



# Joint Statement of No to Phobia Civil Platform and the Coalition for Equality about Attack on Black Students

The attack on black students in the evening of April 8 in Dighmis Masivi is extremely alarming. Video of the event shows racist statements and motives of attackers. Together with recently identified other crimes motivated by intolerance, this incident indicates that the state should implement a consistent and systemic anti-discrimination policy.

Video of the event shows that several black students were attacked, physically assaulted and verbally abused outside a sports field on Beliashvili Street. According to the students, violent actions perpetrated against them were motivated by their skin color. Attackers also demanded that they leave the country.

**Reports that law enforcement officers responding the incident told the students to forget about what happened and failed to take any legal actions are especially alarming. We believe that official negligence by police officers is a crime provided in Art.342 of the Criminal Code of Georgia and it should be examined by the Office of the Prosecutor.** Notably, during interviews young people from Asian and African countries often complain about indifference of law enforcement officers and their ineffective response, which is indicative of inadequate functioning of law enforcement systems with regard to protecting equality and the problem of discriminatory police culture.

According to the statement of the Interior Ministry, the investigation has been launched under Art.126 of the Criminal Code of Georgia (battery or other type of violence resulting in victim ☐ physical suffering). However, the investigation does not address the motive of intolerance on racial grounds, which the Criminal Code puts a particular emphasis on (Art.531 of the Code); it also views the motive of discrimination as an aggravating factor of crime.

We welcome the recent institutional reforms pursued by the Interior Ministry, including setting up the human rights department. However, in addition to long-term changes (inter alia, equipping police officers with adequate knowledge and sensitivity, conducting statistical and comprehensive analysis of discriminatory crimes, planning and implementing comprehensive preventive policy in partnership with other relevant ministries, creating the system of effective legal and social remedy for victims), the Ministry should also take adequate actions in response to crimes occurring in real time, ensure effective protection of victims and demonstrate principled political will in combating crimes motivated by discrimination.

People especially from African and Asian countries that live in Georgia often become victims of xenophobia and racial discrimination, including in public transport, public areas and while receiving services at banks or other commercial institutions. To eliminate such discriminatory social practices it is especially important to pursue a strict anti-discrimination policy in the system of education, designed to free the process of education and social environment in public schools from ethnocentric, racial and xenophobic content and encourage the culture of diversity and equality. Higher education institutions should also pursue effective anti-discrimination policy in their systems. In this process it is especially important that the government and

political groups initiate positive discourse that supports equality.

In light of the foregoing we urge:

**- The Ministry of Internal Affairs of Georgia:**

1. to take adequate and timely measures against the April 8 incident and impose suitable punishment on perpetrators. It is especially important that the racist motive of the crime is identified;
2. to adequately examine official negligence of police officers and ensure that correct instructions on how to act when dealing with such incidents are provided to employees of relevant agencies;
3. for effective prevention, investigation and protection of victims of hate crimes, to implement a comprehensive policy in a timely manner, designed to train police officers as well as to analyze systemic causes of such crimes and carry out comprehensive preventive activities;

**The Office of the Prosecutor of Georgia:**

1. to examine and respond to alleged official negligence by police officers.

**The Government of Georgia:**

1. to ensure implementation of a comprehensive anti-discrimination policy in civil service as well as in the education system, which will entail, inter alia, comprehensive educational activities for elimination of racism, xenophobia, homophobia, ethnocentrism;
2. to study the systemic causes of prejudice-motivated crimes and attitudes in society and ensure elimination of such crimes by employing comprehensive approaches.

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



1. *Georgian Democratic Initiative (GDI)*
2. *Georgian Reforms Association (GRASS)*
3. *Tolerance and Diversity Institute (TDI)*
4. *Media Development Fund (MDF)*
5. *Open Society – Georgia Foundation (OSGF)*
6. *International Society for Fair Elections and Democracy (ISFED)*
7. *Human Rights Education and Monitoring Center (EMC)*
8. *Sapari Union*
9. *Georgian Young Lawyers' Association*
10. *Equality Movement*
11. *Baltic Black Sea Alliance – Georgia*
12. *Institute for Democracy and Safe Development (IDSD)*
13. *Women's Initiatives Support Group (WISG)*
14. *Partnership for Human Rights (PHR)*