

2009

Explosive Billion

Report



The Human Rights Centre (HRIDC) is a non-governmental human rights organization without any political or religious affiliations. The purpose of HRIDC is to increase respect for human rights and fundamental freedoms in Georgia as well as to contribute to the democratic development of the country.

HRIDC implements projects to ensure compliance with human rights laws and standards. We cooperate with international organizations and local organizations which also share our view that respect for human rights is a precondition for sustaining democracy and peace in Georgia.

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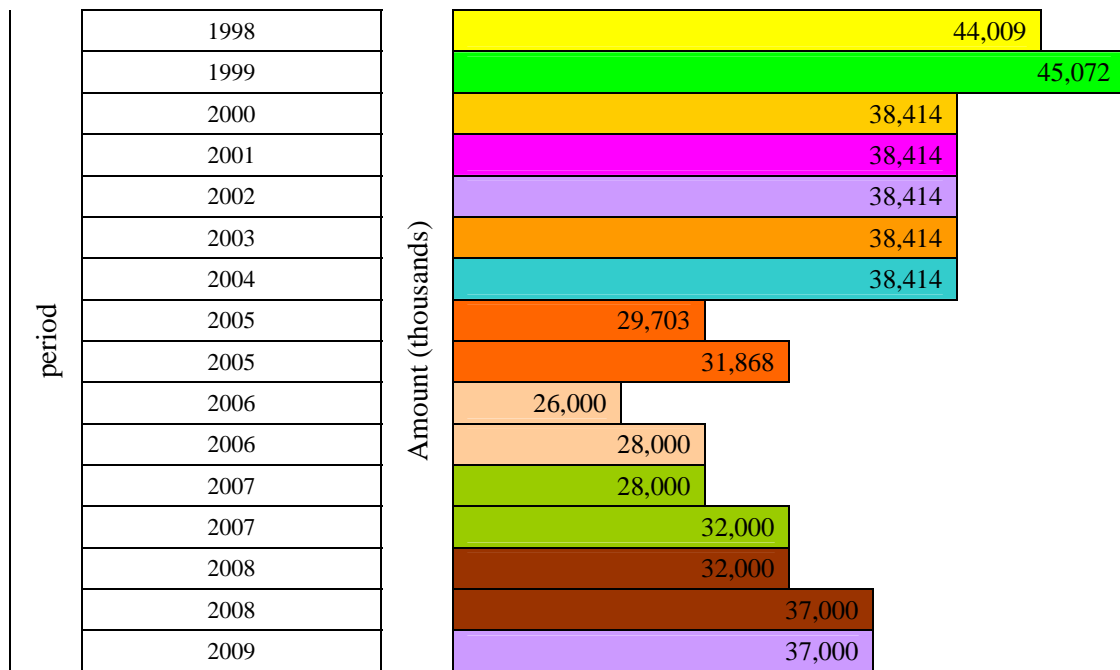
The HRIDC wants to express special gratitude to the Norwegian Helsinki Committee and the National Endowment for Democracy (NED) for their support of the Human Rights Monitoring Program.

General Information

According to the Constitution of Georgia:

- Defensive war shall be a sovereign right of Georgia
- Georgia shall have the armed forces for the defense of the independence, sovereignty and territorial integrity of the country, as well as for the honoring its international obligations.
- The types and the composition of the armed forces shall be determined by law. The structure of the armed forces shall be approved by the President of Georgia, while the strength thereof shall be approved by the Parliament by the majority of the number of the members of the Parliament on the current nominal list upon the submission of the Council of National Security.
- Defense of the country and discharge of military service shall be a duty of every citizen being fit thereupon. The form of the discharge of military service shall be determined by law.

Number of Military Forces of Georgia in 1998-2009



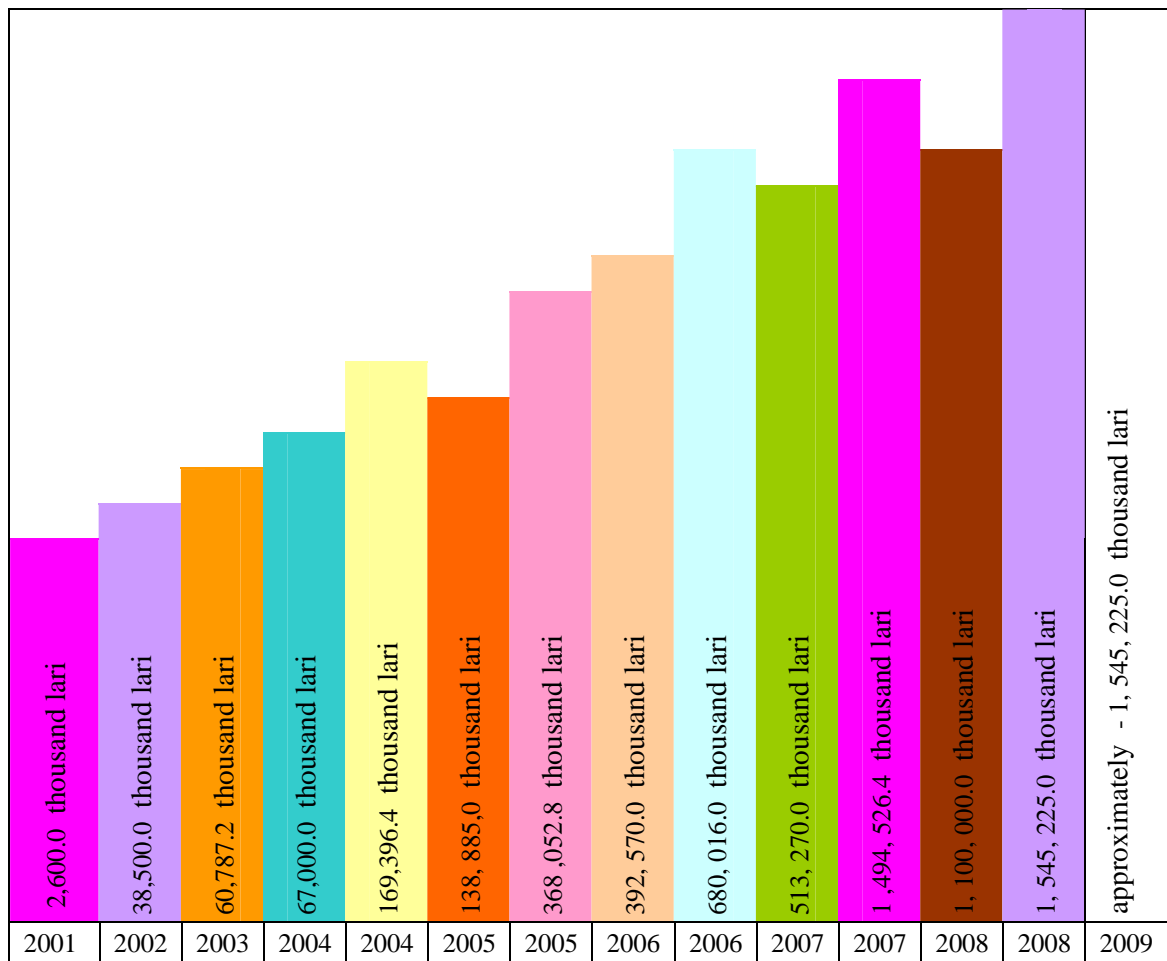
Date of enacting the law;

