

Central Asia-Caucasus Analyst

BI-WEEKLY BRIEFING
VOL. 16 NO. 23
10 DECEMBER 2014

Contents

Analytical Articles

- ATTACKS IN GROZNY UNLIKELY TO REVIVE THE CHECHEN INSURGENCY** 3
Emil Souleimanov
- TURKISTAN ISLAMIC PARTY RAISES PROFILE IN SYRIA** 7
Jacob Zenn
- THE NAGORNO-KARABAKH PEACE PROCESS AFTER THE HELICOPTER INCIDENT** 10
Huseyn Aliyev
- THE EURASIAN ECONOMIC UNION – IMPLICATIONS FOR GOVERNANCE,
DEMOCRACY, AND HUMAN RIGHTS** 14
Daniel Linotte

Field Reports

- KYRGYZSTAN EXPECTS ELECTRICITY IMPORT FROM TURKMENISTAN TO
ADDRESS ITS POWER DEFICIT** 18
Tavus Rejepova
- AZERBAIJAN CLAIMS IT DOWNED ARMENIAN HELICOPTER IN SELF DEFENSE** 20
Bakhtiyar Aslanov
- RENEWED TENSIONS FOLLOW ARMENIAN-AZERBAIJANI TALKS IN PARIS** 22
Erik Davtyan
- GEORGIA ENDORSES CONTROVERSIAL LAW ON SECRET SURVEILLANCE** 25
Eka Janashia

THE CENTRAL ASIA-CAUCASS ANALYST

Editor: Svante E. Cornell

Associate Editor: Niklas Nilsson

Assistant Editor, News Digest: Alima Bissenova

Chairman, Editorial Board: S. Frederick Starr

The Central Asia-Caucasus Analyst is an English-language journal devoted to analysis of the current issues facing Central Asia and the Caucasus. It serves to link the business, governmental, journalistic and scholarly communities and is the global voice of the Central Asia-Caucasus Institute & Silk Road Studies Program Joint Center. The Editor of the Analyst solicits most articles and field reports, however authors are encouraged to suggest topics for future issues or submit articles and field reports for consideration. Such articles and field reports cannot have been previously published in any form, must be written in English, and must correspond precisely to the format and style of articles and field reports published in The Analyst, described below.

The Analyst aims to provide our industrious and engaged audience with a singular and reliable assessment of events and trends in the region written in an analytical tone rather than a polemical one. *Analyst* articles reflect the fact that we have a diverse international audience. While this should not affect what authors write about or their conclusions, this does affect the tone of articles. Analyst articles focus on a newsworthy topic, engage central issues of the latest breaking news from the region and are backed by solid evidence. Articles should normally be based on local language news sources. Each 1,100-1,500 word analytical article must provide relevant, precise and authoritative background information. It also must offer a sober and analytical judgment of the issue as well as a clinical evaluation of the importance of the event. Authors must cite facts of controversial nature to the Editor who may contact other experts to confirm claims. Since *Analyst* articles are based on solid evidence, rather than rumors or conjecture, they prove to be reliable sources of information on the region. By offering balanced and objective analysis while keeping clear of inflammatory rhetoric, The Analyst does more to inform our international readership on all sides of the issues.

The Editor reserves the right to edit the article to conform to the editorial policy and specifications of The Analyst and to reject the article should it not be acceptable to our editorial committee for publication. On acceptance and publication of the edited version of the article, The Central Asia-Caucasus Institute of The Johns Hopkins University-The Nitze School of Advanced International Studies will issue an honorarium to the author. It is up to the individual author to provide the correct paperwork to the Institute that makes the issuing of an honorarium possible. The copyright for the article or field report will reside with the Central Asia-Caucasus Analyst. However, the author may use all or part of the contracted article in any book or article in any media subsequently written by the author, provided that a copyright notice appears giving reference to the contracted article's first publication by the "Central Asia-Caucasus Analyst, Central Asia-Caucasus Institute, The Johns Hopkins University, Nitze School of Advanced International Studies."

Submission Guidelines:

Analytical Articles require a three to four sentence Key Issue introduction to the article based on a news hook. Rather than a general, overarching analysis, the article must offer considered and careful judgment supported with concrete examples. The ideal length of analytical articles is between 1,100 and 1,500 words. The articles are structured as follows:

KEY ISSUE: A short 75-word statement of your conclusions about the issue or news event on which the article focuses.

BACKGROUND: 300-450 words of analysis about what has led up to the event or issue and why this issue is critical to the region. Include background information about the views and experiences of the local population.

IMPLICATIONS: 300-450 words of analysis of the ramifications of this event or issue, including where applicable, implications for the local people's future.

CONCLUSIONS: 100-200 words that strongly state your conclusions about the impact of the event or issue.

Field Reports focus on a particular news event and what local people think about the event. Field Reports address the implications the event or activity analyzed for peoples' lives and their communities. Field Reports do not have the rigid structure of Analytical Articles, and are shorter in length, averaging ca. 700-800 words.

Those interested in joining The Analyst's pool of authors to contribute articles, field reports, or contacts of potential writers, please send your CV to: <scornell@jhu.edu> and suggest some topics on which you would like to write.

Svante E. Cornell

Research Director; Editor, Central Asia-Caucasus Analyst
Central Asia-Caucasus Institute & Silk Road Studies Program
Paul H. Nitze School of Advanced International Studies, The Johns Hopkins University
1619 Massachusetts Ave. N.W., Washington, D.C. 20036, USA.
Tel. +1-202-663-5922; 1-202-663-7723; Fax. +1-202-663-7785

ATTACKS IN GROZNY UNLIKELY TO REVIVE THE CHECHEN INSURGENCY

Emil Souleimanov

On December 4, a group of Chechen insurgents in three vehicles, despite being detected in the outskirts of Chechnya's capital city, carried out an unprecedented attack on Grozny. After hours of fighting, insurgents, isolated in the republic's Press House building and a nearby school, situated in the city center, killed 14 and wounded three dozen local policemen. In turn, 11 insurgents were killed. The December 4 attack raised questions about the strength of the Chechen insurgency and the capability of local authorities to stem it. With a three years' break, the insurgency has been ongoing for two decades.

BACKGROUND: Chechnya has become one of the North Caucasian republics least affected by insurgent violence. Since the mid-2000s, and in contrast to the situation in neighboring Dagestan and elsewhere (see the [09/29/2010](#) and [03/02/2011](#) issues of the CACI Analyst), insurgent attacks have been on the decrease in Chechnya. With notable exceptions, instances of insurgent attacks have been largely confined to the borders of some of Chechnya's mountainous and heavily wooded areas. Still, vociferous attacks carried out by insurgents have continued to recur in Chechnya periodically despite continuous reports by the republic's pro-Moscow government on the close-to-complete eradication of the local insurgency.

