BZHALAVA

Members of the US Senate NATO Observer Group have sent a letter to US President Joe Biden, urging him to convey support for the security and freedom of eastern European allies at the NATO-Russia Council meeting scheduled this week. The letter is signed by U.S. Senators Marco Rubio (R-FL), Jeanne Shaheen (D-NH), Thom Tillis (R-NC), Chris Coons (D-DE), Joni Ernst (R-IA), Jeff Merkley (D-OR), Mike Rounds (R-SD), Cory Booker (D-NJ), and John Barrasso (R-WY).

Russia has demanded a list of public 'security guarantees' to Western governments, including urging NATO to rule out future membership to Ukraine and Georgia and other 'unreasonable' calls that are 'unacceptable' to Senators. According to the group of senators, such demands are an attempt to recreate a Russian sphere of influence in Europe, where the Kremlin can coerce and bully countries like Ukraine, Georgia, Moldova, Estonia, Latvia, Lithuania, Poland, and Romania.

"We support close engagement with our allies to ensure a coordinated and unambiguous response to Putin's brinkmanship and ask that the administration and its allies continue to unequivocally rebuke Putin's military threats and provocations against our allies," the

letter reads, adding that it is important the US refuses to fulfill Putin's 'unacceptable list of demands.'

According to the letter, within the framework of the Strategic Stability Dialogue, the Russia-NATO Council and the Organization for Security and Cooperation in Europe (OSCE)

Permanent Council meeting, the senators wish to underscore strong bipartisan support for the fact that Russia does not have a veto power on NATO enlargement and expansion of the Alliance, noting that this will be decided solely by NATO members.

According to the senators,



▶ According to the members of the US Senate NATO Observer Group, Russia's demands for 'security guarantees' to Western governments are 'unacceptable'.



▶ On December 10, the Russian Foreign Ministry urged NATO to annul the 2008 NATO Bucharest Summit decision which says that Georgia and Ukraine will become NATO members.

the NATO door remains open to European countries which are ready to undertake the commitments and obligations of membership. They also stressed that the United States and its allies are committed to the principle of "no decisions or discussions about Ukraine without Ukraine," stressing that this principle should also be applied to Georgia.

On December 10, the Russian Foreign Ministry urged NATO to annul the 2008 NATO Bucharest Summit decision which says that Georgia and Ukraine will become NATO members. The Ministry announces that to ensure the vital interests of European security, it is necessary to officially dis-

avow the decision made at the Bucharest summit. Later, it was stressed by Konstantin Gavrilov, the head of the Russian Delegation to the Negotiations on Military Security and Arms Control in Vienna, that 'under no circumstances will Moscow allow the deployment of NATO infrastructure in Georgia and Ukraine.'

The Russian Foreign Ministry published proposals on 'security guarantees' between Russia, the US, and NATO on December 17, which include restrictions on troop, ship, and aircraft deployments for both NATO and Russia, as well limits to the deployment of intermediate and short-range missiles abroad.

Court Says Publication of Saakashvili's Footage Served Protecting State Security

BY THE MESSENGER STAFF

According to the Tbilisi City Court, the information published by the Ministry of Justice about the publication of Mikheil Saakashvili's food ratio and audio-video recordings served the legitimate purpose of state and public safety.

According to the court statement, they did not find any violation of the requirements of the

Law of Georgia on Personal Data Protection. However, the court claims that the inspector tried to mislead the public with 'baseless allegations'.

"It is unfortunate that the State Inspector's Office deliberately tries to mislead the public by spreading false information with baseless and unsubstantiated allegations, in particular: in similar cases, unlike other cases, the statutory time limit is set at

one month; The appeal was filed in court on December 17, 2021, and the final decision on the case was made on January 11, 2022; Thus, the case was considered within the time limit set by law.

Since the offense reports were drawn up against two different institutions, with several accusations of committing offenses independently of each other, the court considered that the merging of cases would impede the

speedy and effective administration of justice.

"Based on this, the Tbilisi City Court calls on the State Inspector's Office and all interested parties to disseminate relevant information/opinions based on the factual and correct interpretation of the current legislation," the statement reads.

On December 7, 2021, the State Inspector's Office completed a study by the Ministry

of Justice and the Special Penitentiary Service to distribute Mikheil Saakashvili's videos and imposed administrative sanctions on them, which carries a total fine of €2,500.

Yesterday, the Inspector General's Office announced that the Tbilisi City Court had overturned their decision to fine the Ministry of Justice for leaking Mikheil Saakashvili's personal data.

THURSDAY JANUARY 13

Day ☁️ Cloudy High: 7°C

Night 🌧️ Windy Low: 0°C

FRIDAY JANUARY 14

Day ☁️ Windy High: 3°C

Night 🌧️ Few clouds Low: -1°C

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