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Administrative Abuses and Misdemeanors in the Tbilisi State University Students' Dormitory in Bagebi

The research below gives a picture of the abuses and misdemeanors at the dormitories of the Students' Town, which belong to Tbilisi State University (TSU). The main goals of this research are to make the cases of administrative abuses at the dormitory known, to explain the causes of the abuses, and to identify potential ways to resolve the situation.

The following methods have been used for research: analyses of published materials and original documents and interviews.

The rent fee is the main problem for both Georgian and foreign students living in the Students' Town of TSU. All students have been paying rent fees in cash to superintendents of dormitories of the Student's Town, which was unlawful. Living in the dormitory was free of charge until the Rector (Dean) of TSU signed a special order on September 12, 2005, according to which all students were to pay rent fees. Prior to the order, only foreign students were given fee receipts for renting rooms in the dormitories. It is impossible to find any other financial records or documentation about income from these fees in the Accounts Department of the University in order to prove the fact that students have paid rent fees. The receipts specify the name of the University, student's name, room number, and amount of money paid. The Administration of the Students' Town has been stamping these receipts with a stamp that only the Administration Head was authorized to use. Unlike foreign students, Georgian students have been paying rent, but were never given these receipts. For example, the author of this paper was allowed to live in the dormitory only after he paid 75 Georgian Lari (GEL) to the superintendent of a dormitory in 2001.

Although the abuses with regard to rent fees at the dormitory have been evident, the university's ad hoc commission, charged with looking into the matter by Mr. Tsezar Mosidze, the Vice-Rector (Assistant to the Dean) of the university, did not confirm a single instance of such abuse. This commission however, cannot be seen as an objective and unbiased one. The commission was convoked as a response to a newspaper article about abuses in the Students' Town of TSU.¹ In the article, students blamed Rezo Skhirtladze, the Head of Student's Town - who was a member of this commission. Nobody genuinely investigated the situation to reveal the administration's abuses.

Another member of the aforementioned commission was Kakha Mukhiguli, the Deputy Head of Foreign Affairs Department of the University. His Department is responsible for the accommodations of foreign students. According to agenda of the commission meeting -- which met only once for a single day -- Kakha Mukhiguli gathered three statements from the students: in the first one (#339, 14.03.2006) students complain about unlawful rent and extortion, while in the other two, the same students disclaim statements mentioned in the first application. Kaka Mukhiguli relied on the last two applications to support the conclusion in his final report that nothing objectionable has taken place.

¹ *Foreign Students are being extorted*, newspaper "New Generation", December 2, 2004.

The author has studied the issue in detail and compared results with Kakha Mukhiguli's report. It turned out that the students' statements, on which Kakha Mukhiguli relied, are false and contain a number of mistakes. Most importantly, the signatures and names of students who signed the first statement do not coincide with the signatures in the other two. This can mean only one thing: those students, who claimed that they had been misled to write and sign the first statements, lied. They were not the authors of the first statement, and therefore could not disclaim something which they had never claimed.

How could such a "mistake" go unnoticed by the Deputy Head of the Foreign Affairs Department? Who pressured the students to sign false declarations? Why isn't Erekle Astakhashvili, the Head of the Foreign Affairs Department, aware of the situation, if his signatures are on documents about the accommodation of foreign students? Why was he not interested in the problems of the students, for whom he is responsible?

There are two possible answers to the above raised questions:

1. The Foreign Affairs Department was absolutely aware of the situation in the Students' Town, but kept quiet because it is itself involved in these schemes (this can become a subject of further investigation);
2. The Foreign Affairs Department did not know anything about the situation, which is an indicator of its incompetence and lack of professionalism.

The commission itself appeared obviously biased. Instead of speaking out, all students and even lecturers decided to be quiet, despite their awareness of the situation. Although the University Accounts Department denied existence of any kind of official income from the Students' Town, the author found the University Financial-Economic Audit report in the Chamber of Control of Georgia proving the existence of financial incomes from Students' Town.² According to the materials kept in the Chamber of Control, Elguja Akobia, Deputy Accountant of the University Accounts Department, who vigorously rejects the existence of any income from the Students' Town prior to September 12, 2005, has received numerous warnings of the financial transgressions in the University Accounts Department. Moreover, the existing receipts prove facts of illegal payments.