For instance, following a split in the ranks of Chechen insurgency in late August of 2010 (see the [08/19/2010 issue of the CACI Analyst](#)), insurgents leaning toward the idea of Chechen nationalism, loyal to Aslambek Vadalov, carried out a concentrated attack on the village of Tsentroy,

considered to be the stronghold and the family nest of the Kadyrov clan. Despite being significantly fortified and defended by *kadyrovsty* paramilitaries, three to four dozens of insurgents managed to capture the entire village for several hours, setting fire to the houses of key figures in the Kadyrov clan. It was only after the deployment of hundreds of *kadyrovsty*, aided by Russian artillery and helicopters, that the ambushers were expelled from the village. As a result of the surprise attack, ten to a dozen insurgents, and a similar number of *kadyrovsty* and local policemen, were killed.



(Source: [Christiaan Triebert](#))

In August 2012, two suicide bombers blew themselves in the vicinity of the notorious Russian Khankala military garrison, located in the eastern part of Grozny, which claimed the lives of four Russian policemen. Importantly, the attack was carried out on the anniversary of the storming of Grozny by Chechen insurgents in 1996, which then accelerated Russia's withdrawal from the breakaway territory. Since then, attacks within Grozny have been considered largely unfeasible due to immense security precautions taken by pro-Moscow Chechen authorities. Grozny and its outskirts have been routinely monitored by thousands of policemen, familiar with the local terrain, with any suspicious activity being recorded and checked. Although some have admitted that suicide terrorism cannot be entirely ruled out, experts and locals have largely considered a large-scale attack on the capital city unlikely.

IMPLICATIONS: Despite the relative success of the December 4 attacks, no considerable intensification of insurgent activity should be expected in Chechnya. First and foremost, since the beginning of the 2000s, pro-Moscow Chechen authorities have dramatically raised the cost of violent mobilization and pro-insurgent support amid the local population. Chechens suspected of providing support to insurgents or of participating in insurgent units faces not only the threat of physical extermination; they also risk retaliation against family and relatives. Violence deployed against insurgents' relatives has become less frequent. However, back in the early and mid-2000s, when

many Chechens were still motivated to join or support insurgent groups, *kadyrovsty* carried out hundreds of "forced disappearances" or extrajudicial executions of alleged insurgents' relatives. Rape was also common practice in the *kadyrovtsy*-led counterinsurgency campaigns. Importantly, since thousands of families with *kadyrovsty* members are now trapped in blood feuds with insurgents and their relatives, the former are inclined to provide counterinsurgency forces with intelligence on suspicious activities among their co-ethnics.

Pro-Moscow Chechen authorities also exercise effective control over the republic's public space. Internet and mobile networks are monitored using the most sophisticated technologies. Every Friday, imams of local mosques are required by the authorities to provide the identities of missing males. Likewise, if a youngster is missing from his city neighborhood or village, his relatives must provide the authorities with solid evidence of him not being involved with insurgents or face the possibility of retaliation. As a result, many Chechens have sought to distance themselves from the insurgency in order to save not only their lives, but also the lives of their loved ones. After all, Chechnya is a society of a million and a half; its territory of around 17,000 square kilometers is only slightly larger than the U.S. State of Connecticut. In addition, insurgent activities are largely confined to one third of its territory, where wooded mountains provide shelter and hideouts.

Accordingly, many Chechens have either postponed the implementation of blood revenge for “better times” – or have renounced it completely. With the decreasing scope of pro-insurgent support and violent mobilization in recent years, the pro-Moscow Chechen authorities have used less violent practices of collective penalization, like burning the houses of alleged insurgents. Yet the practice of “forced disappearances” has not disappeared completely, even though draconian restrictions imposed on the work of human rights organizations and free media have made tracking and publicizing them more difficult. Similarly, notwithstanding enormous risks, pro-insurgent support or recruitment into insurgent groups has not terminated, though it has been considerably reduced over the last seven to ten years.

Consequently, due to the highly controversial, but largely effective counterinsurgency practices carried out by pro-Moscow Chechen authorities, the Chechen insurgency has become an affair involving several dozens of isolated individuals. While it is currently impossible to carry out representative empirical research in Chechnya, it appears that a significant share of Chechnya’s inhabitants, while skeptical towards the current pro-Moscow regime of Ramzan Kadyrov, is similarly skeptical towards the predominant ideology and the activities of the Chechen insurgents. It comes as no surprise then that in some instances, revenge-seeking Chechens have identified their foes among pro-Moscow Chechens on their own. They

have done so without coordination with the insurgents, who have little control on the ground, and without ascribing any ideological overtone to their attacks.

CONCLUSIONS: Despite its periodically recurring and sometimes imprudent attacks, the Chechen insurgency has been considerably weakened. Its once massive social base, on which it had drawn in the First Chechnya War and to some extent also in the early years of the Second Chechnya War, appears to have been lost irretrievably. This can primarily be attributed to the immense penalization imposed by pro-Moscow Chechen authorities, as well as to the predominantly skeptical attitude amid many Chechen civilians towards the ideology of the local insurgency and its chances of prevailing in the uneven confrontation with Russia and pro-Russia indigenous forces.

Remarkably, most of the recently implemented insurgent attacks have been suicide attacks – and detrimental to the eroding numbers of Chechen insurgents. Their significance has been more symbolic than strategic as insurgents are not in a position to stem the tide of the local armed conflict. Against this background, Chechens not willing or able to come to terms with grievances inflicted upon them by pro-Moscow Chechen authorities or armed units are likely to become a new source of violence as they will carry out *ad hoc* attacks on their own. Alongside rather episodic attacks deployed by insurgent groups, these attacks are likely to ensure that the Chechnya-based

insurgency, while reduced in scope, will remain active in the years to come.

AUTHORS' BIO: Emil Aslan Souleimanov is Associate Professor with the Department of Russian and East European Studies, Charles University in Prague, Czech Republic. He is the author of *Individual Disengagement of Avengers, Nationalists, and Jihadists*, co-authored with Huseyn Aliyev (Palgrave Macmillan, 2014), *Understanding Ethnopolitical Conflict: Karabakh, Abkhazia, and South Ossetia Wars Reconsidered* (Palgrave Macmillan, 2013), and *An Endless War: The Russian-Chechen Conflict in Perspective* (Peter Lang, 2007).

