Police Reform in Georgia

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The Leadership Academy for Development (LAD) trains government officials and business leaders from developing countries to help the private sector be a constructive force for economic growth and development. It teaches carefully selected participants how to be effective reform leaders, promoting sound public policies in complex and contentious settings. LAD is a project of the Center on Democracy, Development and the Rule of Law, part of Stanford University’s Freeman Spogli Institute for International Studies, and is conducted in partnership with the Johns Hopkins School of Advanced International Studies. LAD gratefully acknowledges support from the Omidyar Network.
POLICE REFORM IN GEORGIA

Georgia (გიურგიუთი) is a semi-presidential republic in Eurasia, located on the crossroads of Eastern Europe and West Asia. In 2003, the pro-western leader, Mikheil Saakashvili came to power in Georgia in the wake of the events known as “Rose Revolution.” The Georgian people had great expectations and trust in the new administration that replaced the old Soviet era political elite after a long period of civil unrest.

Although he became his country’s leader at the young age of 36, Mikheil Saakashvili seemed uniquely qualified for the job. He had served as a Minister of Justice from 2000 to 2001 and then led his own opposition party until the ruling president Eduard Shevardnadze was forced to step down. Mr. Saakashvili was also well travelled and educated, having studied law at Columbia University and later at Strasbourg, France. A mandate for change from Georgian voters gave him a strong momentum and the fact that he was leading a nation of only 4.5 million people made the mission of state building more manageable. However, Georgia’s state institutions were in disarray with a dysfunctional law enforcement system one of the nation’s major problems.

One of the binding constraints in the Georgian state-building and the major obstacle for country’s development was endemic corruption rooted in almost every sector of the country. In particular, corruption in the law enforcement was one of the most appalling features of daily life for Georgian citizens as they had to pay bribes to the uniformed police officers. A 2000 survey estimated that when stopped by traffic cops, motorists were asked for bribes in 7 out of 10 contacts.

Other sectors of republican government fared no better. In 2003 Transparency International’s Corruption Perception Index (CPI) Georgia was placed 124th among 133 countries and given a score of (1.8) indicating very high level of corruption (scores less than 3 indicate high perceived level of corruption, scores higher than 9 indicates very low levels).

Such an unenviable record can be ascribed to complex political and economical history of the country. Georgia gained independence after the Soviet Union was dissolved in 1991 and inherited most of state institutions from the former socialist government. Although the Soviet system was generally free of low-level corruption, it was also archetypically bureaucratic, ineffective at providing public services, and inattentive to human rights. At the same time, the Soviet Republic of Georgia had one of the least effective police forces in USSR. The predominantly low-tech Georgian economy was riddled with patronage and clientelism in all branches of republican government, and the police were certainly no exception. Dissolution of the Soviet Union made matters worse; as Georgian economy deteriorated, members of police force started preying on ordinary citizens: in 2003, the “going rate” to become a traffic cop was between $2,000 and $20,000 in bribes. In fact, at this time Georgian police grew dependent on

Daniel Kharitonov conducted interviews and prepared this case under the supervision of Francis Fukuyama of Stanford University. This case was developed solely as a basis for class discussion. It is not intended to serve as a historical record, a source of primary data, or an illustration of effective or ineffective management.
bribery as their “official” paycheck was a paltry $40 to $100 per month and the Ministry of Internal Affairs (MoIA) could not provide even the bare minimum of supplies including the fuel for patrol cars.

Other departments of the MoIA – such as the border control guards – did not look healthy either. In the former USSR, borders and customs services were run by a federal agency which no longer existed. Now, ineffective and borderline criminal practices filled the vacuum. The major crossings for commercial transport into Turkey and Russia could take up to several days to get through if the driver refused to offer k’rt’ami (kickback) to customs officers.