Another logical question arises after studying the situation: Have the corresponding governmental structures been made aware of the situation, and if yes, have they taken appropriate measures? As it turns out, the Ministry of Internal Affairs of Georgia, the Financial Police, and the Prosecutor General's Office have been informed about the situation. They have been aware of above mentioned rent receipts and have interviewed the students involved. Yet, there is something that remains unclear - why wasn't the situation in the Students' Town properly investigated?

According to Rector's (Dean's) Order of September 12, 2005, living in the University dormitories became officially subject to rent: Georgian students must pay 30 GEL and foreign students USD 40 per month. In spite of this decision, the situation did not improve. Here are some examples of enduring abuses:

In December of 2005, the Administration of the Students' Town did not allow Jaba Khvichia, a student of the Sokhumi branch of Tbilisi State University, to live in the dormitory -- although he paid 90 GEL in advance for September, October and November (there is a receipt from the University Administration to confirm it). According to the Deputy Head of Administration of the Students' Town, Jaba Khvichia intended to convey the dormitory room to his relative, though the latter rejects these accusations and thinks that the Administration wants to rent this room illegally to another person. Ketevan Margishvili, another student of TSU, was also forced to pay rent

² Source: Chamber of Control of Georgia, Case No. 02/1-23, 1997, book 1, page 27-28.

fees. On May 17, 2005, a new superintendent of the dormitory in which she lived, have informed her that in case of delays in rent payments, the University will not give her permission to take exams and she may be evicted from the dormitory. According to the Law of Georgia on Higher Education (Article 43, Point 8) these kinds of measures towards students are forbidden. The Administration has not articulated administrative measures for similar cases. Zura Jishkariani, a third year student of sociology of the School of Liberal Arts at TSU, was paying 50 GEL per month, instead of the officially established 30 GEL -- without any receipts, to a person who is most probably an Internally Displaced Person from Abkhazia, and who represents neither the University nor the Administration of the Students' Town.³

The Rector's Order speaks only about students, but it is not only TSU student who live in the Students' Town. There is a couple living there, of whom only one is student. The Administration of the Students' Town is charging each of them 30 GEL per month, although the university has no right to extract fees from non-students. Therefore, this form of income is illegally obtained and constitutes an abuse of administrative power.

What was and still is the main cause of the above mentioned violations? First of all, the relationship between the Administration of the Students' Town and the residents of the dormitories has not been legally regulated, and no efforts in this direction are being made. The rights and responsibilities of students and the Administration, the terms of student accommodations (time frame, conditions, duties, fee rate, forms of payment) are not officially determined. Informal relations serve as the best soil for unlawfulness and crime.

The following steps are necessary to stop abuses in the Students' Town:

1. Internally displaced persons must be resettled elsewhere;
2. New bylaws or regulations governing dormitories must be adopted;
3. The following questions must be answered clearly and publicly:
 - How many students and non-students live in the Students' Town?
 - Who is allowed to live in the dormitory and who is not?
 - How many rooms are in a habitable condition?
4. Students should be settled in a dormitory only after signing a contract.
5. In order to avoid unlawful fees, the rent rate must be clearly defined.
6. Radical changes must take place in the Administration of Students' Town. The human resources policy of Tbilisi State University should aim to attract qualified and competent people.
7. The Administration of Tbilisi State University and the Government of Georgia should find funds to repair buildings in the Students' Town, and find new forms of cooperation with private companies, to motivate these to undertake long term contracts.

³ After ethnic cleansing in Abkhazia against Georgian population, up to 250 thousands internally displaced persons (IDPs) have been settled in different state-owned hotels, apartments, and dormitories. One such place was the Students' Town of Tbilisi State University.