



## **The Ministry of Corrections has been ordered to pay moral damage compensation due to the suicide of the prisoner**

According to the judgment rendered by Tbilisi City Court, the Ministry of Corrections and Probation of Georgia has been ordered to compensate I.T. for moral damages caused by the death of her son. The decision was left unchanged by the Supreme Court of Georgia.

The plaintiff □□ son committed suicide in 2011 when he was serving his sentence in the Penitentiary Facility No.6. During the course of his imprisonment, he suffered torture and inhuman treatment from officials of the administration of the institution. In

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



connection with the facts, the prisoner and his family members repeatedly appealed to the Minister of Corrections and Probation and the Minister of Justice of Georgia, as well as the Chairman of the Parliament and the Chairpersons of respective Committees. In his applications, the prisoner sought assistance and requested to be transferred to another facility, as in the existing conditions his health and life was in danger. Eventually, the penitentiary institution temporarily placed him in a solitary cell in which the prisoner committed suicide in the last days of his stay, as the administration of the facility supposed.

The Court explained that the State has an increased obligation to protect lives of prisoners. In all cases, the State shall be responsible for any violation of the rights of detainees, as the prisoner remains in the full control of the State. The State is responsible and is obligated to carry out all efficient actions to protect the life of a person if the state has become aware or should have been aware that the person's life was in actual danger.

Furthermore, the Court confirmed that officials of the authorized facility did not take any effective measures to ensure that the prisoner and his parents could develop the sense of legal protection, which violated the right not only of the prisoner but also of his parents. Thus, all the above mentioned has become the legal basis for imposition of the compensation in favour of the deceased's mother for moral damages.