TURKISTAN ISLAMIC PARTY RAISES PROFILE IN SYRIA

Jacob Zenn

The Turkistan Islamic Party (TIP) is a Pakistan-based militant group operating with the Pakistani Taliban and Islamic Movement of Uzbekistan (IMU). Led by Uighurs from China's Xinjiang Province (which the TIP calls "East Turkistan"), the TIP seeks the "liberation" of Xinjiang and its incorporation into a Central Asian Caliphate called "Turkistan." In 2014, the TIP has sought to emphasize its role in Syria in its propaganda. This suggests that, like the IMU and some Pakistani Taliban factions, the TIP receives inspiration and seeks funding from the Islamic State (also known as ISIS). This is but one of many examples of ISIS's increasing traction among Central Asian militants.

BACKGROUND: Though the TIP was founded by Uighurs from Xinjiang who were in a secessionist struggle, in the 2000s it became much closer to the Taliban and al-Qaeda and adopted the narrative of the global jihadist movement. It was not until clashes between Uighurs and Han Chinese in Urumqi, Xinjiang in July 2009, however, that the TIP began attracting the attention of other jihadist groups. From 2009 to 2011, IMU and al-Qaeda leaders began appearing in TIP videos and offering support for the "Uighur mujahideen." The TIP's use of propaganda, which was mostly in Arabic, to summon support from other jihadist groups was largely successful in drawing attention to Xinjiang and associating Xinjiang with other jihadi theaters like Kashmir, Chechnya and Palestine.

In 2011, when the civil war in Syria broke out, the TIP, like the IMU, did not initially change its propaganda strategy. A shift only occurred in

October 2012 and July 2013 when TIP said in its quarterly online magazine *Islamic Turkistan* it had the right to provide "humanitarian aid" to the Syrian people and included an article called "The Truth Has Supporters as the Tyrant Has Soldiers." The article compared the Syrians' war against al-Assad to the Uighurs' war against China. Later in October 2013, in an article in *Islamic Turkistan* called "Oh Chinese and Russian Regimes, the Arab People's Revolution Will Never Forget Your Shameful Stances," the TIP criticized the Chinese and Russian regimes' positions against the "Syrian revolution."

In June 2014, the TIP continued with its focus on Syria by claiming that it has a branch in Syria led by Abu Ridha al-Turkistani, an Arabic speaker who claims to lead a Uighur brigade that is featured in TIP videos with neat, green camouflage uniforms. In al-Turkistani's videos, he has also claimed attacks in China, including a suicide

“martyrdom” bombing in Urumqi in May 2014 and a suicide car bombing in Beijing’s Tiananmen Square in October 2013. In October 2014, the TIP also released on its website *sadiqlar.com*, which is likely administered in Turkey, an online Uighur language booklet from the TIP’s “Syria branch” that offers “advice to Muslim women.” A longer online book was also released that explains why Syria and Damascus are important in Islam and why it is necessary to wage jihad there.



(Source: [VOA](#))

IMPLICATIONS: The TIP’s new focus on Syria is consistent with other groups around the world ranging from Abu Sayyaf in the Philippines to Boko Haram in Nigeria that also have declared support for the Islamic State and shifted their propaganda to praise Syrian jihadists. The TIP’s new Syria-focused media strategy is also consistent with its long-standing propaganda efforts to bring attention to and attract funding for its mission to wage war in China. However, no longer does the TIP reach out to al-Qaeda like it did from 2009 to 2012. Rather, it is now likely reaching out to ISIS and Syrian themes because funding opportunities are coming from

ISIS donors and supporters in the Middle East.

In addition, the TIP has long existed alongside and associated with the IMU and Pakistani Taliban in Pakistan’s tribal areas. For example, after IMU military leader Usman Ghazi announced his support for ISIS, the IMU spiritual leader Abu Zar al-Burmi issued a statement using the TIP media wing, *Islom Awazi* (Voice of Islam), declaring the need for a Caliphate. The TIP later issued a statement in support of the Muslims in Arakan State, Burma, which is al-Burmi’s ancestral homeland. The Pakistani Taliban, of which several factions have pledged their support to ISIS, also now includes China among countries like Afghanistan, India and Iran, whose borders it promises will “cease to exist” and will become “dominated by Islam.” As a result, the TIP likely followed the example of its “protectors” in the Pakistani Taliban and IMU and showed greater support for the war in Syria and ISIS. One direct effect of the TIP’s new Syrian profile appears to be that new flows of funding to the group are being used to upgrade the professional quality of its media wing and to purchase higher-grade uniforms and weapons for its training camps.

A final area where the TIP’s influence in Syria may be having an impact is the growing number of Central Asian fighters in Syria. Though the Chinese government reports up to 100 or more Uighurs in Syria and the TIP has implied that its members are fighting in Syria, there are few substantive reports to prove that Uighurs are in the

country. Yet videos of Kyrgyz and Kazakh families, including children in training camps (like the TIP's videos from Pakistan), growing numbers of Uzbek fighters, and dozens of Tajiks in leading roles in Syria shows that several hundred, and possibly well over one thousand, Central Asians are in Syria.

The Uighurs present in Syria likely blend in with other Central Asians and Turks. Should the Uighur militants in Syria return to the South or Central Asia, they can bring their newly acquired militant skills to those regions and open up a new front against China and other Central Asian countries with the IMU. For the interim, however, the primary impact of Uighurs and other Central Asians in Syria is to use the Internet and social media as well as their own personal networks to spread their extremist ideology to their compatriots in their homelands.

CONCLUSIONS: The attraction of Syria to Central Asian militants continues to play a key role in their funding and recruiting, and the TIP's adoption of Syria as the center of its propaganda strategy reflects this new trend. The ideological ramifications in Central Asia are already observable in the increasing numbers of Central Asians finding their way to fight in Syria, even if they sometimes do not travel directly from Central Asia but transit through nearby countries, such as Egypt, Turkey or Russia.

The prospect of the Syrian conflict affecting Central Asia more directly will likely require a change in the dynamics of the security environment

in South or Central Asia. This could include the Pakistani Taliban declaring a Caliphate in the country's tribal areas, the Taliban or IMU attacking across the border from Afghanistan into Turkmenistan or Tajikistan, or a resource, border, ethnic or succession crisis breaking out in Central Asia that weakens the region's resilience to counter terrorist groups. The TIP and its allied groups are likely waiting patiently in their bases in Pakistan for such an opportunity, while also carrying out attacks in Pakistan and Afghanistan to weaken those countries' governments and recruiting new members by exploiting the Syrian conflict.

AUTHOR'S BIO: Jacob Zenn is an analyst of Eurasian and African Affairs for the Jamestown Foundation and non-resident research fellow of the Center of Shanghai Cooperation Studies (COSCOS) in Shanghai. He testified before the U.S. Congress on Islamist Militant Threats to Central Asia in February 2013.

