

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Mr. Ivane Merabishvili

Minister of Interior

Ministry of Interior of Georgia

10, Gulua Street

Tbilisi, Georgia

*Via facsimile:* +995-32-74-62-06

Mr. Zurab Adeishvili

Minister of Justice

Ministry of Justice of Georgia

30, Rustaveli Avenue

Tbilisi, Georgia

*Via facsimile:* +995-32-40-51-85

Dear Ministers Merabishvili and Adeishvili,

I am writing to express profound concern about allegations of inhuman and degrading treatment of three young men in police custody on May 6, 2009. Human Rights Watch urges you to take all appropriate measures to ensure the prompt and full investigation of the allegations. The investigation should be thorough, impartial, and capable of leading to the accountability of the officials responsible. We also urge that necessary steps be taken to suspend from active duty those law enforcement officers who come under investigation, pending its outcome.

Human Rights Watch interviewed the victims-Revaz Revazishvili, Giorgi Oniani, and Melor Vachnadze, age 15, 22, and 24, respectively. We have also interviewed their lawyers and the ombudsman's representative who visited the men in custody. Human Rights Watch has also reviewed conclusions of private forensic medical examinations conducted on all three men on May 7. We have also requested additional information from the deputy ministers of interior and justice on the measures taken to investigate the allegations.

Revazishvili, Oniani, and Vachnadze were taken into custody in the early hours of May 6. They claim to have been detained by riot police, who did not show any warrant; taken into custody at the Old Tbilisi Ministry of Interior Division, where they were beaten and threatened; and then transferred to separate police stations for interrogation before being placed in a Ministry of Interior Isolator. They have been charged with hooliganism (criminal code article 239) for allegedly attacking and beating a Public Television journalist during an opposition protest on May 5. All three were released on bail on May 7.

#### Detentions

Twenty-two-year-old Giorgi Oniani was the first of the three to be arrested, shortly after midnight. Between 10 and 15 men wearing masks forcibly entered his apartment, woke him up, and without providing any explanation, forced him into a car and took him to the

Old Tbilisi Ministry of Interior Division. During the journey they repeatedly hit and verbally abused him. Oniani told Human Rights Watch:

I was awoken by a soft knock on the door, which became louder, and before I realized what was happening about 10 or 15 men in blue uniforms and masks broke the lock, burst into the room, asked me if I was Giorgi Oniani, and without explaining to me who they were or what they wanted from me, just grabbed me and took me away. I was not allowed to get my clothes or put on my shoes. I was in underwear and a sweater.

They were swearing at me all the way to the police station and slapping me from time to time.

Fifteen-year-old Revaz Revazishvili was detained shortly after 2 a.m., in a similar manner. He described to Human Rights Watch:

I was sleeping in a room together with my cousin and mom. I was woken up by somebody shouting "Hurry up, hurry up!" I saw about 10 men in the room, some in regular police uniforms, others in riot police gear wearing masks. Without explaining anything or showing any ID, several of them just grabbed me, dragged me out of the room, took me downstairs and put me in a car. I was not allowed to put on my clothes and was in my underwear and a shirt. They swore at me, and a man in civilian clothes sitting next to the driver slapped me several times.

The third young man, 24-year-old Melor Vachnadze was arrested around 7 a.m. He had been sleeping in a car together with two friends at the protest venue on Rustaveli Avenue. According to Vachnadze, several men in civilian clothes and masks broke the side window of the car, dragged him out, and without explaining anything, pushed him into another civilian car and took him away.

Relatives and lawyers for Giorgi Oniani and Revaz Revazishvili made unsuccessful inquiries about them at different police stations. Natia Korkotadze, a lawyer for Oniani and Vachnadze told Human Rights Watch:

Oniani's relatives called the NGO hotline around 1:15 am telling us about the incident. I went to his place to learn more of the details and then started looking for him. I checked in the Digomi Ministry of Interior Isolator, the Module building at Vazha Pshavela Street, the ministry's drug testing center in Ortachala, the Old Tbilisi Ministry of Interior Division, and also called Police Department No. 5 at Dolidze Street and Vake-Saburtalo Division, but all in vain. None of them had any information about Oniani.

That night the Ombudsman's office also unsuccessfully tried to find out where Oniani and Revazishvili were being held. It was not until around 10 a.m. on May 6 that Korkotadze was able to locate Oniani, who by that time was being held at the Ministry of Interior's Isolator No.2. She encountered no obstacles while visiting him there.

### **Beating and inhuman, degrading treatment**

All three young men allege that they suffered beating and ill-treatment during their arrests and while in custody. A Human Rights Watch researcher spoke with them, in separate interviews, two days after their release, while many bruises on their bodies were still clearly visible. Private forensic medical examinations also found that all three bear multiple bruises and contusions caused by a solid blunt object and that the aging of those bruises was consistent with the time the men were in custody, and their allegations of beatings. At the lawyers' request official forensic examinations were also conducted by a state forensic institution on May 8 and 9; at this writing the conclusions are not yet available.

