



Civil Society Organisations: Government Uses State Security Service as Mechanism of Total Control

The story aired by Mtavari Arkhi TV covering the activities of the State Security Service has once again demonstrated that there is an appalling practice of large-scale control and human rights violations in the country.

Yesterday, Mtavari Arkhi aired a [story](#) concerning the activities of the State Security Service in 2020 which confirmed the suspicions that the public had already had regarding an appalling practice of infringement upon private life, specifically, alleged secret surveillance and wiretapping by the State Security Service.

The representatives of civil society organisations identified in the story (Giorgi Oniani,

Guram Imnadze and Giorgi Mshvenieradze) have confirmed the authenticity of one of the conversations discussed in the TV programme about the State Security Service summoning one of the directors of Social Justice Centre, Tamta Mikeladze. The accuracy of another piece of information aired by the channel has been confirmed by Radio Liberty investigative journalist Giorgi Mgeladze.

The information disseminated by the media yesterday has once again indicated that no group, circle of people, or individual is protected from control and surveillance by the State Security Service. Including representatives of non-governmental organisations, media and political associations.

Against the background of fragmented reforms, fictitious judiciary and weak parliamentary accountability, the State Security Service with its excessive powers and forceful levers has become a mechanism of extensive control in the country. It is also concerning that the Parliament continues to strengthen the operational and technical capabilities of the State Security Service, indicative of which are the [amendments](#) made to the Law on Information Security.

Despite numerous efforts and large-scale campaigns, the state has not undertaken the responsibility to carry out a fundamental reform of the Service and its instruments of control, revise the mechanisms of wiretapping and surveillance, and place this process into a democratic mode. By thwarting this reform, the state has legitimised the Service's role in large-scale wiretapping and control at the expense of infringing upon fundamental human rights.

Despite the [Russian] occupation and abundance of internal and external threats, there is an impression that the main resources of the State Security Service are used for controlling specific groups which represent political interests of the government, and the resources of this agency are not being mobilised to identify significant threats to the country's sovereignty with the aim of responding to them.

Against the background of a fragile democracy and serious political crisis, the State Security Service has become a firmly politicised institution protecting the interests of influential political actors and trying to preserve political power of a specific group by means of surveillance, threats and blackmail. The mechanisms of responding to the Service's illicit activities are weak. Along with the failure to investigate the alleged cases of illegal control and surveillance of citizens, there are no instruments to

implement effective oversight over the activities of the Security Service. The mechanisms of judicial control are fictitious, while the instruments of the parliamentary oversight rarely result in political or legal responsibility. This creates even greater possibilities for the agency to control any area of any person's life with impunity and without any accountability.

The signatory organisations call upon:

The Prosecutor's Office of Georgia:

- To immediately begin investigative actions to identify all potential perpetrators involved in the widespread secret surveillance;

The Parliament of Georgia:

- To undertake the responsibility of oversight over the agency and to begin discussing a fundamental reform of the security sector; the latter is particularly important given the fact that, in the situation that has taken shape and in the current political context, the public does not have a confidence that the state will properly and objectively investigate all alleged instances of abuse of power;

The Constitutional Court of Georgia:

- To consider in a timely manner the [constitutional lawsuit](#) filed by the Social Justice Centre in 2015 concerning the constitutionality of conducting electronic surveillance and secret photo/video/audio recording without a warrant issued by a judge. Also, a [lawsuit filed by 326 plaintiffs](#) in 2017 demanding to make the existing infrastructure and the system of secret wiretapping consistent with the Constitution.

Signatory organisations:

Social Justice Centre (former EMC)

Transparency International Georgia

Georgian Democracy Initiative (GDI)

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Human Rights Centre

Rights Georgia

Democracy Research Institute (DRI)

Institute for Development of Freedom of Information (IDFI)

Georgian Young Lawyers' Association

Open Society Foundation