



GYLA Releases a Special Statement

GYLA releases a statement in response to the official findings of MIA's General Inspection about the incident between employees of GYLA and Valeriane Telia, a senior police officer.

MIA's statement based on the foregoing findings accurately lays out in sequence violations and offences allegedly committed by an employee of GYLA but says nothing about physical and verbal abuse perpetrated by Valeriane Telia, and traffic violation, proved by the video footage released by MIA itself. Roin Partenadze was indeed driving under a slight influence of alcohol and violated traffic rules but clearly, this may not justify physical or verbal abuse of citizens by representatives of the authorities.

Facts cited and conclusions drawn in findings of the General Inspection are far from being a comprehensive and objective description of the incident but rather, it is a one-sided story that not only fails to address questions but raises additional suspicions. For instance, if GYLA's driver was the abuser, it is peculiar that he was the one that had sustained visible traces of the incident and not Telia. The latter, according to the official findings of MIA, was subjected to aggressive actions of GYLA's employee. Further, it is peculiar that employees of GYLA and not Valerian Telia called the patrol police even though the latter reported violation of traffic rules and was targeted by aggressive actions of perpetrator, according to MIA.

GYLA addressed MIA's Service Agency with an inquiry about whether a driving license has been issued to Valeriane Telia. In its written response the agency clearly notes that no such document has been issued. MIA made a subsequent verbal comment and explained that corresponding fine has been imposed on Telia. None of the official statement released by MIA makes any mention of the foregoing fact; instead, they focus solely on violations committed by GYLA's employee. Furthermore, in an

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



interview with media MIA's spokesperson attempted to substantiate and find justification of violation committed by a senior police officer.

Not having a driving license is not the only violation committed by Telia. Footage released by MIA clearly shows him violating traffic rules and physically insulting Roin Partenadze. Nevertheless, senior police officer was not recognized as administrative offender or imposed with administrative punishment, let alone institution of criminal proceedings.

Spoilation of evidence is another issue in the present case. According to MIA's findings, "police officer G.S. visited a commercial office, Batumi House at Gorgasali Str., to seize video footage from the surveillance camera. By acting carelessly, G.S. could not extract the footage but damaged video files, which were later impossible to be restored." Employees of Adjara A/R Main Department, sent on a mission to seize the evidence were under Telia's official subordination, which questions their objectivity. Having learned about spoliation of the evidence, GYLA demanded collection of the footage showing G.S. entering the office. It is peculiar that for seizing the video material the General Inspection sent the very same officer who acted carelessly and was unable to extract the footage several hours before. We believe that actions of Adjara A/R Main Department's officers may be qualified as official negligence, the crime envisaged by the Criminal Code of Georgia; therefore, a probe must be launched.

In light of the possible criminal nature of the violation committed, statement of Interior Minister Irakli Gharibashvili is particularly alarming, as he stated that "whether a technician acted delinquently and whether the footage was deleted is no relevant". We believe that when making a statement about similar facts the Minister must act with a particular caution, as ignoring the issue and its importance may be encouraging for other police officers.

Notably, according to recent reports of the Public Defender, "recently many people have been applying to the office of the public defender of Georgia, with reports about alleged physical and verbal abuse by various officers of the Ministry of Internal Affairs." A number of recent infamous cases (case of Beka Gochiashvili, beating of Wrestling Federation VP by Eldar (Luka) Kurtanidze, the case of Tengiz Gunava), involved senior or ordinary officers of MIA whose actions were questionable. The public defender's message signifies systemic and large-scale nature of the problem. It

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



is important that both the executive and the legislative branches of the authorities take such statements seriously and take further actions to tackle the problem in a timely manner.

We realize that full prevention of these deplorable facts may not be possible and there are always risks of committing individual offences by law enforcement officers; however, what is important is the way the system reacts to these incidents. The present case as well as recent practice by MIA suggests that objective, timely and effective response to violations committed by senior officers remains a challenge of the system.