

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## **GYLA Demands Adequate Response to the Incident in the Village of Tsaishi, Zugdidi Municipality**

GYLA is concerned about increasing number of cases when citizens looking to discuss their problems with the president during his meetings with public are not allowed to express their opinion and moreover, become victims of violence. GYLA held a press conference on July 25, 2012, about the issue.

On July 24, 2012, President of Georgia was meeting population of Tsaishi village,

Zugdidi Municipality. Roza Tskabelia, one of Tsaishi's dwellers had also arrived on the scene to attend the meeting. She was not allowed to talk to journalists about her problems and became a victim of criminal actions. It is noteworthy that this is not the first time violence was exerted against citizens looking to discuss problems during the meeting with the president. On June 16, 2012, Tsinara Abuladze, 75 who had arrived at the meeting with the president was beaten by sticks by police officers, confirmed in written by her neighbors. On September 26, 2011, in the village of Melaani, Gurhaani District, [Lamzira Korchishvili, 53 who had arrived at the meeting with the president to hand him a letter, was allegedly abducted by men dressed in civilian uniforms from the neighboring territory.](#)

Ms. Roza Tskabelia wanted to talk to the president about her personal problems. Prior to the meeting with the president, she was talking to journalists when suddenly he was approached by unknown individuals who did not allow them to finish her interview with journalists and forcefully dragged her from the scene. It is noteworthy that they attempted to force Ms. Tskabelia away from the scene before the interview. Specifically, [footage released by smsportal.ge](#) (at 00:13 mark) clearly shows three men approaching the woman and trying to drive the woman away forcefully. One of these men was a policeman, as suggested by the uniform he was wearing. While giving the interview, Ms. Tskabelia was approached by three men. One of them, wearing a white shirt, forced him away from the cameras, subduing her by force and dragging her away. In couple of minutes, another man dressed in all black started helping him. They forcefully dragged Ms. [Tskabelia away from the scene.](#) Further, [video footage released by for.ge](#) shows a policeman witnessing the forceful dragging of the woman by two perpetrators but doing nothing in response; rather, he tried to prevent the camera from shooting (at 02:00 mark).

[Later in an interview with info9.ge, Ms. Tskabelia talked about the violence perpetrated against her.](#) According to her, four men, two of which she new personally and is able to identify the other two, dragged her away and forced her into a basement of one of the residential building. In the basement she was approached by Gamgebeli of Zugdidi Municipality, Alexandre Kobalia, and after Ms. Tskabelia threatened to commit a suicide, told perpetrators to release her. Ms. Tskabelia was also approached by chief of the local police Kiria, who, as Ms. Tskabelia alleges, tricked her into going out, tied her hands and feet and took her home. As the victim recalls, district trustee verbally attacked her and offered her money. Ms. Tskabelia

refused to take the money.

The violence was witnessed by cameras and media has released a reach video material showing the incident. Based on Ms. Tskabelia's report, several criminal actions are evident, perpetrated with the involvement of civil servants. We estimate that the incident involved signs of crimes envisaged by the following Articles of the Criminal Code:

- Article 153 (curtailing freedom of speech)
- Article 143 (illegal deprivation of liberty)
- Article 125 (beating)
- Article 342 (neglect of official duty)
- Article 372 (influencing a witness, a victim, an expert or an interpreter).

The list is not exhaustive and should be elaborated more accurately in the process of investigation.

Participation of civil servants and officials in criminal actions perpetrated against Roza Tskabelia is particularly alarming. Ms. Tskebelia has implicated Gamgebeli of Zugdidi Municipality, Alexandre Kobalia, chief of the local police and district trustee. According to the victim's report, the said individuals were directly involved in the criminal actions, giving orders to rest of the individuals and acting in coordination. We are unaware of whether individuals participating in violence perpetrated when the victim was giving the interview were police officers but presence of policemen on the scene proves that they acted at least with consent of the local police.

Since the Ministry of Interior Affairs is an extremely centralized system, we suspect that actions of local police officers had been agreed with high-ranking officials of the police. We believe that the case calls for immediate, objective and effectual investigation. It is equally important to avoid conflict of interests in the process of investigation.

[According to the statement released by the Interior Ministry](#) today, two individuals were detained in relation to the Tsaishi incident. They were sentenced to 15 days of administrative imprisonment. Further, under the Interior Ministry's decision, head of

the district unit of Zugdidi Regional Main Division who witnessed the fact was dismissed from work.

We believe that measures undertaken by MIA in response to the incident are insufficient as grounds for launching a probe are evident. Further, for ensuring objective and independent investigation it is important that the proceedings are instituted by the office of the prosecutor of Georgia, as opposed to the Ministry of Interior Affairs. Further, Roland Akhalaia, father of Interior Minister Bachana Akhalaia, is a district prosecutor of Samegrelo-Zemo Svaneti. Therefore, we believe that the investigation should be conducted by an independent structural unit of the office of the prosecutor without conflict of interests in relation to the case, as opposed to the office of the district prosecutor of Samegrelo-Zemo Svaneti. We call on the law-enforcement authorities to ensure protection of Roza Tskabelia's safety in the course of investigation. We also call on the law-enforcement authorities to investigate acts of violence perpetrated against other citizens who were looking to meet the president (Abuladze, Korchishvili) in a timely manner.