



NGOs` request on establishing the Commission to study the cases of death and injury in Tkibuli Coal Enterprise

Organizations working on human right issues address the Parliament of Georgia to create a temporary investigative commission, which will examine and evaluate all the occupational accidents from the year 2006 to present that resulted in human life loss and severe damage to health in Tkibuli mines, owned by LTD „Saknakshiri (GIG group) □□ Also, the effectiveness and objectivity of the current investigation.

The investigative commission should study not only the legal responsibility of various levels of management, but also the issue of alleged official misconduct and other offenses committed by the employees of the Ministry of Internal Affairs (MIA) and Prosecutor`s Office, during the process of investigation. Specifically, their high lenience towards the possible criminal actions of the private company, impairment of objective investigation standards and other alleged criminal acts.

The inefficiency of the Ministry of Internal Affairs (MIA) and Prosecutor`s Office is particularly obvious in relation to the cases that took place in Tkibuli mines. Thus far, none of the cases were resulted in examining and determining criminal liability of representatives of enterprise managers or various managerial circles.

The indifference and injustice of the criminal justice policy in the protection of life, rights and interests of socially and economically vulnerable groups indicates the deepest problem of social hierarchy in law policy and substantially weakens the trust of socially excluded groups towards state institutions. **Taking into consideration the scale of social catastrophe in Tkibuli, the social desperation and hopelessness of locals, it is essential for the Parliament to understand the acute public importance of the issue and effectively apply the legal and political instruments at its disposal in this process.**

During the year 2017, from 128 cases of investigations initiated on the workplace accidents, only 11 were given to a trial, the investigation was suspended in 36 cases, 81 cases are still under investigation. Among 90 cases regarding the facts of occupational accidents, only 3 cases resulted in incarceration. 72, 2% of cases ended with a plea bargain, without a substantial consideration of the case. Amount of the fine imposed ranges from 500 to 5000 GEL.