Period

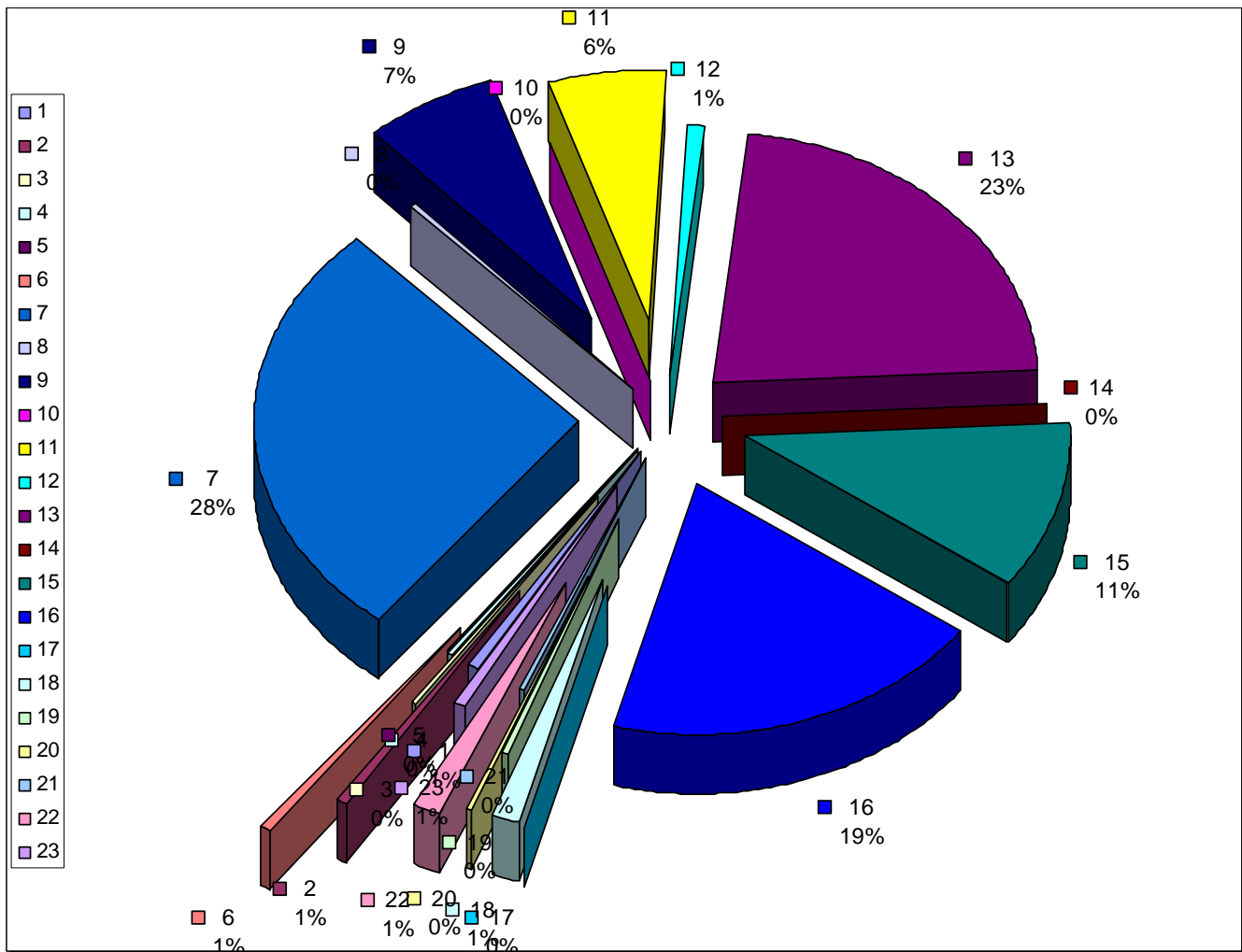
Number (thousand people)

- Personnel of infantry 21 739;
Composition: officers - 2 215;
Sergeant/corporal (contracted) - 19 508
Civilians 16
- Personnel of navy: 892;
Composition: officers - 178
Junior officers (contracted) - 405
Conscripts – 119
Civilians – 42
- Personnel of Air force of Georgia – 1 813
Composition: Officers, sergeants, corporals, recruits - 1 386
Conscripts – 315
Civilians – 112
- Personnel of National Guards - 554

