

Georgia: New Crime Crackdown

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Spectacular confiscation of property belonging to alleged criminal kingpins. We will confiscate from all thieves in law the palaces they built with their dirty money, and put police stations in their place." A year after Georgia's interior minister Vano Merabishvili made this bold statement, the police have begun a series of high-profile property seizures.

On May 24, the interior ministry staged a lavish ceremony in the western Georgian town of Tsalenjikha to formally hand over the house of an alleged criminal mastermind Gia Kvaratskhelia to the local police.

A police band played and a folk music ensemble performed songs. The interior minister himself attended the ceremony, announcing this was the beginning of a much wider campaign.

As well as the cherry-red house equipped with tunnels and secret rooms, the local police force acquired a cottage done up in traditional style, a swimming pool, tennis courts and a fountain.

"Now local residents will be able to swim in this pool," said Merabishvili proudly.

Kvaratskhelia himself, who faces attempts to extradite him to Georgia, is now resident in Spain and is not contesting the confiscation in court.

However, in an unanticipated move another alleged "thief in law" in western Georgia is taking the government to court to protest against the seizure of his house.

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.

Imerlishvili wrote that this was as a direct result of the Georgian Communist Party in the 1950s encouraging the growth of the number of thieves in law in order to use them as “double agents”.

By tradition, a thief in law earns his title by being nominated by at least two others, a process known as a “coronation”.

The names of these thieves in law are generally known, but they refuse to talk about their activities in public or to the media.

The new law stipulates that someone is defined as a thief in law only if he himself confirms it - which such criminals are likely to do due to their code of honour.

The interior ministry says that over the last three years, the police have detained 70 thieves in law, the majority of whom have confessed their guilt.

In a high-profile case, a Tbilisi court last December ordered the seizure of several homes belonging to alleged thief in law Zakary Kalashov. The value of the property was estimated at 30 million lari (around 17 million US dollars).

Gia Kvaratskhelia was charged with racketeering and illegal criminal activity and an international warrant was put out for his arrest in February 2006, but it took more than a year for the police to seize his properties.

This campaign proves, says parliamentary deputy Nodar Grigalashvili, that the era of the thieves in law in Georgia is over. “This is a result of the course chosen by the government of Georgia. Georgian thieves in law are today either sitting in prison or hiding abroad,” he said.

However, the police are finding it hard to prove ownership of much of the property they want to confiscate.

Lawyer Shorena Balkhamishvili told IWPR that when the new legislation was being developed, the government anticipated that it would meet no resistance in the courts because according to the strict laws of the underworld, criminals must not cooperate with the judicial system.

They did not reckon with the eventuality that owners would register properties in someone else’s name.

Local journalist Nato Berulava recalls that in January 2006 she and her colleagues visited Kvaratskhelia’s house to find to their surprise their local bishop, Gerasim, on the premises.

“It turned out that before the house could be confiscated, the owner had given the property to the

patriarchate,” said Berulava.

Bishop Gerasim said that the church was planning to turn the house into a refuge for homeless children.

“Some people believe that the church can’t receive property from a thief in law as a gift,” said local priest, Father Malkhaz Chanturia. “Those who think that are a long way from the teachings of the church and the church’s thinking. One can receive donations from sinners.”

The patriarchate initially protested against the confiscation of the house but later agreed to hand it over.

“We were told that the diocese did not have the right documents confirming that the property had been given as a gift,” said Father Malkhaz. “The church must submit to the state, and that is what we did.”

Kvaratskhelia now lives in Barcelona with his family, as extradition proceedings are still pending, and has declined to comment on the seizure of his property.

A relative of the accused man, who refused to be named, told IWPR that the luxury residence had been built with Kvaratskhelia’s money, not for habitation but as a gift for the church.

Local residents also refused to comment to IWPR. “No one wants to make any statements against the thieves in law,” explained one. “Whatever the government says, people still think in the old way and truly regard these people as men of authority, and they’re afraid of them.”

Another case in western Georgia’s biggest city, Kutaisi, has taken a different turn.

Alleged crime boss Gaioz Zviadadze has taken the unusual step of challenging in court an attempt to confiscate his newly-built, three-storey 500-square-metre house.

After an initial decision in favour of the government in the city and regional courts, Zviadadze is now appealing. Neither the local police, nor Zviadadze and his family, has commented on the case, saying they are awaiting a final verdict.

Balkhamishvili told IWPR, “The right of private property is enshrined in the constitution of Georgia. It will be hard even for minister Vano Merabishvili himself to lay hands on the property of a private individual.”

Prosecutors in Kutaisi are now studying the history of properties belonging to around 50 alleged thieves in law - but they are treading warily.

“People have been talking about the ‘exposure’ of thieves in law, in other words the confiscation of [their] property... for the last ten years, but in practice almost nothing has been done,” said one police officer, who asked not to be named.

“Although the majority of the thieves in law no longer live in Kutaisi, they have plenty of ‘tails’ in this town. If they put a police station in a [confiscated] house, a grenade could be tossed in there the next day.

“You will need a second head on your shoulders if you want to live there.”

Natia Kuprashvili is the Georgian editor of IWPR’s Caucasus newspaper, Panorama, and Nino Gerzmava and Tamunia Shonia are correspondents for the title. An earlier version of this article was published in Panorama.

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