

12 November 2018

We are truly baffled by this response by the GoG as they apparently chose to continue assaults on the civil society leaders of Georgia, accusing them of being politically biased and spreading more lies. This is an attempt to mislead the audience which, obviously, may not be aware of all the details, but also it is an attempt to discredit the messenger, the civil society, who talks about the problems.

Let us respond point by point to the issues:

First of All, it has to be noted out, that those organizations who, are blamed to be politically biased by the Minister of Justice and other high officials, specially did not publish information that we walked out from the OGP Forum and requested the RRM so it did not have political complications, especially during the presidential elections. This issue could be used politically by the opposition against the ruling party and we tried to avoid this.

Endorsement of 4th National Action Plan by the civil society

It is a blatant lie that any civil society organizations and in particular the Open Society Foundation Georgia (OSGF) endorsed the National Action Plan, indeed the OSGF representatives did choose to stay until the end of the 13 July forum meeting, but in no way have they endorsed the Action Plan. Moreover, several times throughout the meeting the civil society representatives and namely an OSGF representative, explicitly stated on several occasions that the CSOs do not endorse the Action Plan. Evidently, a number of public statements, the letter to the Prime Minister of Georgia in the wake of the Summit (referenced in the initial document of the RRM appeal), as well as this appeal itself, are not considered by the government sufficient proof of this fact. Some other organizations, namely IDFI and GYLA chose not to attend the meeting, demonstratively, as a sign of protest.

Political affiliations of civil society leaders

Several times throughout the text, the authors claim that the civil society organizations behind the appeal are politically biased, but the ‘proof’ they substantiate this claim with are against two representative of a single organization -- Transparency International Georgia -- so, even if we exclude TI Georgia from this list, there are other organizations left which represent a significant and the most active part of the civil society of Georgia.

As for the allegations against TI Georgia’s leaders:

First of all, at no point in time were either Eka Gigauri or Giorgi Oniani members of political party United National Movement (UNM) or associated with it in any way. Eka did serve at the Border Police 14 years ago, including as a Deputy Head, but that was a mere career promotion from her serving at other positions in the Border Police, which she left 10 years ago, and is a TI Executive Director for the last 7 years.

As for Giorgi Oniani, he also did work in the public service but has never been a political appointee throughout his career. He was first an employee of the Ministry of Foreign Affairs of Georgia and was originally promoted there to serve as an Assistant to the Minister (by the way of the current

Presidential Candidate of the ruling party Ms. Salome Zourabichvili). After leaving the Ministry, he joined the National Security Council in the capacity of Advisor and was later promoted to a Senior Advisor's position, both positions being mid-level public service posts. At the Prime Minister's office Giorgi was recruited, due to his experience and qualifications, by the Head of the Foreign Relations Service of the Prime-Minister who currently serves as Ms Tsouloukiani's deputy. So, none of the positions Mr. Oniani has worked on where either high-level or political. He simply worked in the Georgian civil service during the years when UNM was in power but this does not amount to any kind of affiliation with the UNM.

Both, Giorgi and Eka can be regarded to be as biased towards the UNM as tens of thousands of public servants who worked in the civil service under the UNM government -- to the same extent as Ms Tsouloukiani's deputy or Mr Zurab Sanikidze himself, who also served in the Ministry of Justice in the UNM years.

Eka Gigauri's lawsuit against false allegations

We will not repeat here everything that we have already informed you about regarding the lawsuit, but will provide some additional information instead. It is becoming increasingly clear that those who first voiced these false allegations almost four years ago and against whom Eka filed a lawsuit were, in fact, are directed and supported by the Georgian Dream political party. On 8 November 2018, the defendant, Mr. Goga Khaindrava, was accompanied and supported at the court hearing by 2 members of Tbilisi City Council representing Georgian Dream, who recently have been an extremely active figures within the party. It is worth mentioning that this trial is accompanied with sponsored social media campaigns, as well as pro-governmental media coverage against Eka, which is yet another proof that all this is coordinated by pro-governmental circles. It is also noteworthy, that first these false allegations appeared after the civil society launched the campaign 'It Affects You' against illegal surveillance by the state, and Eka was one of the leading civil society activists there, which, apparently irritated the ruling elite.