Budget of the Ministry of Defense of Georgia in 1998-2009

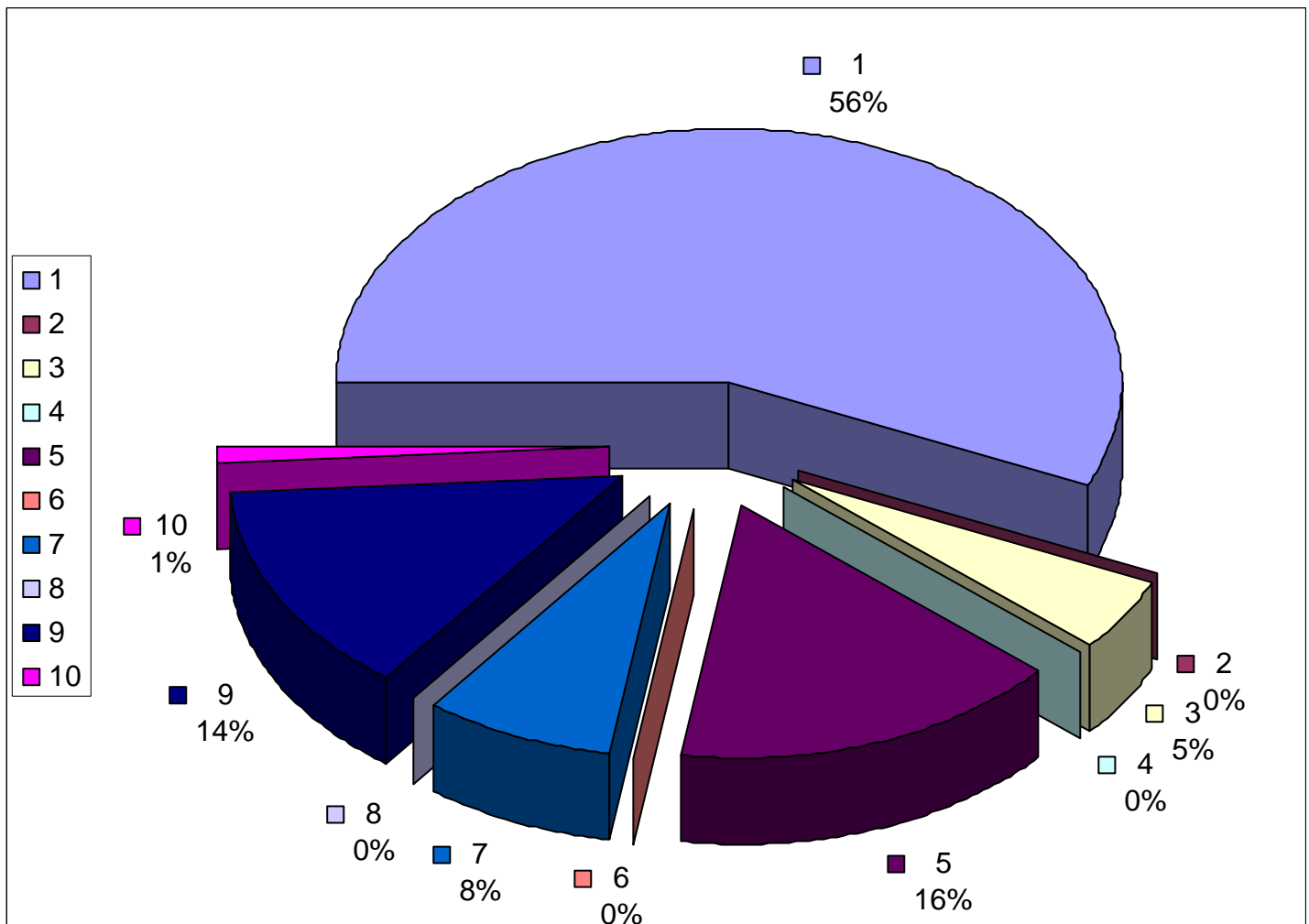


According to the above diagram, the military budget of Georgia has increased from 2,600,000 GEL to 1,545,225,000 GEL during last 8 years.



