Protection of property rights has become “more challenging” in Georgia after the declaration of Svaneti, Anaklia, Gonio and Black Sea adjacent territories as touristic zones and particularly after large-scale infrastructural projects were launched, a report of the problems related to the property rights protection in Georgia reads. The report was carried out by a group of NGOs – Association Green Alternative, Georgian Young Lawyers’ Association, Transparency International Georgia and Regional Media Association of Georgia with the support of Open Society Georgia Foundation.

According to the authors of the report, against a backdrop of particular interest in properties of local citizens, a number of property rights violations have been recorded in these zones up to now. The report says that obtaining and protecting the ownership rights to real property in Mestia, Svaneti region is a “considerable challenge”: registration of land in ownership is hindered, mainly by “artificial barriers” set up by state agencies for protracting the registration process. “Land plots in possession of the local population are being massively dissected and decimated due to various construction works. Citizens are deprived of the possibility to register - based on lawful possession – ownership rights to land plots their families have possessed for centuries and which they have documents required under law for registration purposes,” the report reads. It says that the residents of Mestia have faced problems with registering traditionally owned land plots, covering approximately 80 percent of the Mestia district.

Selective justice is one of the problems that the Mestia residents encounter, the authors of the report say. “The Mestia Public Registry has imposed restrictions and a so called "forbidden" registration zone exists,” the report says “however there are cases when the public registry registers land plots in the "forbidden" registration zone in the citizens’ ownership. In one case, land which had been in traditional possession for centuries ended up in the hands of a Parliamentarian’s son, who built a hotel on the plot,” it continues.

The authors of the report say the authorities have a “contradictory” approach towards traditional possession in Svaneti: "On one hand the authorities do not recognize traditional possession and believe that proprietary rights emerge only with the registration of property in the Public Registry, while on the other hand, they successfully use traditions to achieve their own set objectives.” As an example, the authors of the report name detention of four local residents of Mestia on July 7, 2010 for extortion. The case concerned a land plot located in Mestia including the unused, amortized tourist destination “Ushba”. A Canadian investor planned to build a hotel complex on this plot, the report says. The authorities explained the detention by saying that the arrested persons had asserted that the land in question had belonged to their ancestors and according to local traditions, no one could build a hotel there without their consent. They requested GEL 220 000 compensation, the report says. The Canadian investor maintained that he had bought the disputed land and the building in 2010 from Giorgi Svanidze, who had privatized this land plot a few years earlier, the report says. “The above-described case illustrates, that the authorities not only refuse to recognize traditional possession of land and the legality of transactions related to such property, but they qualify the attempts of realizing ownership rights as criminal activities,” the report says.

However, the authors of the document say that they possess examples of how the authorities and the ruling party use Svanetian traditions "for their own benefit." According to the public defender of Georgia, one of the officials in the Mestia municipality forced his subordinates to take an oath before an icon as a form of control of electoral will.