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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, which yesterday examined the initial report submitted by Georgia, Amnesty International said today.

Amnesty International had submitted its own report to the members of the Committee detailing its concerns about allegations of persistent and widespread use of torture and ill-treatment in Georgia.

“While we welcome Georgia’s acknowledgment of their failure to properly investigate claims of torture and to bring those responsible to justice, we strongly urge the government to improve its human rights record,” Amnesty International said.

The findings of the Committee against Torture echoed further concerns expressed by both Amnesty International and the Georgian Government regarding the failure to make proper provision for compensation, restitution and rehabilitation of victims of torture; and the unwillingness of many law enforcement officers to respect the rights of prisoners. The Committee against Torture also expressed concern about the number of complaints of torture, especially with regard to the extraction of confessions.

Amnesty International supports the recommendations of the Committee against Torture, which include among other things that the government provide information on all the individual cases raised during the session and by non-governmental organizations; that torture as defined by the UN Convention against Torture be incorporated into Georgian criminal law; and that the powers of the appropriate body be strengthened to ensure the prompt examination of complaints of torture and the prosecution of those responsible.

In its report Amnesty International had put forward the following recommendations to the Government of Georgia:

- inform all detainees of their rights, including the right to complain to the authorities against ill-treatment;
- ensure that detainees under interrogation are informed promptly of the charge or charges against them, and that they are allowed prompt and regular access to a lawyer of their own choice, as well as to relatives and a medical practitioner;
- implement prompt and impartial investigations of all complaints of torture or ill-treatment of detainees, as well as when there are reasonable grounds to believe that torture or ill-treatment has occurred even if no complaint has been made;

- as part of such investigations, ensure prompt, impartial and professional medical examinations of persons alleging torture or who may have been tortured;
- bring those responsible for torture or ill-treatment of detainees to justice in the courts;
- ensure that every victim of torture has access to the means of obtaining redress and an enforceable right to fair and adequate compensation, including the means for as full a rehabilitation as possible;
- ensure that information regarding the absolute prohibition against the use of torture and ill-treatment is fully included in the training of law enforcement personnel and other persons who may be involved in the custody, interrogation and treatment of any individual subjected to any form of arrest, detention or imprisonment;
- establish an effective system of independent inspection of all place of detention;
- amend Article 46 of the Constitution without delay to ensure that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

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