Setting up an Independent anti-corruption agency

On this as well you have been informed many times already and we would not like to repeat here anything. However there is another attempt to mislead you here. While it was a subject of consensus among the civil society organizations and it was the civil society's most significant request toward the Government within the OGP, for the sake of being constructive and in order to avoid being accused of adopting an "all or nothing" approach, we modified our initial request to the OGP forum and the final one submitted was about conducting a study (by unbiased and highly skilled international experts) regarding the feasibility and the need of having an Independent anti-corruption agency. But this was rejected as well. So this is another lie which the document contains.

The public protest 'Thea Out' being organized together with the opposition

The false claim that the political protest outside the Public Service Hall was co-organized by the civil society and the political opposition is another lie contained in the document and an attempt to prove that TI Georgia Director Eka Gigauri has political ties. Even one of the web-links provided in the document proves this as the anchor explicitly says that it was a protest organized by the NGO sector. All of those speaking about the protest were representatives of different NGOs, not

of political parties. We, the civil society organizations of Georgia, do use the method of organizing public protests or demonstrations as a tool for reaching out to grassroots groups, but never have we organized anything together with any political party. Obviously, anyone can attend a public protest, and we have neither the right nor the capacity to prevent anyone from attending but, on the rare occasions when political party representatives attend our events, we ask them to refrain from displaying party symbols. Another group of the people who was active during this protest, were several former employees of the Justice Ministry, who had been illegally dismissed by Minister Tsouloukiani, and denies them the right to be reinstated to their former positions in violation of the Supreme Court decisions. So, it is a lie that this protest was organized together with the political opposition.

As for the campaign itself, it involved a large part of Georgia's civil society organizations, because Ms. Tsouloukiani had praised former Chief Prosecutor, Mr. Shotadze, who left his post amidst massive public outrage regarding his alleged involvement in protecting perpetrators in a high-profile investigation. His resignation, as well as the findings of the special Parliamentary Investigative Commission regarding this case, confirmed that undue influence had been exerted during the investigation. Against this background, Ms. Tsouloukiani thanked the Chief Prosecutor and said that he should not have resigned.

Attempt to single out TI

Several times within the text of the letter, but also in the public comments made by Ms. Tsouloukiani, we see an attempt to single out TI Georgia as the only organization which has voiced protest and to links this to the 'political affiliation of the leadership with the UNM'. However, even the letter itself indicates that TI was never alone in all those actions referenced and there were other civil society organizations involved. The letter states, for example, that the Interagency Task force on Free and Fair elections, which is the main body established for speedy discussion of election-related violations, was left by TI and Georgian Young Lawyers Association (GYLA), which is a misinformation as it was also left by International Society for Free Elections and Democracy (ISFED). These three are the major election monitoring organizations, and among the most active CSOs, generally, and the reason for leaving the forum was exactly the unhealthy environment there, where the Minister Tsouloukiani who Chairs it was assaulting the representatives of these organizations. So, even in the examples given in the letter it is again that TI is not the only one protesting against Ms. Tsouloukiani.

Moreover, we have at different instances mentioned this and let us confirm again now, that the concerns mentioned by TI Georgia which became the reason for the attacks against them are shared by the major part of the civil society of Georgia. We do think that the goal behind the singling out of one of the most active CSOs in Georgia and their leadership the aim is the whole active part of the civil society of Georgia.

We remain at your disposal, should you have more questions or any additional clarifications be required. We truly believe that OGP is indeed best placed to respond to the assaults on the civil society of a member country, by the OGP Steering Committee member, which is indeed a clear manifestation of the shrinking civic space in Georgia.