

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA demands timely investigation of Tamaz Gratiashvili's case

On June 9th, 2020, officers of the Poti City Division of the Ministry of Internal Affairs detained Tamaz Gratiashvili, a resident of the village of Chaladidi, placing him under administrative arrest. According to his explanation both during and after his arrest, police officers physically assaulted him. In connection with this fact, the Office of the State Inspector Service launched an investigation under the article of abuse of office using violence or a weapon. GYLA got involved in the case on June 17th to represent and protect the interests of the victim.

According to Tamaz Gratiashvili, he was with his friends on June 8th, 2020. Late at night, when he was walking home, a car with Davit Odisharia, the deputy head of the Poti City Division, stopped next to him. On his instructions, other officers of the same

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department detained him on administrative arrest and physically and verbally abused him. Before being taken to the police station, he was physically and verbally abused while being transported. The verbal abuse continued at the police station as well. According to Tamaz Gratiashvili, Tornike Kachakhmadze, a police officer, was particularly aggressive. Later, Tamaz Gratiashvili was taken to a temporary detention isolator, where he underwent an external visual examination. Following the discovery of injuries in various parts of his body, the fact was reported to the State Inspector Service. On the same day, the investigator entered the temporary detention isolator and launched an investigation into the incident. On the same day, Tornike Kachakhmadze entered into the temporary detention isolator to him, explaining that the court was considering an administrative violation case and demanded that he admits in the court that he was swearing, cursing and not obeying the police request while being drunk on the street. Tamaz Gratiashvili explains that he was forced to confess to the crime in court, which he did not commit. The court imposed on him 7 days of administrative detention.

After the investigation began, Tamaz Gratiashvili informed GYLA that he had been contacted by unknown individuals and demanded that he remain silent about the incident. In particular, on June 21st, 2020, an unknown person called him and asked him to withdraw a complaint against the police in exchange for 10,000 GEL. And on July 3rd, a vehicle intercepted his way while he was walking. The person behind the wheel was inflicting verbal abuse towards him and demanded him to withdraw a complaint otherwise he was threatened with physical elimination.

GYLA immediately provided information to the Office of the State Inspector Service about the facts. It is important that the State Inspector Service takes all necessary investigative actions in a timely manner to investigate the case, including obtaining the existing surveillance video camera recordings. It should be noted that Tamaz Gratiashvili has not been granted the status of a victim so far. Without being recognized as a victim, he is deprived of the opportunity to be effectively involved in the proceedings, to be acquainted with the case file materials, and to control the effectiveness of the steps taken by the Office of the State Inspector Service for the timely investigation of the case.

It is noteworthy that up to current time, the Ministry of Internal Affairs is investigating the fact of alleged pressure. Consequently, there is a danger that important evidence for the case would be destroyed and that a thorough investigation into the case would

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be prevented.

In view of all the above, GYLA calls:

To the Office of the State Inspector Service

- Provide timely granting to Tamaz Gratiashvili status of a victim and conducting an effective, objective and impartial investigation into the actions of law enforcement officers in order to identify signs of the alleged crime and impose appropriate measures of responsibility on them;

To the Office of the General Prosecutor of Georgia

- The current case should be submitted and subordinated to the State Inspector's Office for investigation on the case of alleged pressure;
- Special protection measures should be used to protect Tamaz Gratiashvili.