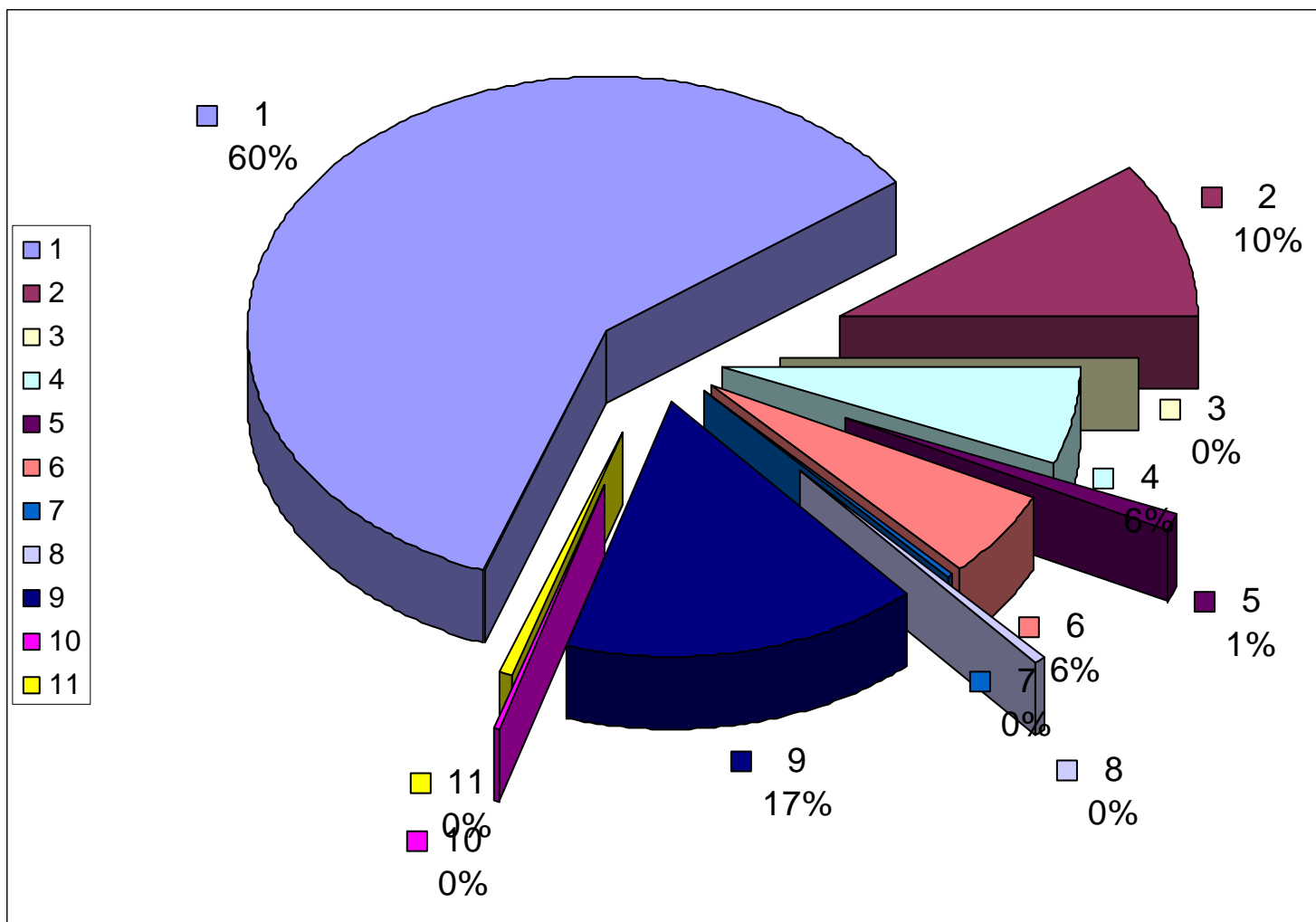
| | | |
|---------------------------------|--------------|---|
| 1 | 37,633.00 | Parliament of Georgia |
| 2 | 47,483.70 | Central Election Commission of Georgia |
| 3 | 2,369.70 | Constitutional Court of Georgia |
| 4 | 20,700.00 | Prosecutor's Office of Georgia |
| 5 | 5,413.70 | Supreme Court of Georgia |
| 6 | 35,046.70 | Common Courts |
| 7 | 1,899,541.50 | Ministry of Finances of Georgia |
| 8 | 848.40 | State Minister of Georgia for Georgian Diaspora Matters |
| 9 | 467,703.60 | Ministry of Education and Science of Georgia |
| 10 | 1,500.40 | State Minister of Georgia for Reintegration |
| 11 | 391,112.20 | Ministry of Economical Development of Georgia |
| 12 | 57,989.70 | Ministry of Foreign Affairs of Georgia |
| 13 | 1,545,225.00 | Ministry of Defense of Georgia |
| 14 | 1,922.30 | Public Defender of Georgia |
| 15 | 740,000.00 | Ministry of Internal Affairs of Georgia |
| 16 | 1,317,904.10 | Ministry of Labor, Healthcare and Social Welfare of Georgia |
| 17 | 60.20 | State Minister of Georgia for Civil Integration |
| 18 | 96,914.60 | Ministry of Refugees and Accommodation |
| 19 | 19,000.00 | Administration of South Ossetia |
| 20 | 24,902.40 | Public Broadcasting Company |
| 21 | 21,451.10 | Administration of President of Georgia |
| 22 | 86,208.70 | Ministry of Agriculture of Georgia |
| 23 | 38,578.50 | Ministry of Environment and Natural Resources of Georgia |
| sums in one thousand GEL | | |

Budget of Georgia in 2008



| | | |
|---------------------------------|--------------|--|
| 1 | 5,445,709.00 | Total Budget of Georgia |
| 2 | 848.40 | State Minister of Georgia on Diaspora Matters |
| 3 | 467,703.60 | Ministry of Education and Science |
| 4 | 1,500.40 | State Minister of Georgia for Reintegration |
| 5 | 1,545,225.00 | Ministry of Defense of Georgia |
| 6 | 60.20 | State Minister for Civil Integration of Georgia |
| 7 | 740,000.00 | Ministry of Internal Affairs of Georgia |
| 8 | 1,922.30 | Public Defender of Georgia |
| 9 | 1,317,904.10 | Ministry of Labor, Healthcare and Social Welfare |
| 10 | 96,914.60 | Ministry of Refugees and Accommodation |
| sums in one thousand GEL | | |