THE NAGORNO-KARABAKH PEACE PROCESS AFTER THE HELICOPTER INCIDENT

Huseyn Aliyev

On November 12, an Armenian combat helicopter was shot down by Azerbaijani defense forces after an attempted attack on Azerbaijani positions over the disputed region of Nagorno-Karabakh. The incident took place just two weeks after the fruitless peace talks between Azerbaijan's President Ilham Aliyev and his Armenian counterpart Serzh Sargsyan, organized on the initiative of French President Francois Hollande in Paris. Although the escalation of violence on the border between the Armenian-controlled breakaway region of Nagorno-Karabakh and Azerbaijan has been growing steadily since the early summer, this particular incident appears to be the highest point yet in the confrontation.

BACKGROUND: The current military standoff between Azerbaijan and Armenia over the separatist enclave of Nagorno-Karabakh dates back to the brief but bloody armed conflict between the two countries ending with the ceasefire agreement in 1994. The 1988-1994 war resulted in Armenia's occupation of the Nagorno-Karabakh enclave (previously an autonomous republic within Azerbaijan) and seven adjacent districts of Azerbaijan. The conflict led to over 30,000 casualties on both sides and over a million of internally displaced persons.

The status quo over Nagorno-Karabakh continued over the following two decades and the region still legally remains part of Azerbaijan. Despite international efforts to resolve the conflict peacefully, both sides have so far failed to achieve a mutually satisfactory settlement. Sporadic

outbursts of violence with both sides accusing each other of violating the ceasefire have occurred frequently along the entire border of the occupied territories.



(Source: President.am)

This summer, however, exchanges of fire between Azerbaijani troops and Nagorno-Karabakh defense forces increased significantly, leading to the death of over 20 people on both sides of the border. In fact, thus July and August saw the most significant violation of the cease-fire since its signing in 1994. During the last week of

October, the Nagorno-Karabakh *de facto* authorities accused Azerbaijan of violating the ceasefire and opening fire on its forces 400 times. Azerbaijan's Ministry of Defense reported that over the last two months, Armenian separatists were violating the ceasefire on average 30 times per day. Yet the downing of a combat helicopter is the most high profile incident to occur so far on the line of confrontation.

According to Azerbaijan's Ministry of Defense, the Armenian Mi-24 combat helicopter belonging to the Armenian air force was brought down on noon November 12 while preparing to attack Azerbaijani army positions in the vicinity of Kangarli settlement in Agdam region. Azerbaijani authorities stated that the helicopter was part of a two-helicopter team that violated Azerbaijan's airspace and after coming into combat course opened fire on Azerbaijani military positions near the border with Nagorno-Karabakh. The helicopter was shot down by the return fire, killing all three Armenian servicemen on board.

Nagorno-Karabakh officials confirmed the loss of a helicopter it claimed belonged to the Karabakh self-defense forces and not to Armenia, but claimed that the downed Mi-24 was taking part in training exercises and had no intentions to engage in combat. A later statement declined to confirm the death of crew members and claimed that the remains of the destroyed helicopter were located in the immediate proximity of Azerbaijani positions, preventing rescue teams from reaching the crash site. The downing of the

helicopter has been described by representatives of Armenia and Nagorno-Karabakh as an "unprecedented provocation" for which the Azerbaijani leadership will face consequences. According to the spokesman for Nagorno-Karabakh's defense forces, the destroyed helicopter was on a training mission and could not possibly have been attempting to attack Azerbaijani positions.

IMPLICATIONS: The incident was the first case of a helicopter being shot down in the Nagorno-Karabakh conflict since the 1994 ceasefire agreement. On October 27, just two weeks prior to this confrontation, a meeting organized by French President Francois Hollande took place between the Azerbaijani and Armenian presidents in Paris. The meeting, similarly to a series of similar bilateral and multilateral talks, aimed to discuss the peaceful settlement of the Nagorno-Karabakh conflict in accordance with international norms. The Armenian and Azerbaijani leaders agreed during the meeting to start working on the "major peace agreement" suggested by President Hollande. It was also agreed that the Azerbaijani and Armenian presidents will cooperate with the International Committee of the Red Cross on exchanging lists of persons missing in the conflict area, and that the two president would continue high level talks. Although the Paris discussions did not lead to any significant breakthrough in peace process, as expected both in Baku and Yerevan, the meeting was described by both sides as essential to the continuation of peaceful dialogue.

The recent downing of an Armenian helicopter caused a wave of reactions from both sides. According to official Baku and independent Azerbaijani experts, the current attempt by the Armenian side to fly its helicopters over Azerbaijani positions is not the first of its kind; similar violations of Azerbaijan's airspace occurred before and hence, the Armenian side had all reasons to expect that its helicopter could come under fire. Analysts in Baku believe that Armenian side may seek retaliation for the destruction of its helicopter, but term it unlikely that they will attempt to significantly escalate violence in the area. Although Baku began large scale military exercises a day after the incident, these were held on the Caspian coast rather than in the proximity to occupied territories.

By contrast, Armenian political analysts predicted that the incident will deal a major blow to the shaky ceasefire agreement currently in place. Officials in Yerevan described the incident as evidence of Azerbaijan's incapability of presenting itself as a reliable partner in peace talks just weeks after the Paris meeting. Official Yerevan stated that it will be unwilling to participate in peaceful talks in the near future unless all responsible for the accident are held accountable. Armenian experts further posited that the downing of the helicopter could easily lead to a resumption of large scale hostilities. Nevertheless, neither Armenian, nor Azerbaijani analysts believe that either of the conflicting sides is interested in escalating the crisis further.

CONCLUSIONS: The November 12 downing of an Armenian military helicopter in skies over Nagorno-Karabakh is unlikely to have been a purposeful provocation prepared by either side to escalate the conflict. Following the calls for calm and restraint, released by the U.S. and EU, both sides have so far avoided further confrontation. While the prospect of large-scale military activities along Nagorno-Karabakh's borders are limited, the helicopter incident certainly put on hold the fragile and slow-paced rapprochement process previously taking place between Baku and Yerevan. Although in early December, Armenia's Foreign Minister met with the Russian and U.S. co-chairs of the OSCE Minsk Group, no official contacts have taken place between Azerbaijan and Armenia since the helicopter incident. As both sides continued to exchange threats and Azerbaijan's shelling continued to prevent Armenia from collecting the bodies of deceased helicopter crew members until late November, there was no further confrontation on the front line. The tensions, however, remain high and the escalation of violence remains a possibility.

