



## Statement of NGOs over the death of a prisoner in Geguti Prison

According to official reports, on May 13, 2013, 24-year old prisoner Levan Kortava was brutally beaten in Geguti penitentiary establishment, resulting in his death on May 23. Subsequent investigation has uncovered a number of alarming circumstances.

According to official reports, on May 12, 2013, Levan Kortava was moved from Rustavi N6 Prison to Geguti N14 Prison. During admission to Geguti Prison he got into a verbal argument with Ilia Shanshashvili, inspector of security department, over provision of psychotropic medication. The latter instructed one of the convicts, Shota Sinauridze to clear up the conflict situation with Levan Kortava, followed by a brutal beating of Kortava by prisoners and his subsequent death from the injuries inflicted.

It has been reported that both individuals personally involved in the beating of the prisoner as well as the employee of Geguti Prison, Ilia Shanshashvili have been arrested during the investigation. The office of the prosecutor has released a statement saying that charges will also be brought against prison officers Giga Kokhodze and Aleksandre babunashvili for official negligence and Tengiz Nasarea on charges of fabrication of criminal evidence. Since it is highly likely that there was makurebeli (an influential prisoner overseeing the activities of other inmates) in the prison, the prosecutor's office should also launch a probe to reveal any possible ties of the warden, Mr. Malkhaz Sinauridze with the fact. Notably, in proceedings instituted about the prison riot in 2006, Malkhaz Sinauridze gave a testimony that implicated prisoners; however, following the 2012 parliamentary elections Sinauridze changes his original statement, this time testifying against former Minister of Defense and Minister of Interior Affairs Bachana Akhalaia, alleging that the riot had been staged by him. It has been [reported](#) that a week after making this new statement he was appointed as a warden in Geguti Prison.

We would like to express our utmost concern over what happened in Geguti Prison. The investigating authorities have uncovered that a prison officer instructed allegedly criminally influential prisoners to exert illegal influence over an inmate (later resulting in beating and subsequent death of the prisoner), which is alarming.

Representatives of the Ministry of Corrections and Legal Assistance (MCLA) have publicly stated a number of times that there are the so-called makurebelis in penitentiary establishments, meaning that the state is willing to admit the problem; however, timely and effective steps have yet to be made in order to address the problem. Otherwise, if the state fails to take adequate measures in response, illegal ties between inmates and prison officers, and unlawful favoring of certain prisoners in penitentiary facilities, as evidenced by the recent incident, may grow into a systematic practice. The state should take adequate further actions in response to any such incident and determine whether officials of penitentiary establishment contributed in any way with their actions or their failure to act. We believe it is unlikely that prison administration was unaware of these methods.

We urge the Georgian authorities to improve applicable legislation in a way that would decrease the risks of unofficial administration and supervision in prisons to minimum, and to reinforce internal monitoring system within the penitentiary establishments

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that would allow the MCLA to detect and intercept any such acts.

We urge the MCLA

- to examine the situation in general and the methods of prison administration;
- hold Geguti Prison officials involved liable;
- conduct effective monitoring of penitentiary establishments for the purpose of intercepting any possible acts of informal administration and supervision.

We urge the office of the Public Defender of Georgia to examine individual circumstances of the foregoing case, to direct its efforts to detecting, preventing and intercepting similar problems in other penitentiary establishments, and to updating public on a permanent basis about problems in prisons.

The foregoing fact has evidenced once more the necessity of public monitoring in the penitentiary system. NGO representatives must be allowed as soon as possible to carry out alternative monitoring independent from the National Preventive Mechanism, which will help detect problems, prevent violations of law and effectively uncover challenges that exist.

*Georgian Young Lawyers' Association (GYLA)*

*International Society for Fair Elections and Democracy (ISFED)*

*Transparency International – Georgia*

*Georgian Democratic Initiative (GDI)*

*Article 42 of the Constitution*

*Human Rights Education and Monitoring Center (EMC)*