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Georgia: Police torture and other ill-treatment must be relegated to the past

(Tbilisi, Georgia) Amnesty International welcomes the openness of many Georgian authorities to tackle one of the country's long-standing problems -- eradicating torture and other ill-treatment -- their readiness for dialogue; and some positive first steps that have been taken.

"Amid continuing reports of abuses, however, it is now more important than ever for all relevant authorities to ensure that the promises of reform move firmly and irrevocably from paper to practice," said Nicola Duckworth, Director of Amnesty International's Europe and Central Asia Programme.

"There must be clear political will from the highest level to ensure that Georgia has a comprehensive, coherent action plan against torture, which covers the country's regions as well as the capital, and which is resourced accordingly. The problem is long-standing and complex -- a long-term, sustained and visionary approach is needed."

In the two years since Georgia's "Rose Revolution" brought a new government to power, Amnesty International has closely monitored the authorities' commitment and practice in addressing key human rights issues. Between 30 January and 1 February 2006, delegates of the worldwide human rights organization met with the Procurator General Zurab Adeishvili, the Interior Minister Ivane Merabishvili, the Ombudsman Sozar Subari, the Chair of the parliamentary Human Rights Committee Elene Tevdoradze and the Deputy Chair of the parliamentary Legal Affairs Committee Giga Bokeria, as well as with the head of the office of the Organization for Security and Co-operation in Europe in Georgia Roy Reeve and representatives of Georgian non-governmental organizations. Amnesty International's delegates brought to their attention the concerns and recommendations detailed in its recently published report *Georgia: Torture and ill-treatment -- still a concern after the "Rose Revolution"*.

The report covers many cases since the "Rose Revolution" where detainees have testified about various methods of torture and ill-treatment including electric shocks; having plastic bags put over their heads; being suspended from a pole between two tables; being subjected to cigarette and candle burns; having the barrel of a gun placed in their mouth with threats to shoot; having threats made against their families; and being kicked and beaten, including with truncheons and butts of guns.

Many cases still do not come to light because police cover up their crimes and detainees are often afraid to complain or identify the perpetrators for fear of repercussions. There have also been severe shortcomings

in the implementation of legal safeguards aimed at preventing torture and ill-treatment. In many cases perpetrators have escaped justice as investigations were not opened in a systematic and prompt manner.

Amnesty International noted progress in some areas, such as increased monitoring of the Interior Ministry detention facilities; changes in the law to strengthen safeguards against torture and ill-treatment; and, to Amnesty International's knowledge, the imprisonment of 12 law enforcement officers over the past year for torture or other ill-treatment.

However, Amnesty International's delegates reiterated the need to ensure certain fundamental measures against torture and ill-treatment, including prompt, thorough and impartial investigations into all allegations of torture and ill-treatment, with the perpetrators brought to justice and sentences imposed which are commensurate with the gravity of the offence. The delegates also put forward other key recommendations to build on progress achieved. These include:

Prohibit the use of masks or other means of disguising officers' personal identities. Exceptions should only be made if such measures are necessary for the personal protection or security of the officers concerned or similar reasons. In such cases the need for each officer, including the special police unit, to be identifiable by such means as a unique traceable identification number is particularly important.

Immediately suspend law enforcement officers who are placed under investigation for serious human rights violations pending the outcome of the disciplinary and judicial proceedings against them.

Set up a body independent of the police, procuracy and the justice system to carry out a detailed review of investigations conducted by law enforcement officers into allegations of torture and ill-treatment and of judicial proceedings in such cases. The body should be provided with authority to present its findings, make recommendations to the relevant authorities, and have powers to issue a public report.

Pay special attention to ending torture and ill-treatment in the regions of Georgia outside the capital.

The meetings were held in a constructive atmosphere, with officials committing to further consider specific recommendations and to continue dialogue. The Interior Minister, for example, said that he would give further consideration to the issue of suspending law enforcement officials when they are placed under formal investigation, and not just when they have been charged with a serious human rights violation, and to the issue of officers whose identities are otherwise concealed to have traceable personal identification tags. However, while all officials were committed to continuing the national action plan against torture, which expired at the end of 2005, none was able to give concrete information on which body would be responsible for coordinating the development of such a plan for 2006 and beyond.

"Impunity for torture and ill-treatment must be relegated to the past. The authorities must unequivocally denounce torture and ill-treatment, and take decisive action to demonstrate to the police as well as to the general public that such abuses will not be tolerated. Openness, transparency and accountability throughout can only increase the public confidence in the authorities to combat continuing problems in this area," Nicola Duckworth said.

Background

When the government came to power following the "Rose Revolution" in November 2003 it inherited a system in which torture and ill-treatment were widespread and perpetrators routinely went unpunished. In the months after the change of government the situation apparently deteriorated. However, in the second half of 2004 the government acknowledged the need to tackle the issue of torture and ill-treatment as one of the key issues on its agenda with regard to human rights.

The government's human rights record is mixed. While positive steps have been made in some areas of human rights protection, Amnesty International has become increasingly concerned about allegations of pressure on the judiciary by the procuracy and other government authorities, allegations of government

interference with freedom of the media in particular in relation to television, and reports of excessive use of force by law enforcement officials. The organization is also concerned that while several perpetrators of violent attacks on religious minorities that took place in recent years have been brought to justice, hundreds continue to enjoy impunity. Other concerns include the continued risk of extradition or forcible return of people to countries where they are at risk of serious human rights violations such as torture. Many issues also remain unresolved in connection with the internationally unrecognised breakaway areas of South Ossetia and Abkhazia.

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