Budget of Georgia in 2009

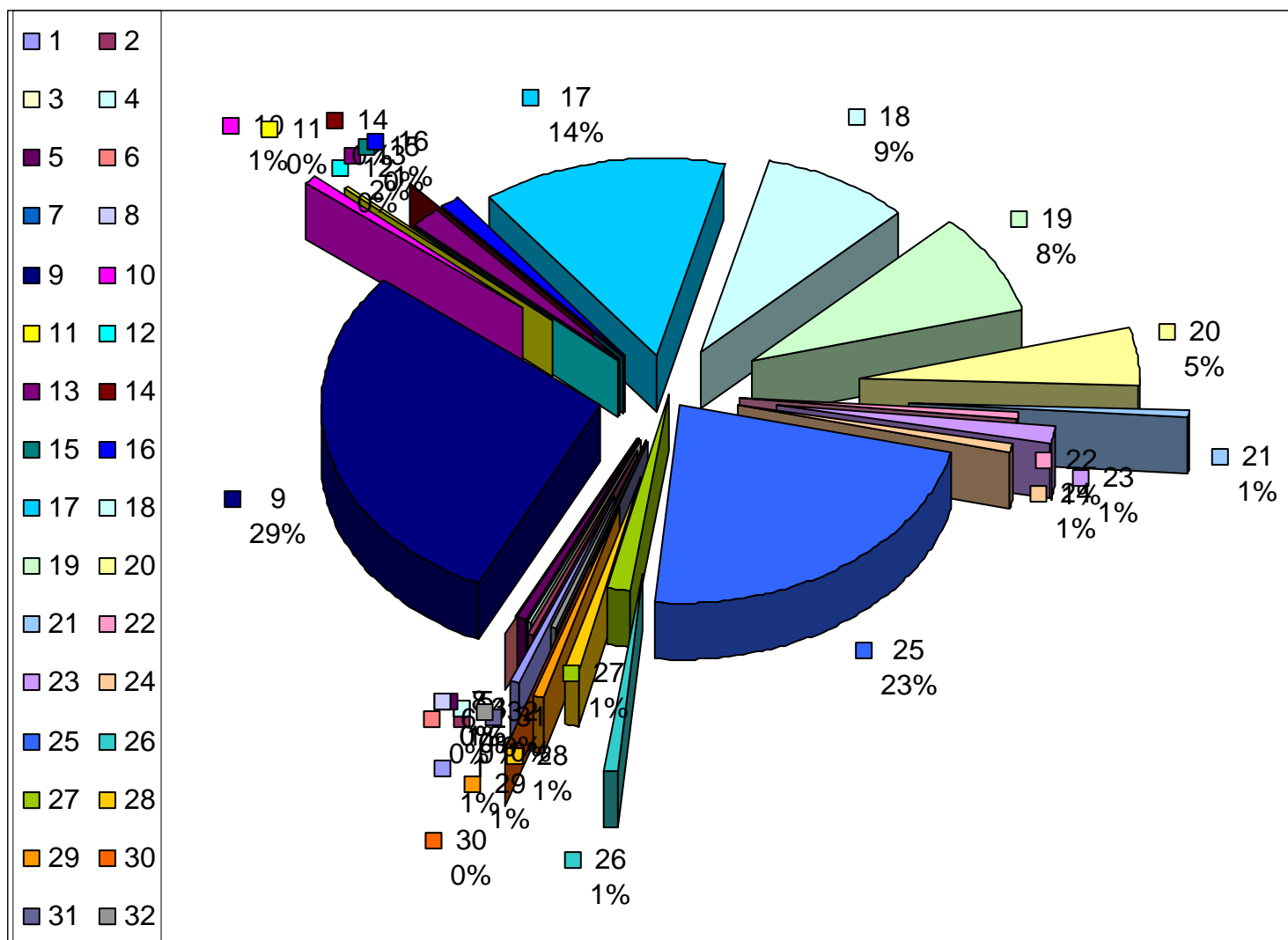


| | | |
|-----------------------------|--------------|--|
| 1 | 5,510,161.00 | Total Budget |
| 2 | 942,000.00 | Ministry of Defense of Georgia |
| 3 | 2,080.00 | Public Defender's Office of Georgia |
| 4 | 568,000.00 | Ministry of Internal Affairs of Georgia |
| 5 | 88,043.60 | Ministry of Agriculture of Georgia |
| 6 | 537,967.70 | Ministry of Education and Science of Georgia |
| 7 | 10,000.00 | Administration of South Ossetia |
| 8 | 46,350.00 | Ministry of Refugees and Accommodation |
| 9 | 1,493,597.90 | Ministry of Labor, Healthcare and Social Welfare |
| 10 | 45,178.80 | Ministry of Environment and Natural Resources of Georgia |
| 11 | 44,000.00 | Special Service of State Security of Georgia |
| sums in thousand GEL | | |

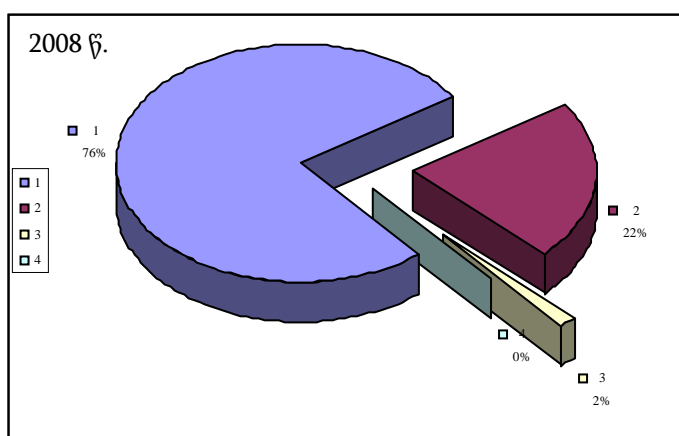
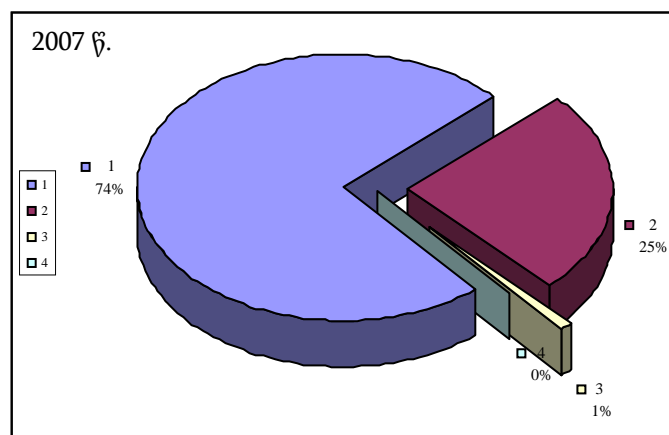
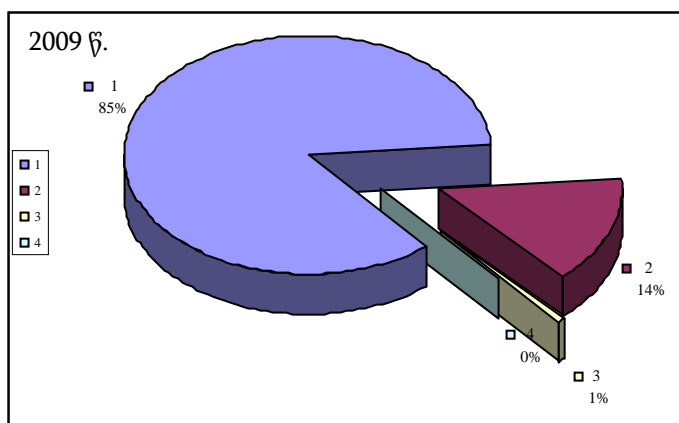
The above table illustrates the total budget of Georgia in various fields. Three institutions, Ministry of Finances, Ministry of Labor, Healthcare and Social Welfare and Ministry of Defense have the largest budgets in Georgia.