The lack of state capacity in Georgia was certainly not limited to police functions. Soon after gaining independence, the country lost control over the autonomous regions of Abkhazia, Ajar and South Ossetia and struggled to create effective procedures for import/export, investment protection and business regulation. At the same time, Georgia was still run by elites hailing back to 1980s, who lacked both the will and the knowledge required for change. In 2003, mounting popular dissatisfaction broke out on streets of Tbilisi over contested parliamentary elections and forced Georgian leader Eduard Shevardnadze to cede power to the democratic coalition led by Zurab Zhvania, Nino Burjanadze and Mikheil Saakashvili. The latter was sworn in as a president in January 2004. Saakashvili’s platform could be broadly described as pro-Western, and sought to make Georgia a member of both the European Union and NATO, through fighting corruption, modernizing government institutions and rebuilding state infrastructure.

Notwithstanding these hopes, Georgia is located on the opposite side of the Black Sea from the nearest EU member state and shares land borders with countries of Armenia, Azerbaijan, Turkey and Russia, none of which qualify as modern democracies. In addition, the presence of the breakaway regions within Georgia’s borders (Exhibit A) made the prospects of full membership in NATO unlikely despite the new leadership’s efforts to join the western military alliance. In other words, the country suffered from geopolitical disadvantages of being permanently wedged between the influence spheres of Turkey and Russia.

Initial funding

A crucial task for Saakashvili was to restore public trust in police and law enforcement, beginning with the Ministry of Internal Affairs (MoIA). Funding was the first challenge. MoIA employees were severely underpaid, even by Georgian standards. While the average Georgian worker earned about $200 per month in 2003, MoIA employees earned one-third of that—an average of just $78. As a first step of the reform, it was determined that if MoIA salaries would rise to about $600 on average (and reach into few thousand dollars for high-ranking managers), it should have been possible to find candidates willing to undergo the rigorous selection and training process.

Since the Georgian budget could not support those pay raises at the time, the new MoIA leadership employed a variety of novel funding strategies.
The first strategy was to call for external assistance. Three donor organizations closely monitored the Georgian MoIA reform from its beginnings: European Commission (EC), the Organization for Security and Cooperation in Europe (OSCE) and United States Agency for International Development (USAID). However, because the international development community remained wary of Georgia’s commitment to reform in the initial phases, these organizations decided to limit their involvement to advice and training. Between 2003 and 2004, USAID became the largest contributor with about $500,000 in grants for the Police Academy (which later had a prominent role in preparing the police recruits for new jobs).

A second strategy was to create what was called a “Reforms Fund.” Some prominent Georgian businessmen pledged up to $100 million in the endowment that could be used to pay the salaries of key MoIA personnel until the economy generated enough tax revenue for the government to step in. This unusual effort became a success that helped the MoIA to establish competitive compensation, draw executives from the private sector and push the broader reform agenda.

A third strategy was privatization. Georgia launched a countrywide effort to privatize non-essential assets the state had held since Soviet times. Kakha Bendukidze, the new Minister of Economy, directed this massive effort, which helped the new government to address the dire financial needs in 2004 and 2005. Bendukidze was a prominent businessman who made his fortune by managing assets acquired in the privatization programs in Russia in the early 1990s. As a strong supporter of Saakashvili’s coalition and a committed libertarian, Kakha became the driving force behind Georgia’s privatization and deregulation efforts, famously saying that “Georgia should sell everything but conscience.” Overall, the Georgian government reported over $1.4B of income from privatization in the initial state of the reform – a huge sum in comparison to Georgian GDP ($6.4B in 2004) and cumulative government expenditure (about $1.24B in the same year).

A final strategy was the seizure of private assets. It became standard practice under Saakashvili to resolve cases of dubious privatization and cronyism schemes pursued during the reign of Eduard Shevardnadze in exchange for lump-sum payments to the state. These “involuntary donations” were also collected from businessmen close to the previous government. According to former Minister of Justice Zurab Adeishvili, about $1B of the state budget in 2004-2005 came directly through assets recovered from criminals, shady businesses and corrupt officials.

By 2004, the government-funded MoIA’s budget had more than tripled to just over $100M. In addition, due to support from the Reforms Fund, the MoIA was able to hire the key executives and give them the sizeable compensation packages paid in addition to proforma salary.

