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Georgia: Amnesty International urges the Georgian government to implement recommendations of the UN Committee against Torture

The Georgian Government should promptly implement the recommendations of the United Nations (UN) Committee against Torture (CAT), which issued its conclusions and recommendations on 19 May 2006 following its examination on 3 and 4 May of Georgia's third periodic report, under the UN Convention against Torture.

The findings of the CAT echoed concerns expressed by Amnesty International regarding the persistence of impunity and intimidation in relation to the use of excessive force and torture or other ill-treatment by law enforcement officials; the anonymity of special unit police who are often masked when conducting arrests and do not wear identification tags; and the absence of legislation providing for prompt and adequate reparation. The CAT also expressed concern about the use of diplomatic assurances in adjudicating requests for *refoulement*, extradition or expulsion; about the high number of sudden deaths in custody and the absence of detailed information on independent investigations into such deaths.

Amnesty International supports the recommendations of the Committee against Torture, which include among other things that the authorities "introduce regular monitoring by an independent oversight body" to look into human rights violations in the police force and the penitentiary system; that Georgia "strengthen its investigative capacity" in order to ensure that all allegations of torture or other ill-treatment are investigated promptly and thoroughly; that all detainees are promptly informed of their rights to counsel and to be examined by a medical doctor of their own choice; and that Georgia develop and implement a methodology to evaluate the impact of training programmes for law enforcement and penitentiary officials on the reduction of torture and other ill-treatment.

Amnesty International had submitted its own report to the CAT members detailing its concerns about continuing allegations of torture and ill-treatment in police custody and the continuing risk that refugees might be *refouled* to countries where they would be at risk of torture. Amnesty International made its briefing public today. (*Georgia: Briefing to the Committee against Torture*, March 2006, AI Index: EUR 56/005/2006 <http://web.amnesty.org/library/index/engeur560052006>)

While the authorities have taken important steps to eradicate torture and other ill-treatment in police custody, major problems persist and a long-term approach is needed to achieve lasting results. In addition, there have been worrying developments in recent months in connection with allegations that security forces have used excessive force against prisoners on several occasions as a result of which several prisoners died and dozens were seriously injured; and that police officers frequently use excessive force when arresting suspects, often resulting in the death of the suspect.

In addition to the recommendations made by the Committee against Torture, Amnesty International's recommendations to the Government of Georgia have included the following:

Promptly draft and implement a comprehensive, coherent action plan against torture that is resourced accordingly to build on the two-year Plan of Action against Torture in Georgia that expired with no new action plan in place in December 2005.

Ensure that additional efforts are made to end torture or other ill-treatment in the regions of Georgia outside Tbilisi including by increasing monitoring of detention facilities.

Ensure that law enforcement officers who are placed under investigation for serious human rights violations are suspended from their duties pending the outcome of the disciplinary and judicial proceedings against them.

Ensure that judges and procurators routinely ask persons brought from police custody whether they were tortured or ill-treated during arrest or detention in police custody.

Ensure that all questioning of an individual by a police officer is audio/video recorded and that all police authorities are supplied with the equipment necessary for this purpose.

See also: Conclusions and recommendations of the United Nations Committee against Torture
<http://www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.GEO.CO.3.pdf>