| Budget of Georgia | | 2007 | 2008 | 2009 |
|--------------------------------|---|---------------------|---------------------|---------------------|
| Incomes in Thousand GEL | | 4,469,122.90 | 5,463,641.20 | 5,510,161.00 |
| 1 | Parliament of Georgia and encompassed organizations | 31,775.10 | 35,598.90 | 42,963.70 |
| 2 | Administration of President of Georgia | 22,249.00 | 21,451.10 | 16,000.00 |
| 3 | Constitutional Court of Georgia | 2,594.90 | 2,373.50 | 2,600.00 |
| 4 | Supreme Court of Georgia | 3,929.20 | 4,903.70 | 5,385.00 |
| 5 | Common Courts | 30,242.10 | 35,046.70 | 38,428.10 |
| 6 | Office of the State Minister on European and Euro-Atlantic Integration | 1,047.10 | 1,448.20 | 1,185.20 |
| 7 | The office of the of State Minister of Georgia on Diaspora Matters | 0.00 | 848.40 | 950.00 |
| 8 | Office of State Minister of Georgia for Reintegration | 0.00 | 1,550.40 | 1,330.00 |
| 9 | Minsitry of Finances of Georgia | 619,736.00 | 1,544,448.30 | 1,879,407.10 |
| 10 | Ministry of Justice of Georgia | 67,787.10 | 52,375.00 | 55,450.00 |
| 11 | Prosecutor's Office of Georgia | 18,839.30 | 20,700.00 | 18,869.00 |
| 12 | Office of the Ministry of Georgia for Penitentiary, Probation and Legal Aid | 0.00 | 0.00 | 2,993.00 |
| 13 | Penitentiary Department | 82,388.80 | 96,142.80 | 111,100.10 |
| 14 | Non-Custodial Punishment and Probation National Service | 996.30 | 1,363.00 | 1,563.60 |
| 15 | Legal Entity of Public Law Service for Legal Aid | 1,497.10 | 2,959.20 | 2,901.00 |
| 16 | Ministry of Foreign Affairs of Georgia | 58,104.90 | 58,293.70 | 71,320.00 |
| 17 | Ministry of Defense of Georgia | 1,494,535.30 | 1,547,511.20 | 942,000.00 |
| 18 | Ministry of Internal Affairs of Georgia | 470,414.60 | 741,780.20 | 568,000.00 |
| 19 | Ministry of Education and Science of Georgia | 410,828.80 | 465,172.60 | 537,967.70 |
| 20 | Comprehensive Schools | 201,396.20 | 271,500.00 | 311,975.80 |
| 21 | National Program of the President "Rehabilitation of Educaitonal Institutions" | 100,402.40 | 47,257.40 | 46,539.50 |
| 22 | National Program of the President "Iakob Gogebashvili-rehabilitation of Public Schools" | 78,831.00 | 25,080.40 | 35,500.00 |
| 23 | Ministry of Culture, Monument Protection and Sport of Georgia | 78,844.60 | 77,396.30 | 86,350.00 |

| | | | | |
|----|---|------------|--------------|--------------|
| 24 | Ministry of Refugees and Accommodation of Georgia | 65,537.60 | 108,552.30 | 46,350.00 |
| 25 | Ministry of Labor, Healthcare and Social Welfare of Georgia | 963,245.40 | 1,300,613.50 | 1,493,597.90 |
| 26 | Ministry of Energy of Georgia | 223,523.90 | 130,451.30 | 57,633.00 |
| 27 | Ministry of Agriculture of Georgia | 111,099.90 | 80,310.10 | 88,043.60 |
| 28 | Ministry of Environment and Natural Resources of Georgia | 37,546.50 | 32,296.10 | 45,178.80 |
| 29 | Special Service for State Security of Georgia | 31,271.90 | 41,446.20 | 44,000.00 |
| 30 | Public Defender's Office of Georgia | 1,545.70 | 1,745.90 | 2,080.00 |
| 31 | Administration of South Ossetia | 14,612.20 | 19,000.00 | 10,000.00 |
| 32 | Patriarchate of Georgia | 4,222.60 | 9,521.10 | 25,000.00 |



| | Budget of Georgia in thousand GEL | Budget for 2007 | Budget for 2008 | Budget for 2009 |
|---|---|-----------------|-----------------|-----------------|
| 1 | Revenues | 4,469,122.90 | 5,463,641.20 | 5,510,161.00 |
| 2 | Ministry of Defense of Georgia | 1,494,535.30 | 1,547,511.20 | 942,000.00 |
| 3 | Ministry of Refugees and Accommodation of Georgia | 65,537.60 | 108,552.30 | 46,350.00 |
| 4 | Public Defender's Office of Georgia | 1,545.70 | 1,745.90 | 2,080.00 |



In 2009, despite an increase in the total budget of Georgia, the allocation for the armament of Georgia has been reduced. This can be assessed as a positive direction for the country.

The percentage of the military budget of Georgia has been reduced from 25% to 14% of the total budget. However, if we look through the state budgets of the European states, including NATO member states, we will discover an interesting comparison.

