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LEGAL AID BOARD

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Information on the Georgian Mafia.

An *Institute for War and Peace Reporting* article states:

“A 2004 study entitled ‘Thieves in law in Georgia’ by well-known lawyers Givi Lobzhanidze and Giorgi Zhgenti outlined the extent of the power of the crime lords, estimating that around 30 per cent of revenues in Georgia's banking system, 40 per cent of income from hotels and restaurants, 60 per cent of the gambling business, 15 per cent of the energy sector, and 40 per cent in the construction industry are in the hands of mafia groups.” (Institute for War and Peace Reporting (27 January 2006) *Georgia's Resilient Mafia*)

See also *Institute for War and Peace Reporting* article which states:

“On coming to power in 2004, Georgian president Mikheil Saakashvili made a strong commitment to root out criminality and corruption in his country. The new campaign kicked off after the Georgian government included the term “thief in law” for the first time in new legislation targeting organised crime and racketeering. The new law defines a thief in law as “a member of the criminal world who follows the special laws of the criminal world and in some form runs and/or organises the activity of the criminal world or a certain group of people”. The concept of thief in law dates back to Soviet times, when several hundred criminal kingpins took pride in this appellation. A thief in law lived entirely outside the legal system of the country and earned no money from the state. He oversaw a criminal network, but did not openly engage in crime himself, relying on his underlings to do so. According to a book by crime expert Nodar Imerlishvili, Georgia always had a disproportionately high number of these crime bosses and still has a majority of the 700 or so still operating in the post-Soviet space. western Georgia is particularly well represented.” (Institute of War & Peace Reporting (29 June 2007) *Georgia: New Crime Crackdown*)

A document published on the website of the *Ministry of Justice of Georgia*, in a section titled “Powerful Criminal Authority”, states:

“‘Thieves-in-law’ were the most powerful criminal authorities - leaders directing the activities of different subordinated criminal groups. They were directly obeyed by other criminal authorities and the keeper of ‘Obshyak’ (budget of the criminal world). Structure of hierarchy and unchallenged rule of subordination led to unconditional obedience to their decisions. ‘Thieve-in-law’ was coordinating activities of other affiliated organized criminal groups of housebreakers, racketeers, robbers, pickpockets, vehicle hijackers, kidnappers. At all times, the thieves-in-law were organizers behind closed doors. They collected a tax or tribute from all members of the organization for the general fund or treasury, usually kept in cash and hidden away. Non-compliance with their imposed rules, including the failure to contribute to the ‘Obshyak’ could have resulted in severe punishment, including being

murdered. Mandatory 'donations' from business community and shares from most businesses represented main source of revenue for the 'Obshyak', with an exception of businesses of some of the highest ranking officials." (Ministry of Justice of Georgia (undated) *Fight Against*)

An article published by the *Caucasian Review of International Affairs* states:

"In some of its rules or 'laws', the Thieves in Law parallel the Mafia as Georgia parallels Sicily. There are differences but much that is similar." (Caucasian Review of International Affairs (2006) *Thieves of the Law and the Rule of Law in Georgia*, p.52)

This article also states:

"As with the Mafia, the Thieves stress honor, with an especially strict code of conduct and responsibility. Orlando calls this honor a myth for the Mafia and perhaps it is also the same for the Thieves who like the Mafia took over many functions of the state. No wonder that when the Shevardnadze government took over, like the Sicilians, it had to resist the Thieves as criminals in order to retake its own (governmental) power." (ibid, p.52)

This article further states:

"So how criminal are the Thieves? For a criminologist, an early question is whether there is a category of criminals known as professional criminals. Early criminology research did not distinguish between organized crime and the criminal professional; there was little analysis of individual motivation or status. Now, however, there is an emerging category of professional criminal, one who earns his living by crime, and this is where most think the Thieves belong. The Thieves in Law, including their judicial branch, the Thieves in a Frame, infiltrate every aspect of Georgian life, control large financial resources participate in organized crime, have extensive contacts abroad and generally run a tight ship at home." (ibid, p.58)

A *Caucaz Europeanews* article, in a section titled "The power of the underground", states:

"It's a fact: during several decades, from Soviet times until now, the underground has penetrated Georgian society more efficiently than the state. The thieves-in-law used to be the face and elite of the Soviet underground. The notorious thieves-in-law, who were particularly numerous in Georgia, have long represented a challenge to the state as they gained legitimacy from their traditional protector role. The influence of the organisation in Georgia is best illustrated by the figure of Jaba Iosseliani, the leader of the paramilitary grouping Mkhedrioni, who was promoted as Shevardnadze's right-hand man after the civil war in Georgia. The Mkhedrioni were recruited among the ranks of the thieves-in-law and profited from the arms, drug and oil trafficking during the war. Jaba Iosseliani himself illustrates the symbiosis between the underground and the artistic circles of the Soviet intelligentsia as he was eager to present himself as a painter and poet. These circles helped Shevardnadze gain power against the dissident Gamsakhurdia, whose bulk of supporters was recruited from the Western rural provinces rather than the capital Tbilisi. Ironically, the origins of the thieves-in-law are closely linked to the Soviet law enforcement agencies. The former Soviet police KGB saw in

