

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Joint Monitoring of the Penitentiary Establishment N9 by Public Defender and GYLA

On June 5, 2013, the Prevention and Monitoring Department of the Public Defender's office in cooperation with Georgian Young Lawyers' Association carried out monitoring of the penitentiary establishment N9 where former law enforcement officers and ex-officials are held.

We welcome the fact that virtually all prisoners have testified to normal treatment in prison; they have also stated that administration and employees of the penitentiary facility are trying their best to fulfill their legitimate demands. The monitoring has

revealed that defendants/convicts do not have access to TV, except for some inmates including Bachana Akhalaia. It was basically the key issue that defendants/convicts expressed their concern about.

Para.1, Article 20 of the Code of Imprisonment stipulates that *“An accused/convict shall have access to the press and mass media. As a rule, the radio and TV programs are broadcasted at pre-trial detention and custodial establishments. Also, the access to Intranet is provided.”* Further, under para.2, *“An accused/convict, except those who in solitary confinement cells, shall have the right to listen to radio and watch TV at free from work time, except night hours. In accordance with restrictions of the relevant facility and with the consent of the administration of the establishment, an accused/convict or a group of accused/convicts may have personal receivers or TV sets, if their use does not violate internal regulations of the establishment and calm atmosphere of other accused/convicts. They may buy such items at their own expense or receive them from their close relatives”*.

Currently access to television is allowed in all types of penitentiary establishments, except in prison N9 meaning that the prohibition is discriminatory in nature. In view of the foregoing, the Special Preventive Group remains hopeful that the Ministry of Corrections and Legal Assistance of Georgia will address the problem in a timely manner; or it will provide us with information about grounds for prohibiting access of defendants/convicts to television in prison N9.

The monitoring has also revealed that there is a video surveillance camera in the locker room of the prison bathhouse, curtailing the defendants’/convicts’ right to privacy, especially when there is no strictly determined list of individuals who have access to video recording from the surveillance system or conditions and duration for keeping such video material. We remain hopeful that the MCLA will take further actions in response to the issue.