



# AMNESTY INTERNATIONAL GEORGIA: APPEAL CASES

18 June 2002<sup>1</sup>; AI Index: EUR 56/003/2002; public

## Student alleges electric shocks used to force confession: The case of Alexander Guguneishvili

Twenty-one-year-old Alexander Guguneishvili, student at the veterinary institute in the town of Rustavi, reportedly underwent electric shocks and was beaten by police to force a confession. No investigation has yet been opened into these allegations.

At around 8 p.m. on 20 April 2002 Alexander Guguneishvili was talking to his friends in the yard of school No. 16 in Rustavi, a town some 30 kilometres south of the capital Tbilisi. Around ten police officers arrived by car to detain him. His lawyer told Amnesty International on 25 May that police threw him to the floor and tried to push a sawn-off gun into his trousers to fabricate a case against him. He was subsequently charged with “robbery” (Article 179 of the Criminal Code of Georgia), “theft” (Art. 177) and “possession of firearms” (Art. 236).



Photo: Alexander Guguneishvili following his detention at Rustavi police station.



Photo: Alexander Guguneishvili's feet with injuries reportedly resulting from the heat of the wires used for electric shocks.

The police took Alexander Guguneishvili to Rustavi regional police station and reportedly forced him to confess to several robberies, although the young man repeatedly insisted he was innocent. Alexander Guguneishvili's lawyer told Amnesty International: “Because he refused to confess to the crime they handcuffed him and hung him on an iron bar that they attached between two tables, for around five or six hours. They put a gas mask over his head and covered the openings for the eyes with paper so that he couldn't see anything. Then they began to beat him on his back and shouted ‘confess!’. Because he still refused to confess they attached wires to his toes, connected them to a generator and gave him electric shocks.” At around 7 a.m., following

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<sup>1</sup> Please use this Appeal Case sheet as the basis for your letter-writing until 30 September 2002.

several rounds of electric shocks, Alexander Guguneishvili allegedly gave up and agreed to sign a confession. He told his lawyer: “My legs were trembling and jumping uncontrollably and an artery in my throat was incredibly painful after the electric shocks.”

Upon request of the lawyer, the director of the Expertise and Special Research Centre at the Ministry of Justice examined Alexander Guguneishvili at the end of April. The expert documented a laceration of his lower lip, abrasions on his waist and both knee joints as well as in the area of both ankles. According to the expert’s conclusion, the injuries on the lip and the waist could have resulted from beatings with a heavy, blunt object or objects, and injuries on the upper part of his feet resulted from electric shocks.

Alexander Guguneishvili is currently detained at the investigation-isolation facility No. 5 in Tbilisi. His lawyer told Amnesty International on 14 June 2002 that no investigation had yet been opened into the torture allegations. Reportedly, none of the police officers involved in the alleged torture has been suspended from duty.

According to Alexander Guguneishvili’s lawyer, his client was not informed of his rights following his detention, including his right to a lawyer of his own choice. No medical examination was carried out at the police station. The United Nations (UN) Committee against Torture recommended Georgia on 7 May 2001 to “ensure that all persons deprived of their liberty or arrested by law-enforcement officials ... are informed promptly of their rights, including ... the right to counsel and a doctor of their choice ...” (A/56/44,paras.77-82; E.c). In its concluding observations on Georgia’s second periodic report of 19 April 2002 the UN Human Rights Committee called on Georgia to ensure that free access to doctors be provided “immediately upon first being deprived of liberty and during all stages of detention” (CCPR/CO/74/GEO, C.8).

### **Recommended action:**

Please send politely worded letters in English, Georgian, Russian or your own language (*if you write in Russian it would be good to apologise for not writing in Georgian and explain that this is because you do not know the language*):

- expressing concern at allegations that **Alexander Guguneishvili** (*please highlight his name in your letters*) was tortured, including with electric shocks, at Rustavi regional police station during the night of 20 - 21 April 2002, in order to force a confession;
- urging the authorities to open a prompt and impartial investigation; to inform you of the results; and to bring to justice anyone found responsible;
- expressing concern at allegations that Alexander Guguneishvili was not informed of his rights following his detention, including his right to a lawyer of his own choice, and that no medical examination was carried out at the police station;
- referring the authorities to the May 2001 recommendation by the United Nations (UN) Committee against Torture that Georgia should “ensure that all persons deprived of their liberty or arrested by law-enforcement officials ... are informed promptly of their rights, including ... the right to counsel and a doctor of their choice ...” and the April 2002 recommendation by the UN Human Rights Committee urging the Georgian authorities to ensure that detainees have free access to doctors immediately upon first being deprived of liberty and during all stages of detention;
- urging the authorities to inform you which steps they have taken and are envisaging to take to implement the recommendations by the UN Committees;

- stating that impunity for law enforcement officers who are responsible for torture and ill-treatment gives a wrong signal to society.

## Whom to write

<b>President of Georgia:</b>	<b>Minister of the Interior:</b>	<b>Procurator of Rustavi:</b>
Eduard Shevardnadze	Koba Narchemashvili	name not known
Gruziya; 380018 g. Tbilisi; pr. Rustaveli, 8; Apparat Prezidenta Gruzii; Prezidentu Shevardnadze, E.A.; GEORGIA	Gruziya; 380014 g.Tbilisi; ul. Generala Gia Gulua, 10; Ministerstvo vnutrennikh del Gruzii; Narchemashvili, K.; GEORGIA	Gruziya; g. Rustavi; Gorodskaya Prokuratura; Prokuroru; GEORGIA
Fax: + 995 32 - 99 96 30 / 99 08 79 / 98 23 54 E-mail: <a href="mailto:office@presidpress.gov.ge">office@presidpress.gov.ge</a>	Fax: + 995 32 -75 15 19 / 99 95 24 E-mail: <a href="mailto:jashi@iberiapac.ge">jashi@iberiapac.ge</a>	<i>(Indicate in your letter that you are sending a copy to the Procurator General; find his address below)</i>
Salutation: Dear President,	Salutation: Dear Minister,	Salutation: Dear Procurator,

### Send copies of one of your letters to:

- the Procurator General of Georgia, Nugzar GABRICHIDZE:  
Gruziya; 380033 g. Tbilisi; ul. Gorgasali, 24; Prokuratura Gruzii; Generalnomu prokuroru; Gabrichidze, N.; GEORGIA  
Fax: + 995 32 - 98 21 70
- the Deputy Secretary of the National Security Council on Human Rights Issues, Rusudan BERIDZE:  
Gruziya; 380018 g. Tbilisi; pr. Rustaveli, 8; Apparat Prezidenta Gruzii; Natsionalny Sovet bezopasnosti; Zamestitelyu sekretarya po voprosam prav cheloveka BERIDZE R.; GEORGIA
- the Human Rights Ombudsperson in Georgia, Nana DEVDARIANI:  
Gruziya; 380034 g. Tbilisi; ul. Machabeli, 11; Narodnomu zashchitniku; DEVDARIANI N.; GEORGIA
- Alexander Guguneshvili's lawyer, Zurab Rostiashvili:  
Gruziya; g. Tbilisi; Ketevan Tsamebuli Ave., 47; Rostiashvili, Z.; GEORGIA
- the Head of the police of the town of Rustavi, name not known:  
Gruziya; g. Rustavi; Gorodskaya policia; Nachalniku; GEORGIA
- the Ambassador of Georgia to your country (if there is one)

**PLEASE SEND ANY REPLIES FROM THE GEORGIAN AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL. (South Caucasus and Central Asia Research and Campaign Team; Amnesty International; 1 Easton Street; London WC1X 0DW; United Kingdom)**