However, this increased level of funding could not turn the police workforce around. The MoIA still had over 40,000 employees on its payroll, with more than twice as many law enforcement officers per capita than neighboring Turkey and Russia. Moreover, since most of the officers were part of the old, corrupt system, concerns about their integrity remained.

The solution to this problem in Georgia involved radical changes that went against the more cautious, “good enough” recommendations of some developmental economists and involved massive layoffs and extensive rotation of personnel. For instance, in 2004 MoIA dismissed over
30,000 employees, half of whom were fired in a single day. In their place, about 20,000 cadets were taken onboard with initial salaries approximately five times the former pay grade (with a starting package of about $400 per month).

At the same time, accepting a bribe as small as $50 was made enough to send a uniformed officer to jail— a policy that was actively enforced, including through the use of sting operations designed to keep the new police units in shape. These arrests for bribery and corruption were filmed and broadcast on local TV channels and were accompanied by a public campaign against corruption. Upon completing the basic training, the new officers received state-of-the-art police equipment and were assigned to work with sophisticated information processing systems. Those remaining 10,000 members of “old police cadre” were no longer allotted to street service but were instead responsible only for training the new hires.

The Ministry of Internal Affairs was also structurally reorganized. The extremely corrupt traffic control police unit was disbanded with its functions reissued to the new patrol squads covering both highways and residential areas. These mobile squads were designed as exemplars of “Patrol Police” and fitted with new American and European-made vehicles and armament as well as the networked communication systems. Thus, the pilot project focused on making a symbolic impact on Georgian streets as well as on boosting the case for reforms in Georgia to international aid organizations.

By 2005, the state budget had grown large enough that MoIA could disband the “Reforms Fund,” a fortunate development since there were growing questions about the motives of businessmen who had donated money to help pay police officer salaries.

**War on crime**

Although by the end of 2005 the reformed police force was present on the streets, violence and crime against property remained a problem, again one with historical roots. Unlike some other ex-Soviet republics, Georgia lacks easily extractable natural resources and the country lost most of its heavy industry when economic ties between the former Socialist Republics were severed. As a result, the per-capita GDP of the country at the time of gaining independence was only $922. To make matters worse, the agricultural sector that Georgia developed in the Soviet times had lost market share within CIS countries to cheaper imports from Turkey and European Union, leaving up to 17% Georgians unemployed.

This combination of economic misfortune and a weak state caused crime to proliferate. Despite its obviously dangerous prospects, the allure a criminal career grew such that in a 2002 survey of high school graduates in the city of Kutaisi, 68 percent of males expressed the desire to join a criminal gang and the majority of females saw their future as wives of criminal leaders.

Worse yet, Georgia’s criminal world was growing its own social structure.

At the top were avtoritety — or leaders -- who vowed to accept no concessions or tradeoffs from the state or police even at a risk of being imprisoned. Their role was to mediate conflicts among gangs, or the mafia clans and even among businesses and ordinary citizens through underground conferences (shodka). The existence of avtoritety was clearly toxic to society as they formed the
backbone of crime rings and undermined the court system. Yet, they remained invulnerable to traditional methods of prosecution and even if imprisoned enjoyed relative comfort in jail by preying on other inmates.

While Georgia’s legacy law enforcement system was weak, it had held criminal activity in check. Therefore, the challenge for Mikheil Saakashvili and his Internal Affairs Minister Vano Merabishvili was to continue the police reforms while also controlling crime, all the while funding this effort with a limited state budget.

One major part of this plan was a highly controversial order targeting criminal leaders. Under a 2005 law enacted by Georgian parliament, an organized crime member could be sentenced to jail simply if he was deemed to have a high-ranking status in the criminal world, with little burden of proof required by the prosecutor. If a judge merely asked a suspect whether he indeed belonged to a gang and the suspect confessed, the judge would sentence him to a maximum-security correctional institution based on that confession alone. If a suspect denied his connection to criminal world, his statement would be publicized, and everyone would know that he violated his criminal honor and betrayed his gang.