these thieves, who were bound to a code of honour, the potential to install a semblance of order in the anarchy of the gulag system that was flourishing under Stalin. The code of the organisation forbade them to get rich, to marry and to have any connection with the State. Their loyalty was to be preserved intact for the organisation. Despite their reputation as outsiders that exerted a romantic attraction on young people, the thieves-in-law represented the attempt of the Soviet system to control the underground. Following the collapse of the Soviet Union, they immigrated to European countries, where they pursued their business activities in concert with ex-KGB officers. Until now, the thieves-in-law are the guardians of the prisons in Georgia.” (Caucas Europeanews (18 March 2006) *Georgia’s war on the criminal world: Is the state’s arm long enough?*)

The most recent *UK Home Office* country report on Georgia, in a section titled “Crime” (paragraph 10.02), quotes from the subscription source *Janes* as follows:

“Jane’s Security Sentinel’s Risk Assessment for Georgia, updated 12 October 2010, noted:

‘Criminal groups became heavily entrenched in Georgian society following independence due to the lack of state control over the separatist provinces, the Pankisi Gorge and Adjara, and partly because of collusion between the state security apparatus and organised crime, however much of this has been rectified in recent years and the influence of organised crime has greatly decreased.’

‘One remaining problem posed by organised criminals relates to Georgia’s location on one of the main drug smuggling routes from Central Asia to Europe and the penetration of Caucasian crime networks in Russia, Ukraine and beyond.’

‘The [drugs] trade in Georgia is controlled by a combination of criminal organisations and ethnic groups, with individuals volunteering to act as small-scale couriers to improve their immediate economic situation. Georgian groups control a large portion of the transshipment in the country, but Chechen, Azeri and Turkish groups also play an important role. Abkhaz and Ossetian groups tend to control the trade as it transits their territory, and they co-operate with Georgian counterparts in the trade across de facto internal frontiers.’

‘Georgia acts as an important transit route for the international [illicit weapons] trade.’” (UK Home Office Border Agency (25 November 2010) *Republic Of Georgia: Country Of Origin Information (COI) Report*)

A document published on the *Open Democracy* website states:

“The popular revolt of November 2003 known as the ‘rose revolution’ ousted Shevardnadze and brought to power a young successor, Mikheil Saakashvili. His government launched an extensive anti-mafia campaign whose measures included the confiscation of property; new criminal legislation; and reform of prisons, police, and civic education. In December 2005, it was made a criminal offence to belong to the qurduli samkaro (‘thieves’ world’); the very notion of ‘thief-in-law’ now marked a boundary of criminality. In March 2007,

after a wave of arrests, Mikheil Saakashvili declared to parliament in Tbilisi that 'the backbone of the system of crime bosses has been broken....some of the people who sat in this room said that the parliament of a little independent Georgia would hardly be able to do something that Stalin himself was unable to do.' The president's claim did not give the full story, for the qurduli samkaro is far from dead. Georgia's thieves-in-law had responded to the government crackdown by following a useful survival-strategy for mafias in trouble: transplantation. Many moved to Russia, where the press highlighted the fact that 33% of all thieves-in-law from post-Soviet countries were Georgian (the highest ethnicity ahead of the Russians). But others moved across Europe, as reflected in three recent developments." (Open Democracy (20 August 2010) *Georgia's mafia: the politics of survival*)

A *Georgia Times* article states:

"During the last year, two Georgian 'authorities' have been deported from Ukraine. In December, Zaza Sharikadze known in the criminal society as Suliko was sent home. He was detained during a joint operation of the Russian and Ukrainian law-enforcement authorities. It is a fact that Sharikadze had come to Ukraine in order to re-distribute the areas of criminal influence, while in Moscow he held control over the Georgian bag snatchers. This May, another thief in law Antimoz Kukhilava was deported from Ukraine. He even managed to obtain the Ukrainian citizenship. On arriving to Odessa in the early 90s, he formed and led an ethnic criminal group that engaged in fraud, blackmail and illegal drug trafficking. As Georgia Times reported earlier, the Georgian criminal left his traces in other post-Soviet republics as well. Thus, in summer in Yerevan a group of the Georgian natives robbed one of the branches of VTB-Armenia Bank; however, due to the timely actions of the Armenian detectives, the group was arrested and neutralized during an attempt to cross the Armenian-Georgian border." (Georgia Times (2 September 2009) *"Export" of thieves in law from Georgia goes on*)

The Introduction to a *US Department of State* report on narcotics trafficking in Georgia states:

"The Minister of Internal Affairs designated the drug problem as a top priority for calendar year 2010. Since the 2003 Rose Revolution, the Saakashvili Government has detained and imprisoned many influential criminals, so called 'thieves-in-law'; others have fled the country. While these criminals are no longer in Georgia, they retain the ability to influence criminal activity in Georgia." (US Department of State (3 March 2011) *International Narcotics Control Strategy Report 2011 (Volume I: Drug and Chemical Control): Georgia*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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This is a subscription database

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