After he was arrested Oniani was taken to the Old Tbilisi Ministry of Interior Division, where he was physically abused before being transferred to the Dolidze Street police station. Oniani described the beating at the Old Tbilisi Ministry of Interior Division to Human Rights Watch:

They were punching and kicking me. I fell down and [while I was on the floor] one of them took a chair and put it over me so I was stuck between the legs of the chair. He sat on the chair and continued to slap me from each side and was cursing at me the entire time. There were about 20 men in the room assaulting me. One of them ran and hit me with his knee in my kidney area. At one point they put me up against the wall near the door and hit me several times with [the door]. At the same time they continued to verbally abuse me. I felt so humiliated that I wanted to die.

A Human Rights Watch researcher saw bruises on his shoulder, right kidney area, and chest, as well as near the right knee.

Revaz Revazishvili described a similar experience at the Old Tbilisi Ministry of Interior Division:

About 20 men in masks were beating me mercilessly. I fell down and they continued to beat and kick me. They were beating me on the head, back, legs, heels. About four men put me up against a wall, two of them stood on my feet and held my hands, while others continued to beat me; they were hitting my face and my stomach. It was so painful. I was telling them to just kill me, I preferred to die than take so much pain. It [seemed to] last for about 15 or 20 minutes.

According to Revazishvili, who had hit a journalist at the protest with a collapsible baton, the police wanted him to say that the baton had been given to him by opposition leaders.

Revazishvili was also transferred to the Dolidze Street police station, where he was interrogated by an investigator about the beating of the journalist. As Revazishvili is a minor, a teacher was summoned to attend the interrogations, and a state-appointed lawyer was provided. Revazishvili asked but was not allowed to contact his family, who also had their own lawyer who would have acted as counsel for him. A Human Rights Watch researcher saw clear bruises and contusions on Revazishvili's right temple, left eye, and both cheeks; there were seven or eight bruises on his back and also near his ankles and knees. His lips were split. He still had problems sitting up straight.

Revazishvili said that he told the investigator who questioned him that he had been beaten, but that his state-appointed lawyer advised him not to file a complaint.

Melior Vachnadze told Human Rights Watch that he was brought to a police station (he was not able to see which one it was), where he was assaulted for several minutes: "They covered my head with a piece of clothing and I felt kicking and punching, hitting me on the head, and body, but not on the face." For unknown reasons, he was rushed out of the police station and transferred to another station at Vazha Pshavela Avenue. During the ride to the station police made Vachnadze kneel on the floor of the vehicle, with his head on the seat. He described to Human Rights Watch how he almost suffocated on the way to the station:

I was not even sitting, but folded on the back seat, with several officers sitting next to me, [pressing] my head with their legs. I could not explain to them that I had no air to breathe and as a result I lost consciousness. When I regained my senses, the car was stopped and one of them let me drink some water.

Vachnadze described to Human Rights Watch that after arriving at the second police station, he had to go through a gauntlet of people who beat and kicked him from all sides. Because his head was covered he could not see who was beating him. He was then brought to a room where about six or seven men continued to assault him. Vachnadze described to Human Rights Watch:

They wanted me to confess that the attack on me which took place few weeks earlier as I was returning from the protest rally was organized by the opposition. I refused. Then they put me on the floor on my back, put a thick pillow on my chest and several of them would step on it. This would prevent me from breathing and as a result I would faint. They would bring me back with water and something that I had to smell. This was repeated . . .

Then they brought several pieces of paper and wanted me to sign. I refused and they continued to beat me. They were pressuring me psychologically, telling me that if I did not want my four-year-old daughter to be orphan, I'd better cooperate; threatening me that I would have problems with the police all my life.

When a Human Rights Watch researcher interviewed Vachnadze on May 10, he had multiple bruises on his arms, legs, knee area, ankles, and back. He complained of breathing problems.

The ombudsman's representatives visited all three detainees several times on May 6. The deputy ombudsman told Human Rights Watch that he personally saw each of the detainees in custody around 6 or 7 p.m. on May 6. According to him, all three of them complained of ill-treatment and beating in custody and had visible signs of abuse, particularly Revazishvili, who had problems standing up straight, and Vachnadze, who had problems standing.

### **Rape threats**

Two of the detainees told Human Rights Watch that they were threatened with rape in custody. One of them described to Human Rights Watch:

On the way to the police station, a person in civilian clothes sitting next to the driver threatened to rape me. He told me that all three of us would be raped in custody. I would have a choice which one of them [officers] I wanted to be my first, he was urging to choose him as he had a smaller penis. I was terrified. I swore at him and was hit on the face in reply.

Another of the young men told Human Rights Watch:

At the police station when they were beating me, one of them shouted, "here, he is almost naked, take him away and rape him!" I felt so defenseless, and the threats seemed so real, it was petrifying.

Oniani, Revazishvili, and Vachnadze were released on bail by the Tbilisi Municipal Court on May 7.

The abuse of Oniani, Revazishvili, and Vachnadze by law enforcement agents violates their right to be protected from of all forms of ill-treatment, as enshrined in article 7 of the International Covenant on Civil and Political Rights and article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. We urge you to take immediate steps to conduct comprehensive, impartial, and transparent investigations into these allegations of inhuman and degrading treatment, as is required under Georgia's human rights obligations. Such investigations should be conclusive and capable to lead to accountability of the perpetrators.

Thank you for your attention to this urgent matter and we look forward to continued engagement with the Georgian government.

Sincerely,

Holly Cartner

Executive Director

Europe and Central Asia division

Police Torture and Abductions in Turkey

Turkeys Post-Coup Suspension of Safeguards Against Torture

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