

# საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



## Statement of Non-Governmental Organizations

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Non-governmental organizations condemn the practice of torture and inhumane treatment at the penitentiary system, and demand immediate investigation and prosecution of the crimes, and holding responsible persons politically liable.

Ill-treatment and investigation of ill-treatment is a problem with the penitentiary

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system in Georgia, highlighted throughout years by the public defender as well as NGOs. The videos are one of the examples of the problem with the penitentiary system. Therefore, it is unacceptable to view these facts as isolated incidents of torture, organized by concrete individuals.

The problem of inhumane treatment persists not only with the penitentiary but with the system of Interior Ministry as well, as confirmed by acts of mass violence perpetrated by the police arrested in relation to significant political events of May 26, 2011, June 15, 2009 and November 7, 2007.

To date, there have been a number of facts of ill-treatment revealed but perpetrators have not been identified and held liable. Approach of investigating authorities is loyal, reinforcing climate of impunity and encouraging the practice. Facts of ill-treatment in Ksani N15 prison that occurred throughout a certain period and was addressed by 700 prisoners of Ksani Prison in a collective petition, have not yet been investigated. Acts of torture in different penitentiary facilities that involved clients of GYLA and other organizations, as well as cases addressed by the public defender in his reports remain uninvestigated. This is just an incomplete list indicating ineffective investigation into alleged ill-treatment.

In this light, for the purpose of eradicating problems with the penitentiary system, the government must take concrete measures immediately.

1. In view of the extreme failure of the investigating authorities to act, including of the investigating authorities with the Ministry of Interior Affairs, the Ministry of corrections and Legal Assistance and the office of the Chief Prosecutor, and the mistrust towards them, it is necessary to ensure objective, independent and effective investigation. To this end, concrete mechanism must be set up. Investigation must be highly accountable and public.
2. Safety and protection of those who made facts of torture and corresponding video footage public must be ensured, as well as of their family.
3. In addition to criminal prosecution of persons shown in the video, high-rank officials including the chairperson of the penitentiary department, the minister, chief prosecutor and others involved must be brought to justice, as it is virtually impossible

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that such systemic and mass violation of human rights occurred without their involvement.

4. Hold the Minister of Justice, the Minister of Interior Affairs, the Chief Prosecutor, and officials of the Office of the Chief Prosecutor and the Ministry of Corrections politically liable.

5. Conduct independent, objective and effective investigation into all other facts of ill-treatment.

6. We call on all international human rights organizations and diplomatic missions, as well as the Public Defender of Georgia to constantly monitor the process of investigation into these cases.

#### Signatories

Georgian Young Lawyers' Association (GYLA)

International Society for Fair Elections and Democracy (ISFED)

Transparency International – Georgia

Article 42 of the Constitution

Public Defender

Penal Reform International

Youth for Justice

Open Society – Georgia Foundation

Green Alternative Association

The Georgian Charter of Journalistic Ethics

Coalition for Free Choice

Georgian Young Constitutionalists` Association

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“Identity”

Liberal Academy “Tbilisi”

Human Rights Centre

Multinational Georgia

Human Rights Priority

"LGBT Georgia"

Association “Mercury”

Women’s Information Center

International Center on Conflict and Negotiation

Soviet Past Research Laboratory

"Georgian Harm Reduction Network"