For example, in 2007 the state military budget of Lithuania was 254, 04 million Lats¹ and in 2008, at 289, 52 Million Lats², it comprised only 2% of the total state budget of the country.³

¹ http://coinmill.com/LVL_calculator.html#LVL=100

² appr. 100 Lats = 141.79 EUR

³ <http://se1.isn.ch/serviceengine/FileContent?serviceID=47&fileid=C4455EE0-4F26-8ABA-92C7-4E177BBC7574&lng=en>
www.humanrights.ge

The defense budget comprises only 2% of the budget in the following countries: Bulgaria, Turkey, Greece, France, Estonia and Lithuania.

Forms of Military Service

There are several forms of military service in Georgia:

1. Military reserve service
2. Military obligatory service
3. Contracted (professional) service
4. Non-military, alternative labor service

Military Reserve Service

The military reserve force exists for the mobilization, military and/or urgent situations and for particular occasions of national security in support of military forces.

Staffing the reserve of military forces:

- The active reserve is staffed by people transferred from either obligatory or contracted military service for joining the reserve service and who satisfy the health and physical conditions for this category.
- The reserve of National Guardia is staffed according to their administrative/territorial units with those people who satisfy the demands of this category with their specific knowledge and/or experience;
- The individual reserve is staffed by non-members of either active reserve or reserve of National Guardia;
- Students of high schools are obliged to take single reserve military service. If the person opts for takes reserve service according for an additional two terms, their military requirements will be considered completed and before the age of 27 they will be allowed to join individual reserve.
- If a student chooses an additional two terms of military service during university enrollment, the student can be recruited to the army at his/her option;
- Reserve military service disposes military obligations and before the age of 27 a person will be recruited into the individual reserve;
- The term of reserve military service for the person recruited in the reserve army will be 18 service days a year.
- The corresponding service office of the local self-governance is authorized to carry out registration of military reservists. The information is sent to the Department of National Guardia under the Ministry of Defense.

People Discharged from the Obligation of Military Service

- a) Women;
- b) Technical personnel of railway transport; transportation support staff or those employed for maintenance of the trains and railway transport;
- c) Navy personnel;
- d) Teachers and doctors who work in a village;
- e) People working in the Ministries of Internal Affairs and Defense of Georgia;
- f) Personnel of Tbilisi Metropolitan;
- g) Judges;
- h) People who have served non-military alternative labor;
- i) People who are studying or working abroad;
- j) Officials from diplomatic corps;
- k) Clergymen;
- l) People disqualified for military service based on health conditions;
- m) Members of the Parliament of Georgia;

2. Any person found guilty of a grave crime cannot be recruited for reserve military service.

- People envisaged in “a,” “h,” “i,” “k” and “n” paragraphs can take voluntary reserve military service.

Obligatory Military Service and Contracted (Professional) Service

In accordance with the Constitution of Georgia, defense of Georgia and military service is obligatory for every citizen of Georgia who is able to serve subject to the above conditions including women.

The age of a person eligible for military service is 18-27 and must be registered with the military. Any person who does not have the right to be discharged from military service or for postponing it shall be recruited.

The terms of obligatory military service are:

- a) 12 months for recruiting term military service;
- b) More than 3 years for conscript service.

A person can serve obligatory military service through contracted military service.

A term of contracted (professional) military service is estimated by the Ministry of Defense of Georgia and lasts 4 years in practice. Citizens of Georgia from 18-35 shall be recruited for contracted military service.

Postponing Obligatory Military Service

In accordance with Georgian legislation, military service can be postponed. For that purpose, a person shall pay an obligatory tax to the state budget of Georgia which conveys the right to postpone military service.

If a youth of paramilitary age pay a tax for postponing his military service, the military office of the local self-governance records the information in his personal data and issues a document to confirm the payment.

The tax for postponing military service for 18 months is 2 000 GEL. ⁴

90% of the tax goes to the state budget and 10 % to the local budget of the corresponding district.

A person of paramilitary age can postpone service without paying the tax if:

- a) the person is considered incapable of military service for one year because of health conditions;
- b) a criminal case is launched against the recruiter – before corresponding bodies pass decisions;
- c) he is a student at an accredited high school of Georgia or high educational institution of a foreign country before graduating from the institute/university at any stage of education;
- d) he paid tax for postponing the military service estimated by Georgian Law according to “Tax for Obligatory Military Service”.
- e) he is a pupil of compulsory school younger than 20 years old;
- f) he takes care or supports disabled grandparents and they do not have other legal care-takers who can replace him;
- g) he has two or more children;
- h) he supports a disabled family member who needs permanent care and does not have other legal care-takers;
- i) he supports a disabled family member who needs permanent care if he has a sister living in a separate family and cannot look after the disabled person;
- j) he supports minor and/or orphan siblings;
- k) he is a clergyman or studies at a religious institute;

⁴ appr. 900 EUR

- l) he is an only child;
- m) he works as a teacher or doctor in a village;
- n) the President allows him to postpone military service;
- o) he has one child and three years have passed since the birth of the first child.

If a person of paramilitary age is registered as a candidate for parliamentary elections, according to current law the recruitment will be postponed until the results of the election are published. If he is elected MP he is discharged from military obligation.

Non-military, Alternative Labor

In 1991 Supreme Council of Georgia enacted the law on “Non-Military, Alternative Labor”.

On October 28, 1997 Parliament of Georgia enacted a new law on non-military, alternative labor. The new law replaced the old one and created new purpose of non-military alternative labor.

According to the law:

Based on the Universal Declaration of Human Rights, the law regulates the non-military, alternative labor service “which acts as reasonable and human compromise for freedom of expression, personal dignity, belief, freedom of faith and military obligation”.

A person is recruited for non-military, alternative labor during peacetime serves military service in accordance with Georgian law but can refuse to serve in the army because of his personal dignity, belief and freedom of faith.