AUTHOR'S BIO: Huseyn Aliyev is an independent researcher whose work focuses on democratic institution-building and armed conflicts in the former Soviet Union. He is the author of 'Post-Communist Civil Society and the Soviet Legacy' (Palgrave Macmillan, forthcoming in 2015) and 'The Individual Disengagement of Avengers, Nationalists, and Jihadists',

co-authored with Emil Souleimanov
(Palgrave Pivot, 2014).

THE EURASIAN ECONOMIC UNION – IMPLICATIONS FOR GOVERNANCE, DEMOCRACY, AND HUMAN RIGHTS

Daniel Linotte

In January 2015, a new regional agreement will enter into force between Belarus, Kazakhstan and Russia – it will create the so-called Eurasian Economic Union (EEU), replacing the Eurasian Economic Community (EEC) established in 2006. Taking into account actual trade flows and national economies, the EEU can hardly be justified and should not have much impact on economic integration among its members. Nevertheless, Western countries should still be worried about possible non-economic consequences of the new agreement, especially for governance, democracy and human rights, in countries that are already displaying authoritarian tendencies.

BACKGROUND: As mentioned in a paper published by Richard Pomfret in 2009, “regional and bilateral trade agreements have been signed (among former Soviet republics) since 1991 ... Their striking feature is the lack of progress in establishing or implementing preferential trade policies.” Such a situation might have forced political leaders in these countries to move ahead with a new treaty. The EEU will be enlarged to Armenia and Kyrgyzstan; Tajikistan is also seen as a potential candidate. Basically, the EEU should create a shared economic space with a customs union. However, the economic rationale for the EEU is rather limited. For instance, when considering the geography of trade of the two main EEU members in 2012 – Russia and Kazakhstan – mutual trade is less important than trade with others; in

addition, Kazakhstan’s and Russia’s major exports (oil and gas) are similar, which means there is a lack of complementarity between them.



(Source: Eurasianunion.co)

Most importantly, the very poor records of EEU members in terms of democracy, human rights and governance should be expected to deteriorate further due to the “negative synergies” created by the deepening cooperation in the region. In other words, being closer together will make it easier for EEU members to shield themselves further from external

influences. Such a view is supported by actual tendencies.

Considering governance, Transparency International's Corruption Perceptions Index locates the EEU₃ far below the more developed countries of the West. Their scores are in the range 26-29 in 2013 ("no perceived corruption at all" would imply a score of 100), whereas for the three leading EU countries, namely Germany, UK and France, corresponding scores are 78, 76 and 71, respectively. For the Scandinavian countries and Finland, scores are above 85, namely the lowest perceived corruption levels in the world. Most revealing is the fact that over a ten year period, there is no evidence of improvement.

Moreover, Freedom House reports poor records in terms of democracy and human rights. For Kazakhstan, there is a "downward trend arrow" due to extralegal enforcement with raids by the antiterrorism police on gatherings in private homes, preventing people to practice in peace their faiths and beliefs. Moreover, political opponents are imprisoned following unfair trials or placed in psychiatric institutions – practices reminiscent of Soviet times. In the case of Russia and Belarus, human rights activists and opponents are permanently confronted with intimidation, threats and arrests, and journalists have been assassinated – the latest victim is perhaps Alexei Devotchenko, a well-known Putin critic, who was found dead on November 5.

Last but not least, the work of domestic and foreign-based NGOs is rendered

much more difficult with new laws. In Russia, in 2012, the legislators introduced a restrictive law requiring organizations that receive foreign donations to register as "foreign agents," a cold-war expression with a negative connotation; the new legal framework is fully enforced since 2013. In Kazakhstan, similar changes were already introduced in 2005 and the last repressive measures were adopted mid-2014 – they concentrate on communication means and allow for blocking websites or social networks without court order.

IMPLICATIONS: The possibility of deteriorating freedom and governance in the EEU members must be addressed adequately by the West due to its potential impact on East-West relations and security. At official levels, and despite high tensions created by the crisis in Ukraine, it is essential to maintain permanent contacts with EEU members. In such a difficult and volatile context, both the Council of Europe (CoE) and the OSCE can be seen a key organizations.

A full normalization of relations between the CoE and Russia can help foster basic freedoms and counter negative tendencies in Russia. Belarus should also be properly approached by the CoE – in that respect, it is worth observing that Azerbaijan is a member of the CoE despite a poor record in terms of human rights and democracy.

With 57 "participating states" (or members) encompassing three continents – i.e. North America, Europe and Asia –, the OSCE is uniquely positioned to defend universal

democratic values, prevent conflicts and develop bridges between the West and the EEU. In 2010, Kazakhstan chaired the OSCE and reaffirmed its strong commitment to uphold the fundamental principles and values of the organization. Kazakh officials were even supported by a joint Task Force led by the U.S.-based Institute for New Democracies (IND) and the Centre for Strategic and International Studies (CSIS). The CSIS-IND final report on Kazakh Chairmanship underlined that, during the Kazakh mandate, human rights issues continued to be addressed normally, without pressure or interference, which underlines the relatively open attitude of Kazakh authorities and their readiness to cooperate, even though the country is showing undesirable trends. Furthermore, Kazakhstan is eager to strengthen economic ties with Russia while at the same time maintaining good relations with the West, which implies that the country could act as an intermediary between the West and Russia.

Besides states and international organizations, NGOs do matter to safeguard the rights of EEU citizens. However, obstacles are increasing for NGOs that criticize too openly the autocratic and repressive EEU regimes, and as a result NGOs may be perceived as threats undermining those in power. For that reason, focusing NGOs activities on less sensitive fields should help them survive in a more hostile environment. Three particular domains of action that may not raise excessive sensitivities in the EEU ruling political

circles include minorities, gender and the environment.

Considering minorities in the EEU, their effective representation in parliaments must be guaranteed and controlled by civil society, which requires a strong involvement of both “majority” and “minority” ethnical groups in common awareness raising and whistleblowing actions. Gender problems are the focal point of several NGOs; they help fight domestic violence and related chronic diseases such as alcoholism. Environmental organizations may also enhance the role of civil society by concentrating on important daily life issues (e.g. informing about air pollution and water quality) and perhaps refrain from spectacular actions, with limited impacts.

In addition, it is essential to strengthen linkages with young generations, namely those that are expected to belong to decision-making bodies in the future. Relevant and far reaching activities in the long run relates to education and training, especially in the field of social sciences and law. In other words, more grants must be provided to support studies and tours in universities, private companies, public administration, parliaments and courts of justice, in the U.S. and the EU.