As a result, by 2007, with the new police command firmly in place, people already felt comfortable enough walking the city streets at night and leaving their cars and apartments unlocked. Crime statistics documented this change. In 1989, just prior to independence, approximately 16,000 criminal reports were filed in Georgia, and this number rose steadily until 2006 when over 66,000 criminal reports were registered (some of this rise during the first years of reform was apparently due to improved crime reporting). Since then, however, crime effectively declined (Exhibit B), stabilizing around 2012 at a level of approximately 22,000 cases per year.

This progress, however, came with costs. Over the course of the reform, incarceration rates in Georgia skyrocketed from 165 inmates per 100,000 population in 2003 to all-time-high 567 in 2012. Conditions in the maximum-security prisons became known as harsh and non-transparent. And while human rights activists in Georgia were already worried about encroachment on the presumption of innocence, a major scandal erupted in 2012, when the videos leaked from the Gldani prison depicted torture and ill-treatment of the inmates by their guards. These revelations led to the resignation of the entire penitentiary system leadership, tarnishing the MoIA.

Reform development

After more than three quarters of MoIA personnel were rotated for graduates of the Police Academy, crime rates in the country have finally dropped. However, many problems remained. For one, the initial focus on street police allowed the other departments to lag behind in terms of restructuring. The budget for the border control department, for instance, grew 24 percent in 2004 (to $7.9 million) and rose another 35 percent in 2005 (to $10.8 million) even as the department dropped to 6,500 employees from 8,500. Notwithstanding the reduced headcount, in 2005 the department was still operating at just 50 percent of the financial level required for complying with new minimum wage rules established by the Georgian government. According
to Eka Gigauri, the former Head of Border Policy Provision Department, the new salaries were set at about $250 per month. Meanwhile, progress in border and customs control continued to be limited: smuggling, drug trafficking and bribery were still endemic on land border crossings. In 2005, one top Internal Affairs Ministry official declared that the Georgian border control agency “did not reform at all” and “stayed very corrupt.”

There were also new difficulties with wages. The initial boost in the morale provided by the premium that the MoIA’s could pay over the national average pay was eroding as the economy grew. The average officer’s paycheck has stabilized around $550 per month, but the street wage was now up to $350 and rising. This left little room in the MoIA budget for capital investments into equipment and infrastructure.

To solve this problem, the MoIA again drew upon foreign donors, leveraging the success of its pilot projects and the newly demonstrated ability of the Georgian government to implement significant reforms. Gradually, MoIA convinced international aid institutions to advance from training and advice to providing equipment and materiel donations. As an example, under the Freedom Support Act, the US government delivered a total of $86.5M worth of aid to Georgia in 2005-2006\(^{12}\), with the largest part of this package distributed thru Bureau of International Narcotics and Law Enforcement (INL) for targeted programs like the Georgian Border Security and Law Enforcement (GBSLE)\(^{14}\). The GBSLE alone received $15 million dollars in funding plus training, toolkits and equipment ranging from uniforms to helicopters\(^{15}\).

In the next year, GBSLE was made responsible for overseeing of ten construction sites, including cargo terminals and patrol stations, for a total cost of about $10M\(^{16}\), and received another $5M worth of equipment and supplies. As a result, the total foreign aid to the Georgian department of border control dispensed in 2007 exceeded domestic (state) budget of the department.

Likewise, in 2005, the new Georgian patrol police fleet consisted of about 130 vehicles, mostly financed by Georgian government and the “Reforms Fund.” The next largest additions to the patrol fleet, however, came not from the Georgian government or private sponsors but from the US INL bureau. For example, INL provided 99 off-road vehicles for patrol services in the remote areas\(^{17}\). Additionally, the US equipped Georgian police with computer systems, portable radios and bulletproof vests.