Non-military alternative labor is a public job useful for society which substitutes military service and arises from a refusal to serve in the army based on conscientious objection.

Non-military, alternative labor should be as difficult as ordinary military service. The duration of this service shall exceed the duration of ordinary military service and it is recorded in both general and special lengths of service.

A special state commission for non-military, alternative labor regulates the drafting of non-military, alternative labor. The commission considers the activities of those who take care of old and disabled people, people without care and socially excluded people as non-military alternative labor.

A person who accepts non-military, alternative labor service will be presented a document indicating the labor and place of the work where he serves.

Forms of non-military, alternative labor and places for the work:

A special department of the Ministry of Labor, Healthcare and Social Welfare provides organized implantation of the decisions worked out by the state commission for non-military, alternative labor.

A person takes non-military, alternative labor in the following specialized non-military, labor formations or individually:

- a) For rescue team for various accidents, for ecological, fire-fighting or other special non-military labor formations;
- b) For the construction, reconstruction of public buildings or other units;
- c) For the organizations and units who produce agricultural products;
- d) For communal service offices;
- e) For healthcare institutions.

Term for non-military, alternative labor is:

- a) For people with high education – 18 months;
- b) For people without high education - 24 months

Citizen who has served non-military, alternative labor and has enrolled reserve army can be recruited to work during natural disaster or for the liquidation of accident results; besides that during overall mobilization or during emergency rule. The term of the recruiting is estimated by corresponding normative protocol.

According to the information provided by the Department for Veteran’s Matters within the Ministry of Labor, Healthcare and Social Welfare of Georgia, the Law on “Non-military Alternative Labor” 2 came into practice in 2002 and 1 017 youth have been recruited so far.

Number of People Recruited for Alternative Labor

| Alternative | |
|-------------|--------------|
| In 2002 | 76 Recruits |
| In 2003 | 66 Recruits |
| In 2004 | 58 Recruits |
| In 2005 | 135 Recruits |
| In 2006 | 208 Recruits |
| In 2007 | 153 Recruits |
| In 2008 | 228 Recruits |
| In 2009 * | 93 Recruits |

*Data for 2009 is based on the spring recruitment process that is not completed yet

Conclusion

We condemn the expenditure of over 1 milliard GEL a year on the reinforcement of military forces in Georgia where 41, 000 people live beyond poverty and 330, 000 people belong to the category of socially excluded people.

| Budget of Georgia | 2007 ₾ | 2008 | 2009 |
|--|---------------------|---------------------|---------------------|
| Revenues. * thousand GEL | 4,469,122.90 | 5,463,641.20 | 5,510,161.00 |
| Ministry of Environment and Natural Resources of Georgia | 37,546.50 | 32,296.10 | 45,178.80 |
| Ministry of Agriculture of Georgia | 111,099.90 | 80,310.10 | 88,043.60 |
| Public Defender's Office of Georgia | 1,545.70 | 1,745.90 | 2,080.00 |
| Office of State Minister of Georgia For Reintegration | 0.00 | 1,550.40 | 1,330.00 |
| Comprehensive Schools | 201,396.20 | 271,500.00 | 311,975.80 |
| Ministry of Defense of Georgia | 1,494,535.30 | 1,547,511.20 | 942,000.00 |

Of course we do not deny the necessity of military armed forces in the modern world when the country and its citizens might become victims of various forms of terrorism, extremism and violence.

However, the disproportionality of military expenses to civil expenses is very obvious.

We should also mention it is necessary to monitor the transparency of military budget of the country.

Recommendations

Based on collected information the Human Rights Centre recommends the following be implementations:

- Reduction of military expenses of Georgia;
- Optimization of the military force population;
- Support of retired military servants to study civil trades;
- Transfer of complete military forces on professional basis.

The Human Rights Centre recommends the Government of Georgia to:

1. Reduce the number of armed forces of the Ministry of Defense of Georgia within three years; 4 000 soldiers should be reduced a year.

- 2010 – 33 000 soldiers
- 2011 – 29 000 soldiers
- 2012 - 24 000 soldiers

2. After 2015 legislative norm shall work out which will regulate the limited number of military servants within the Ministry of Defense of Georgia; the number of military servants should not exceed 0,5 percent of the total population of Georgia.

3. Within three years (2010, 2011, 2012) budget of the Ministry of Defense of Georgia should be reduced and reach 2 % of total state budget.

- 2010 - budget of the Ministry of Defense should be 12 % of total state budget
- 2011 – budget for the Ministry of Defense should be 10 % of the total state budget
- 2012 – budget for the Ministry of Defense should be 8 % of the total state budget

4. Legislative norm shall start work in 2012 that regulates limited funding of the defense of Georgia from the state budget and it should not exceed 5 %.

5. Part of the released sums from the budget of Defense Ministry of Georgia should be spent on teaching civil trades to former military servants.

6. Complete abolishment of compulsory military service in Georgia;

7. Changes in the formation of reserve system and function principles.

- Formation of reserve army from those people who have already served compulsory or contracted military service;
- Duration and periodity of reservists' trainings and estimation of periodity according to the cycles.

Periodity – cycle of 5 years;
Duration - 1 month;

During the cycle of 5 years a citizen will take military reserve service three times for one month in every first, second and fifth year.

For example:
2000 – one month
2002 – one month
2005 – one month

- Estimation of minimal and maximum age limits from 25 to 45.

Changes in the functions of reserve system means – orientation on theoretical and practical teaching of civil defense and humanitarian aid.

Training of reservists will be based on specialization of military servants in concrete fields – medical, engineering, communication, etc.

It should be pointed out that reserve system might be used during mass natural disaster.

Consequently, system of civil defense will be established and developed.

8. Canceling restrictions for public services.

- A person is employed at public service only if he has taken compulsory or reserve military service

9. Monitoring of expenditure of the military budget of Georgia.