



Georgian Government acknowledged ineffectiveness of investigation into the death of K.Tedliashvili in prison in relation to the application lodged by GYLA in the European Court

On September 17, 2014, Georgian Young Lawyers' Association and the European Human Rights Advocacy Center lodged a case *Tedliashvili and others v Georgia* in the European Court of Human Rights on behalf of Kakhaber Tedliashvili's family members (his parents and a small daughter). On November 24, 2015, the European Court delivered its judgment, published on its website on December 17, 2015. Based on a unilateral declaration made by the Government of Georgia, the European Court struck the case *Tedliashvili and others v Georgia* out of the list of cases of the court.

The application was lodged in relation to the death of Kakhaber Tedliashvili on April 20, 2011, in Rustavi prison no.6. He was discovered hanged by the prison workers in the solitary confinement cell. During his time in prison no.6, K.Tedliashvili was subjected to systematic ill-treatment and threats by the prison workers. In his letters to relevant state authorities, K.Tedliashvili directly implicated several workers of

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



prison no.6 in harassment and demanded adequate actions to protect his health and life. State authorities had sufficient information about threats that K.Tedliashvili was facing but they failed to take adequate measures to protect safety of the prisoner.

We also argued that investigative authorities performed ineffective investigation into the death of K.Tedliashvili. It is an ongoing investigation but effective participation of the applicants is not ensured. In particular, they were not granted the status of victim and have not been provided with information about the status of the investigation despite their many requests.

In the application GYLA argued violation of Art.2 (right to life) and Art.13 (right to effective legal remedies).

On April 8, 2015, the Government of Georgia made unilateral declaration, acknowledging violation of procedural limb of Art.2 against the applicants on the account of deficiencies identified in the course of the investigation into the death of K.Tedliashvili.

With its unilateral declaration, the Government of Georgia undertook an obligation to ensure the effectiveness of the ongoing investigation into the applicants' allegations under close scrutiny by a competent high-ranking prosecutor and in full compliance with the principles established by the Court in order to ascertain, amongst other things, whether the relevant authorities took all necessary measures and in good time aimed at securing Mr. Tedliashvili's life and well-being in prison. The Government undertook to pay the total sum of 10 000 Euros to the applicants for compensation.

The application could be returned to the Court if the Government failed to comply with the terms of its unilateral declaration. We remain hopeful that the investigation will be performed in abidance by the Court's criteria and the applicants will be effectively engaged in the investigation. As a representative of the applicants, GYLA will actively monitor the course of the investigation.