

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Georgian Chamber of Control must respect human rights in the ongoing probe on political financing**

Amnesty International is concerned that the widespread questioning of opposition party members and supporters throughout Georgia over the course of this week has been accompanied by reports of the violation of legal safeguards and the intimidation of opposition sympathisers.

Since Sunday 11 March, more than 100 persons have been summoned for questioning at local government offices in various regions, mainly in Western Georgia, by the Georgian Chamber of Control, the state auditing agency in charge of monitoring the funding of political parties.

According to the head of the agency, Levan Bezhashvili, the aim of the operation has been to investigate possible irregularities in the funding of political parties by comparing the financial declarations submitted by political parties against actual spending in the regions. Only individuals linked to the main opposition movement “Georgian Dream”, the coalition that unites several opposition parties have been summoned for questioning.

Under the Law on Political Unions of Citizens the Chamber of Control of Georgia is authorised to “request information related to the finances of the political parties from the political parties, administrative authorities and commercial banks.”<sup>1</sup> It may also “request information about the origin of transferred and received property” from “persons with declared political and electoral goals and objectives”, or persons related to them.<sup>2</sup>

Dozens of persons received notifications from the Chamber of Control summoning them to appear before the agency’s representatives. The summoned persons included members and known supporters from the opposition parties. Additionally, and contrary to the law, many with no stated political affiliation, but who are presumed to be opposition supporters, have also been reported to be summoned.

The questioning of opposition supporters and other non affiliated persons has been accompanied by numerous reports of the denial of legal representation to which they are legally entitled. The selective examination of only opposition party members and presumed supporters, the manner in which many examinations took place, the nature of many of the questions asked and the sheer number of those called in for questioning suggests that the operation is politically motivated and aimed at intimidating current and potential opposition party sympathisers.

Amnesty International received several reports that these examinations often are carried out in an aggressive manner, under heavy police presence, with people subjected to invasive searches and questioned about their personal political beliefs and activities, often while being denied their right to legal representation. Both the summoned persons and their lawyers reported that the interrogations often focused on general questions relating to their political beliefs and activities rather than any financial transactions they may have been party to. Giorgi Chikaberidze, a lawyer who represented four persons summoned for questioning by the

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<sup>1</sup> Article 34.1 of the Law of Georgia on the Political Union of Citizens as amended 28.22.2011

<sup>2</sup> Article 26.1 *ibid*

Chamber of Control in Kutaisi told Amnesty International that none of his clients were provided with a concrete explanation of any suspicions, alleged illegal actions or violations, which might have justified their summons.

The average questioning time reportedly lasted two hours, where same general questions were asked over and over again. Several of these questioned especially in absence of a lawyer alleged to have been subjected to threats and intimidation. At least one lawyer alleged to have been threatened and forced to leave the questioning room.

Teona Pkhakadze, a 19 year old member of Kutaisi Republican Party Youth Organization reported: "...I was asked how and why I participated in the youth-wing political activities; how many times I visited opposition party headquarters in Tbilisi; whether I had signed or sought collect signatures for petitions on behalf of the opposition parties...When I asked them why I had been called for questioning they answered that it was for no particular reason."

Mubariz Mamedov, a member of the Republican Party from Sagarejo who is a Georgian citizen with ethnic Azeri origin was questioned for three hours on 12 March at the Sagarejo Municipality building. He told Amnesty International: "I was summoned to the local municipality building surrounded with the police officers. They kept asking me questions about who do I support in elections and what kind of activities I am involved in as an opposition party member. Towards the end, when the questioning grew tense, they told me to be careful as I am an ethnic Azeri and it is possible that under the new government I will be deported from the country."

Amnesty International calls on the Georgian authorities to ensure that investigations carried out by the Chamber of Control of Georgia are conducted in accordance with the law and international human rights standards.

The widespread summoning of opposition party members and presumed sympathisers to answer questions relating to their political inclinations and activities creates a chilling effect and risks violating the rights to freedom of expression and association.

Amnesty International is calling on the Chamber of Control and the relevant Georgian authorities to ensure that the powers conferred on the Chamber of Control to question individuals are used only for the purposes and within the limits of law; the questioning is carried out with full respect of the human rights and the persons called for questioning have unimpeded access to representation by a lawyer of their choice.

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