

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## **GYLA calls on the General Prosecutor of Georgia to Investigate David Kapanadze's case**

On October 8, media released information about David Kapanadze who was beaten by policeman and sustained gross bodily injuries as a result. GYLA visited David Kapanadze and concluded that information provided by him contains elements of offence. As Mr. Kapanadze has reported he is a choreographer, and works in two schools in Tbilisi. In addition he alleged that he had some verbal conflict with another choreographer T.Zh.

On September 29 an unknown individual contacted David Kapanadze on the phone saying he was some Lasha Tsnobiladze, T.Zh.'s son-in-law. As Kapanadze's alleges, Lasha Tsnobiladze abused him verbally. They agreed to meet on the next day. At about 14:30, Lasha Tsnobiladze came in the vicinity of Digomi district together with 20 policemen dressed in civilian clothes to meet with D. Kapanadze. The policemen abused D.Kapanadze verbally and physically, pushed him in the vehicle and took him in Dighomi police department. Lasha Tsnobiladze, who appeared to be employee of the general inspection of the Ministry of Interior, also came there. As it follows from Kapanadze's allegations, L.Tsnobiladze, jointly with other policemen started "examination of the case" and warned him to avoid any conflict with T.Zh. (his father in law). All this was followed by verbal and physical abuse.

On his way from the police department, Kapanadze's felt sick and called 112, where he reported that some policemen had beaten him and he required ambulance. He was taken to the hospital where doctors provided relevant medical aid. The medical record issued by Tbilisi Central Hospital provides the following diagnosis: "closed breast trauma with multiple fractures of ribs".

The same day, policemen came to the hospital and asked D.Kapanadze to visit police building, where, as he alleges, policemen forced him to testify as though he sustained physical injuries on his way from the police. In particular, as though some strangers abused him physically for unknown motives.

GYLA will provide court representation to David Kapanadze. The information contains elements of offence envisaged by the Criminal Code of Georgia and investigation needs to be launched immediately on the case. Furthermore, we urge the general prosecutor of Georgia to follow explicit requirement of Georgian legislation and carry out investigation on the case. The order of the Minister of Justice of July 7, 2013 which determines investigative jurisdiction of criminal cases prescribes clearly that police

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offence should be investigated by investigators of prosecution's office. Unfortunately, the requirement has not been observed on some cases and we hope that there will be no violation of legislation in the case concerned. Furthermore, it is clear that determination of only investigative jurisdiction is insufficient. It is necessary to conduct timely, effective and objective investigation.