The combination of foreign aid and the improvement of the national economy that went in step with regional growth rates of the period (Exhibit C) allowed MoIA to keep reforms moving forward. While some of this windfall could be attributed to favorable macroeconomic situation, the MoIA clearly managed to use the available money effectively. New, “all-glass” police stations and service centers were erected in Georgian cities (Exhibit D), designed to underscore the idea that the new police force is transparent and has nothing to hide. Many citizen-facing services of MoIA became highly automated and bureaucracy was significantly reduced. For example, it now took an average of 15 minutes to register a new car and about 30 minutes to clear cargo at the commercial customs terminal\(^{18}\). As a result of the reform in MoIA and other republican government branches, by 2008 the regulatory burden on business in Georgia was dropping so quickly that the country ranked 18\(^{19}\) in the worldwide “Doing Business” report, ahead of Germany and France. Following this, the entry density of firms (number of business
Entities registered per 1,000 people) in Georgia more than doubled between 2004 and 2007 (from 1.0 to 2.6) and then doubled again between 2007 and 2012.

**Political turbulence**

Despite considerable institutional improvements, Georgia’s turbulent political environment and electoral system shortcomings continuously threatened the long-term success of the MoIA reforms. After coming to power in 2003, President Saakashvili slowly managed to gain more power, pushing his former coalition members to opposition parties. His party, the United National Movement (UNM), effectively controlled the legislature. The “winner take all” voting principle of Georgian parliament meant he could ignore objections from smaller groups, allowing the reforms to continue uninterrupted. However, in 2007, three years into his first presidential term, Saakashvili faced a serious threat. Despite the generally progressive government agenda, the Georgian economy still lagged behind that of oil-rich states neighbors like Russia and Azerbaijan. Meanwhile, Saakashvili’s suppression of the opposition made life very difficult for political activists that did not belong to his side.

The continuous coercion of opponents prompted tens of thousands of Georgians to protest in Tbilisi in November 2007, calling for Saakashvili to step down, and accusing him of abuse of power. The president responded by declaring a 15-day state of emergency and shutting down the media controlled by tycoon Badri Patarkatsishvili. The ensuing police raids on demonstrations and TV stations in Georgia were widely criticized as encroachment on private property and freedom of speech.

The MoIA charter initially drafted under Saakashvili delegated the Ministry as responsible for both police services and national security. As such, the agency played a crucial role in extinguishing the street riots of 2007 and releasing compromising material on opposition leaders who organized street demonstrations.

On one occasion, in November 2007, the MoIA released taped audio and video material purporting to show some opposition leaders – Levan Berdzenishvili of the Republican Party, Giorgi Khaindrava of Equality Institute, Konstantine Gamsakhurdia, the leader of the Freedom Movement and Shalva Natelashvili, the leader of Labor Party cooperating with Russian security forces. In another case, Georgian Public Defender Sozar Subari testified before parliament that he possessed evidence of a secret MoIA meeting where “it was decided that the demonstrators must be hit mainly in the kidneys and the stomach [and] not a single participant in the action must escape unbeaten in order to teach them a lesson for the future.” Apparently around the same time, the MoIA began tapping private phone conversations. NGOs reported about 21,000 phones were monitored per day in Georgia with minimum oversight or without court orders altogether.

Although the riots had mostly subsided by the end of November, the political crisis of 2007 had a major impact on Georgian politics. As the parliament grew more disenchanted with Mr. Saakashvili’s political methods, support for UNM gradually vanished causing the party to fail in
the next parliamentary elections. Former cabinet ministers were subsequently investigated for the events during the 2007 political crisis.

When Saakashvili’s United National Movement party lost the parliamentary elections in 2012, forcing him to step down as president the following year, the Georgian Prosecutor-General’s office brought four accusations against the former national leader, including for use of excessive force against anti-government demonstrators and murder conspiracy. Three senior cabinet members were indicted along with Mr. Saakashvili, including the former MoIA Minister Vano Merabishvili who was convicted and sentenced to four and a half years in prison on a charge of abuse of power.

Conclusions

This dramatic end of the former President’s service in 2013, however, did not mean the end of police reforms in Georgia as they continued, even if at a slower pace. Most notably, MoIA managed to keep its operational budget (see Table 1) and accumulate the institutional memory required to retain the positive effects of reformation.

