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Georgia: Authorities must promptly investigate police actions in dispersing demonstrators

Amnesty International is calling on the Georgian authorities to promptly open a thorough, impartial and independent investigation into allegations that special police forces used excessive force when dispersing anti-government demonstrations in the capital, Tbilisi, on 7 November.

Police were said to have used truncheons, rubber bullets, tear gas and water cannons to break up three rallies in Tbilisi, after six days of mass demonstrations led by a coalition of opposition groups in which tens of thousands of people had taken part. Eye-witness accounts received by Amnesty International speak of police beating and kicking demonstrators, with the Georgian Ombudsman among those reportedly beaten. Some 500 people are said to have sought medical treatment, including 24 police officers.

President Mikheil Saakashvili imposed a state of emergency in the evening of 7 November, and in an address to the nation blamed the Russian special services for stirring unrest and supporting anti-government protests. The state of emergency was initially restricted to Tbilisi for 48 hours but later extended to the whole of the country for 15 days. It restricts the rights to receive and disseminate information (under Article 24 of the Constitution of Georgia), to freedom of assembly (Article 25), and to conduct strikes (Article 33). Two private television stations – *Imedi TV* and *Kavkasia* – were forced to stop broadcasting at around 9pm that day, and only the state-owned *Georgian Public Broadcaster* is allowed to broadcast news during the state of emergency.

In his account of events Sozar Subari, the Ombudsman of Georgia, reported that around 5pm on 7 November he witnessed police beating fleeing demonstrators who had gathered near a church in the centre of Tbilisi. The demonstrators then started to throw stones at the police but desisted at his request. However, another special police unit then arrived and began to beat the demonstrators without warning. When the Ombudsman remonstrated with police officers he saw beating three people who were already on the ground and not putting up any resistance, he himself was kicked and verbally abused by police. One of his staff members, Daniel Mgelishvili, was also hit over the head when he urged police to refrain from assaulting the Ombudsperson. A foreign freelance journalist reported seeing police dragging people, who appeared not to be involved in the events, out of shops. These included one man said to have been dragged from a pharmacy and beaten by four police officers.

According to Principle 5 of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, police have the duty to “exercise restraint [. . .] and act in proportion to the seriousness of the offence and the legitimate objective to be achieved”. Police are also required to “minimize damage and injury, and respect and preserve human life”. Principle 8 stipulates that “exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles”.

Amnesty International has persistently urged the Georgian authorities to address longstanding concerns about torture and other ill-treatment by law enforcement officials. Last month the UN Human Rights Committee echoed these concerns. While the HRC acknowledged the “significant reduction in allegations of [torture and other ill-treatment] of persons in custody”, it expressed its regret about the persistence of reports involving police abuse, in particular during the arrest of suspects. The Committee also raised concern about deaths allegedly resulting from the use of excessive force by police and prison officials.

In order to eradicate torture, ill-treatment and excessive use of force, the HRC called on Georgia to “take firm measures”, including by ensuring prompt and impartial investigations of allegations, by publishing the results of such investigations, and by bringing the perpetrators to justice.