CONCLUSIONS: In terms of governance, democracy and human rights, the forthcoming EEU may signal a further worsening of conditions in member countries, which could have negative impacts on relations with the West and regional security. Nevertheless, there is still room for

continuing actions to promote “western values” and East-West linkages. Both the Council of Europe and the OSCE represent key organizations in this regard because of their unique Eastern and Western membership. NGOs have a role to play by addressing specific issues that are not perceived as direct threats by the governments of EEU countries. Working with the younger generations should also be a top priority on cooperation agendas to build new bridges and reduce the risk of conflict.

When considering past performance, any positive outcomes that could be expected from the EEU are limited in scope and following the EU experience, real integration among countries does require legitimacy through democratic institutions, with transparent and fair elections.

AUTHOR’S BIO: Daniel Linotte holds a PhD from Oxford University. He worked as adviser and consultant with international organizations and governments, and held teaching positions at Boston University, the Catholic University Leuven and the Higher School of Economics (Moscow). He is presently leading a key-EU project in the Balkans. His views do not represent any official position.

KYRGYZSTAN EXPECTS ELECTRICITY IMPORT FROM TURKMENISTAN TO ADDRESS ITS POWER DEFICIT

Tavus Rejepova

President Almazbek Atambayev, leading a large government delegation from Kyrgyzstan discussed the possibility of importing electricity and petroleum products from Turkmenistan during the official talks with his counterpart President Gurbanguly Berdimuhamedov in Ashgabat on November 11, 2014. Within the framework of the visit, a package of numerous bilateral agreements was signed to increase the level of commercial and economic ties between Kyrgyzstan and Turkmenistan.

The agreements include an agreement on establishing a Turkmen-Kyrgyz Intergovernmental Commission for trade, economic, scientific, technical, and humanitarian cooperation; an agreement between Turkmenistan's State Committee for Sports and the State Agency for Physical Culture and Sports under the Government of the Kyrgyz Republic on cooperation in the sphere of physical culture and sports; a cooperation agreement between the ministries of culture of Kyrgyzstan and Turkmenistan; a cooperation agreement between the Chambers of Commerce of Kyrgyzstan and Turkmenistan; a Memorandum of cooperation between the Diplomatic Academy of the Ministry of Foreign Affairs of Kyrgyzstan and the Institute of International Relations of the Ministry of Foreign Affairs of Turkmenistan; an

agreement between the governments of Kyrgyzstan and Turkmenistan on cooperation in providing reciprocal assistance over tax legislation compliance; an agreement between Kyrgyzstan's State financial Intelligence Service and Turkmenistan's Ministry of Finance on cooperation against money laundering and terrorism financing; and an agreement on cooperation in physical training and sports.

During the high level talks, President Berdimuhamedov said that Kyrgyzstan is Turkmenistan's strategic partner in the yet-to-be constructed pipeline (Line D of the Turkmenistan-China gas pipeline) that will be constructed through the territories of Uzbekistan, Tajikistan and Kyrgyzstan to eventually reach China. Within the framework of the top level talks, Kyrgyz President Atambayev mentioned that Turkmenistan is currently ready to help Kyrgyzstan with electricity supply in the amount of 700 million kWh per year and increase this amount up to 1 billion kWh next year. Though this announcement came out during the press conference, no agreement, either on cooperation in the electricity sector or purchases and sales, was signed during the visit. The sides have not made it clear how and which route they would go to sell the promised electricity.

The only viable route to import electricity from Turkmenistan to Kyrgyzstan is through Uzbekistan but it was not clear how Kyrgyzstan was going to address the problem of transit via Uzbekistan. It is noteworthy that in 2009 Uzbekistan cut Turkmen electricity exports to Tajikistan across its territory when Uzbekistan withdrew from the united power grid of Central Asia's electricity system. No electricity cooperation was mentioned during Uzbek President Islam Karimov's visit to Turkmenistan on October 23-24. The Kyrgyz Deputy Prime Minister Valery Dil visited Ashgabat on October 25-26 to meet with President Berdimuhamedov and other government officials but no announcement was made to possibly addressing this standing issue.

Turkmenistan currently sells electricity to neighboring Afghanistan, Iran, and Turkey, and has held talks to sell to Pakistan in the future. In April 2013, the country introduced a US\$ 5 billion plan to develop Turkmenistan's power industry for the period 2013-2020 and announced plans to increase the current export amount of about 2.5bln kWh by five times within this period.

President Atambayev's visit to Ashgabat followed his state visit to Kazakhstan on November 7 where he and his counterpart Nursultan Nazarbayev agreed on the import of one billion kWh of Kazakh electricity to Kyrgyzstan during the winter. This is in addition to an earlier report saying that Kazakhstan was going to supply 500 million kWh for water provided by Kyrgyzstan during the irrigation

period. Kazakhstan is expected to produce an estimated amount of about 100 billion kWh of electricity in 2014. Kazakhstan and Turkmenistan's possible electricity supply could significantly help Kyrgyzstan address its serious power deficit during the winter. The cost of electricity in Kyrgyzstan is expected to increase given that the reservoirs feeding hydropower dams are about twenty percent lower than usual. Kyrgyzstan's power shortage is further exacerbated by uncertainty regarding the winter gas tariffs after Russia's Gazprom bought 100 percent of Kyrgyzgaz for a symbolic US\$ 1 with its estimated US\$ 40 billion debt.

Atambayev has also expressed Kyrgyzstan's interest in importing petroleum products from Turkmenistan such as gasoline. Relations between the two countries started improving this year, manifested in President Atambayev's first-ever official visit to Turkmenistan. Turkmenistan appointed an ambassador to Kyrgyzstan in August this year, following Kyrgyzstan's appointment of a new ambassador to Turkmenistan in July.

AZERBAIJAN CLAIMS IT DOWNED ARMENIAN HELICOPTER IN SELF DEFENSE

Bakhtiyar Aslanov

On November 12, 2014, the Press Service of the Ministry of Defense in Azerbaijan made the following statement regarding the shooting down of a helicopter over Nagorno-Karabakh: “the military aviation of the enemy side has been doing provocative flights and maneuvers during the latest military trainings, implemented by the Military Forces of the Republic of Armenia within the last 3 days in the front-line between Azerbaijan and Armenia. After continuous and intensified maneuvers over our positions and posts; two military helicopters tried to attack our positions in the airspace controlled by the military of Azerbaijan. Two MI-24 helicopters owned by the Military Forces of the Republic of Armenia again tried to attack our posts at 13:45 on November 12, 2014. As a response, Air Forces of Azerbaijan shot down one of those armed helicopter, 1,700 meters northeast of Kangarli village in Agdam. The remains of the helicopter fell 500 meters from the front-line.” Armenian officials responded that the helicopter belongs to the Nagorno-Karabakh leadership, not Armenia.