<table>
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<th>MoIA stats</th>
<th>2003</th>
<th>2005</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tr>
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<tr>
<td>Budget, USD</td>
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<td>$120M</td>
<td>$340M</td>
<td>$345M</td>
<td>$324M</td>
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<td>Av. Salary, USD</td>
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<td>$500</td>
<td>$500-600</td>
<td>$500-700</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<td>Av. Salary, USD</td>
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<td>$200</td>
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<td>13.8%</td>
<td>15%</td>
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Table 1. Financial metrics of Ministry of Internal Affairs relative to the entire country

The MoIA’s modernization (along with other institutional expansions) had a profound effect on development of Georgia’s private sector. For instance, it previously took up to several months to privately import a car into the country, and navigating each administrative requirement (including customs clearance, VIN history verification and acquiring license plates) necessitated a bribe. After reform, a whole vehicle import/export industry developed almost overnight (and grew to about 20 percent of country’s export) once it became profitable to bring autos from the European Union, rebuild them and send back into EU or CIS countries (Exhibit E).

More impressively, the net positive effect of reforms has been sustained for over seven years, at time of this writing. In fact, in 2014, Georgia still held a very respectable 15th position in the Doing Business rating, which made it clear that the new institutions remained functional despite the leadership change.

Another positive outcome of the reforms the UNM government initiated included a sharp increase in tax revenue as a percentage of GDP. Although tax revenue fell at the onset of the reform, bottoming out at 7 percent of GDP in 2003, it has steadily grown since and climbed to 24 percent by the year 2012. This tax money helped further strengthen the state and tighten the
loop of accountability between the cabinet and the voters. Although some of the progress was achieved by democratic means, there is little room to doubt that Mikheil Saakashvili was at least partially successful expanding Georgia’s government capacity and growing the private sector. This is an impressive result by any measure, especially considering that very few people initially believed that the young and ambitious leader could turn around arguably one of the worst managed country in Europe.
Exhibit A. Map of Georgia in 2003. Separatist regions of Abkhazia, Ajara and South Ossetia shown in purple.

Exhibit B. Georgian crime dynamics from 2006 onward
Exhibit C (a) GDP in Georgia (US $) vs. other ex-USSR republics (source: WorldBank)

Exhibit C (b) GDP per capita in Georgia (US $) vs. other ex-USSR republics (source: WorldBank)
Exhibit D. New police stations in Tbilisi
Exhibit E. Car export share growth from zero to 25% in two years due to improved regulation (source: MIT media)
Endnotes

1 Larry Diamond, Developing Democracy: Toward Consolidation (Baltimore, MD: Johns Hopkins University Press, 1999), pp. 117-160
3 http://www.transparency.org/research/cpi
4 World Bank: Fighting Corruption in Public Services: Chronicling Georgia’s Reforms
5 The country’s president at the time, Eduardo Shevardnadze, served as a Minister of Foreign Affairs under Mikhail Gorbachev in the last cabinet of the Soviet Union (1985-1991)
6 Although privatization could not benefit MoIA directly as proceeds were sent to the state government, it helped to balance the republican government in the critical phase of the reform
7 http://www.privatization.ge/ (in Georgian)
8 In fact, many of them choose to retire soon after the start of the reform as they found themselves uncomfortable working in the new environment
9 BBC UK, Interview Khatia Dekanoidze, Minister of Education (in Russian)
   http://www.bbc.co.uk/ukrainian/ukraine_in_russian/2014/12/141216_ru_s_reforms_khatia_dekanoidze
10 Tbilisi Week: Georgian Ministry of Internal Affairs publishes crime statistics (in Russian)
13 CRS report to the Congress: U.S. assistance to former Soviet Union, March 1 2007
14 US Department of State: INL/Georgia Program http://www.state.gov/j/inl/rls/fs/178347.htm
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20 CACI Analyst, Erica Marat and Deborah Sutton, “Reforming Georgia's Police in the Post-Saakashvili Era”
21 Georgian Prosecutor’s Office: ‘Ukraine Refuses to Extradite Saakashvili’
http://www.civil.ge/eng/article.php?id=28054