The next day, Azerbaijan’s Ministry of Defense made another statement, claiming that the Mi-24 combat helicopter belonged to the Erebuni military aerodrome close to Erevan. The dead crew members, mayor Sergey Sahakyan, senior lieutenant Sargis

Nazaryan and lieutenant Azat Sahakyan are officers of the Armenian Air Force. Although denied by Armenia, Azerbaijan’s Ministry of Defense listed the names and released detailed background information on the officers.

Emphasizing the presidents’ meeting in Paris initiated by the French President Francois Hollande on October 27, 2014, Azerbaijan’s Ministry of Foreign Affairs stated on November 12 that Armenia embarked on large-scale military exercises in the occupied territories of Azerbaijan and had continuously been violating the cease-fire along the line of contact. Hence, Azerbaijan’s MFA claims that Armenia alone carries all responsibility for the re-escalation of the conflict. An MFA spokesperson stated that by shooting down a helicopter that violated Azerbaijan’s internationally recognized airspace, Baku does not violate any liability of the OSCE Minsk Group.

The presidents of Armenia and Azerbaijan both reacted quickly to the incident. Armenia’s President Serzh Sargsyan immediately visited Nagorno-Karabakh and spoke in front of the soldiers on November 13. Although he used very special words targeted to the local audience, Sargsyan underlined that a re-escalation of the conflict into war will not happen. Ilham Aliyev also visited a military camp in Shamkir on November 15, and while seeming very

confident and satisfied when congratulating the soldiers, he avoided using overtly inflammatory language.

In Basel, Switzerland, the OSCE Minsk Group Co-Chairs, U.S. Secretary of State John Kerry, Russia's Minister of Foreign Affairs Sergey Lavrov and French Secretary of State for European Affairs Harlem Désir, expressed their concerns over violations of the cease-fire in 2014 during a meeting of the OSCE Ministerial Council. They emphasized that the violations of the cease-fire in July and August caused several casualties; enhanced the tension and deepened mutual distrust between the parties. On December 4, the aforementioned diplomats signed a joint statement, noting that "there is no military solution to the conflict. We call on both sides to restrain from using violence and work on the concrete peaceful solution of the conflict".

Hikmat Hajiyev, a spokesperson for Azerbaijan's MFA, commented on the statement that the military trainings of Armenian forces with huge numbers of personnel and military equipment and their provocative maneuvers along the line of contact after the meetings of the presidents in Sochi and Paris caused the downing of the helicopter. Regarding the call from the Minsk Group Co-Chairs to speed up negotiations for a peace agreement, Hajiyev reiterated Foreign Minister Elmar Mammadyarov's statement on Baku's readiness to work on the Broader Peace Agreement supported by the co-chairs after the meeting in Paris.

Officials in Yerevan have claimed that their military forces were able to claim the bodies of the dead soldiers in the helicopter incident after shooting two Azerbaijani soldiers. According to the *PanArmenian* news agency, the three officers were buried at St. Sargis Church in Yerevan on November 24. However, Baku has denied this information and states that Azerbaijani soldiers protect the area where the remains of the helicopter are located.

Armenia and Azerbaijan cancelled an expected meeting of the two countries' Foreign Ministers in Basel after the incident. "We regret that the foreign ministers of Azerbaijan and Armenia were unable to meet at OSCE ... Dialogue is a necessary part of the peace process" the U.S. Co-Chair of the OSCE Minsk Group, James Warlick wrote on his Twitter page on December 8.

RENEWED TENSIONS FOLLOW ARMENIAN-AZERBAIJANI TALKS IN PARIS

Erik Davtyan

On October 26-28, Armenia's President Serzh Sargsyan paid a working visit to Paris at French President Francois Hollande's invitation. At the Paris Marine Palace, the Armenian and French presidents discussed a broad range of issues concerning on the Armenian-French agenda and contemporary regional and international challenges. Regarding the Nagorno-Karabakh conflict resolution process, Sargsyan stressed that Armenia has always supported a resolution of the conflict exclusively through peaceful negotiations and noted that he highly appreciates the OSCE Minks Group's efforts targeted at pushing the negotiation process forward and establishing lasting peace and stability in the region. The most important part of the working visit was Sargsyan's meeting with Azerbaijan's President Ilham Aliyev. After the Sochi and Newport talks in August and September respectively, this was the third regular meeting organized at the level of heads of states.

On October 27, Sargsyan and Aliyev held talks with the participation of the OSCE Minsk Group co-chairs (Igor Popov, James Warlick, and Pierre Andrieu) and the personal representative of the OSCE Chairman-in-Office Anjey Kasperchik, followed by a private conversation between the Armenian and Azerbaijani presidents. The participants attached great

importance to continuing dialogue within the framework of the OSCE Minsk Group co-chairmanship and confidence-building efforts in order to make progress in peaceful negotiations, and stressed that no alternative existed to a peaceful resolution of the conflict. The parties arranged to proceed with high-level negotiations.

The high-level meeting attained various interpretations in Armenia. Armenia's minister of foreign affairs emphasized the official viewpoint on the Sargsyan-Aliyev talks. During a briefing with journalists Edward Nalbandian described the meeting as "useful, sincere and constructive." The foreign minister said that "there was an opportunity to touch upon a number of regional and international issues which showed that the approaches of Armenia and Azerbaijan on some issues can be close to each other," adding that the two states took "a small step toward bringing the positions of the two sides a little bit closer." The head of the Armenian National Congress party's committee on foreign relations, Vladimir Karapetyan, believes that the meeting itself was a positive step. The fact that the co-chairs display activity, he says, proves that the international community pays attention to the region and the conflict, and that Azerbaijan sees no alternative but the talks.

According to Davit Ishkhanyan, representing the "Armenian

Revolutionary Federation” party, the deadlock in the negotiation process may have negative impact, therefore “each meeting should be regarded as a guarantee for the preservation of peace.” Taking into account the fact that Sargsyan and Aliyev had tête-à-tête talks (unlike during the Sochi and Newport meetings), Ishkhanyan thinks the Paris meeting was progressive for the format of the negotiation process, rather than for its essence. The Armenian daily *Zhoghvurd* shared the view that the parties anticipated meeting in Paris in advance, since Russia’s President Vladimir Putin and the U.S. Secretary of State had each initiated trilateral meetings with Sargsyan and Aliyev before, so this meeting was to be organized by France, the third member state of the OSCE Minsk Group co-chairmanship.

Presenting his opinion to *Tert.am*, politologist Ruben Mehrabyan believes that the Paris meeting was a good opportunity to reach midterm results in the Nagorno-Karabakh conflict regulation process. The most important implication of these meetings, according to Mehrabyan, was the fact that they took place “outside the Russian platform.” Another politologist, Levon Melik-Shahnazaryan, does not have any expectations from the meeting as “the meetings between heads of the two states generally depend on the internal and external problems of other states.” Clarifying his viewpoint, Melik-Shahnazaryan says the activation of high-level meetings is not stipulated by the regulation of the conflict, but by the

interests of the states that organize those meetings.

The Nagorno-Karabakh issue remained one of the most debated themes in November due to the Mi-24 helicopter that Armenia claims belonged to the Nagorno-Karabakh authorities, which was shot down by the Azerbaijani armed forces during what Armenia alleges was a training flight on November 12. The downing of a helicopter was a unique incident that has not occurred since the cease-fire in 1994. The chair of the Standing Committee on Defense, National Security and Internal Affairs of Armenia’s National Assembly, Koryun Nahapetyan, described the incident as “unprecedented” and the “rudest violation of the cease-fire.” According to the head of the Social Democrat Hnchakyan Party’s central office, Hakob Tigranyan, “the downing of the helicopter was nothing more than an invitation to war,” hence “any negotiations with Aliyev are pointless after this crime.”

In an interview to *Armenianow.com*, analyst Stepan Safaryan says the incident will have an extremely negative impact on the conflict regulation process and that its consequences may even be unprecedented. Safaryan underlined that “the results of the meetings between presidents are now nullified.” Moreover, Sargis Asatryan, a specialist on Azerbaijani studies, believes that “the downing was a desperate step which may be directly connected to national, social and religious problems that exist in Azerbaijan.” Armenia’s

Ombudsman Karen Andreasyan instead emphasized the humanitarian side of the incident. He says the regular violation of the cease-fire has disabled medical aid to the staff of the helicopter for nearly 8 days, which is “completely against the norms of international humanitarian law.”

GEORGIA ENDORSES CONTROVERSIAL LAW ON SECRET SURVEILLANCE

Eka Janashia

On November 30, the parliament of Georgia overruled President Giorgi Margvelashvili's veto and adopted the government-backed law on surveillance and eavesdropping, maintaining direct access for the Ministry of Internal Affairs' (MIA) to telecom operators' networks.

Meanwhile, Margvelashvili's alternative bill – prohibiting interception of communications by the law enforcement agencies without court authorization, and the Republican Party's (RP) separate, competing bill – intended to sever the MIA's direct access to telecommunication operators' networks – were voted down by the parliament.

In 2010, the previous parliament adopted a legislative amendment empowering the MIA to install “black box” spy devices in telecommunication companies' networks. Opposition parties and watchdog groups strongly criticized the move and accused the then-ruling United National Movement (UNM) party of establishing illegal surveillance practices in Georgia to strengthen its grip on power.

However, in May 2014, the disclosure of wiretapped phone conversations of incumbent and former high officials, including parliament speaker Davit Usupashvili and then-defense minister Irakli Alasania, prompted allegations

that the ruling GD coalition had continued illicit eavesdropping after assuming leadership.

The enduring question whether security agencies should keep direct, unfettered access to telecom operators' networks – “key” as it has been labeled informally – has inflamed debates among politicians, lawyers and lawmakers even within the GD coalition.

The government-backed bill prepared by the chairwoman of the parliamentary human rights committee MP Eka Beselia, her deputy MP Gedevan Popkhadze, and the chairman of the defense and security committee MP Irakli Sesiashvili, supported the MIA's sustained access to telecom operators' networks whereas RP – one of the GD coalition's founders, insisted that the MIA should be deprived of this capability. This position was shared by a few other GD MPs, the Free Democrats (FD), which recently left the coalition, and UNM.

Advocates of the government-sponsored bill asserted that the MIA, incorporating intelligence and security agencies, should maintain a “key” to deal with growing “security challenges” efficiently. To avoid unlimited access, however, the bill's sponsors suggested a “two-key system,” where one should be kept in the MIA and the other at the Personal Data Protection Inspector's

Office (PDPIO). In spite of having direct access to telecom operators' servers, the MIA will not be able to start interception and monitoring of communications without the permission of the PDPIO's, which will in turn be equipped with relevant technical capabilities.

Opponents argued that a more precise reading of the law, involving numerous technical terms about a lawful interception management system, enables the MIA to bypass PDPIO and thus fails to provide a genuinely balanced system. The law grants PDPIO the right to issue technical permission for the security agencies to launch lawful interception of communications, meaning that the PDPIO's competence goes beyond a monitoring function and makes it part of the process. Holding the "key," PDPIO is able to execute actions rather than simply observing them, while its major function is to oversee that surveillance is pursued in compliance with court warrants, as put by one opponent of the law, Free Democrat Shalva Shavgulidze.

On November 27, the parliament voted down a separate, competing bill introduced by RP. It envisaged the transmission of a "key" to the Georgian National Communication Commission and depriving the MIA of its direct access. RP leader Usupashvili said that the examples of some European countries, presented by the supporters of government's bill, where the interior ministries have direct access to telecom operators' networks, were irrelevant as the structure of those agencies are

completely different from Georgia's MIA, which incorporates not only police forces, but also security and intelligence agencies.

Earlier this year, the civil society organizations (CSO) engaged in the parliament's working group – including the Georgian Young Lawyers' Association and Transparency International Georgia – presented a "two key" model. Like RP, CSO also supported depriving the MIA of access to telecom operators and instead suggested to grant "keys" both to the telecom operators themselves and the judiciary. In this model, the judiciary would issue a warrant for surveillance upon the request of the security agencies and would in the event of approval technically allow interception to begin.

PM Irakli Gharibashvili slammed the CSO's initiative, saying that the owners of all the three largest mobile phone operator companies in Georgia are foreigners and the country "cannot rely on foreign companies when it comes to state security and citizens' security."

Initially, the "two key" proposal was aired in late September at a conference in Tbilisi attended by European experts on personal data protection invited by the Council of Europe (CoE). One of the experts, Joseph Cannataci, said the idea of a "two key" system is that holder institutions will gain separate access to communication operator's networks, implying that the MIA cannot get admission alone but will need confirmation from the second holder institution.

While the government insists that the law on surveillance and eavesdropping is intended to reflect this cornerstone principle, the shortfalls of the law suggest something deferent. In this respect, GD seems willing to continue the UNM's tendency to enhance the MIA's unfettered power instead of subjecting it to institutional checks and democratic oversight. The Georgian watchdog groups pledged to protest the law through streets demonstrations and by appealing against the Georgian state in the Constitutional Court.