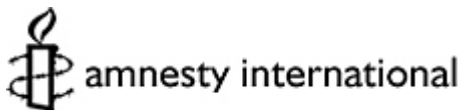


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Amnesty International Report 2010 - Georgia

GEORGIA

Head of state: Mikheil Saakashvili
Head of government: Nikoloz Gilauri (replaced Grigol Mgaloblishvili in February)
Death penalty: abolitionist for all crimes
Population: 4.3 million
Life expectancy: 71.6 years
Under-5 mortality (m/f): 39/33 per 1,000

Violations of international human rights and humanitarian law committed by Georgian and South Ossetian forces during the conflict in 2008 were not investigated further by the relevant authorities. In its aftermath, civilians in the post-conflict zone suffered from the overarching insecurity, incidents of harassment and detention. Nearly 26,000 people, mostly ethnic Georgians, were unable to return to their homes. Opposition activists and journalists reportedly suffered from harassment and alleged use of excessive force by the police.

Background

The year was marked by insecurity in and around Abkhazia and South Ossetia, regions of Georgia which had declared themselves independent in 2008, and the political crisis between April and July, when large-scale demonstrations called for the resignation of President Mikheil Saakashvili.

Armed conflict

A report by the Independent International Fact-Finding Mission on the Conflict in Georgia, commissioned by the EU and published in September, confirmed that violations of international human rights and humanitarian law were committed by Georgian, Russian and South Ossetian forces in 2008 and called on all sides of the conflict to address the consequences of the war. By the end of the year, no full investigations had been conducted by any side into the violations of human rights and international humanitarian law that took place during the 2008 war and in its immediate aftermath. A general lack of accountability persisted and there had been no comprehensive efforts

undertaken to bring any of those responsible to justice.

The security situation in and around the post-conflict zones remained tense. International scrutiny and monitoring capacity were reduced significantly in June, when both the OSCE mission to Georgia and the UN Observer Mission in Georgia ended. The EU Monitoring Mission, the only remaining internationally mandated monitoring group, was denied access to areas controlled by the de facto authorities in South Ossetia and Abkhazia. There were reports of civilians being harassed and detained for alleged illegal crossing of the administrative border line between Georgia and South Ossetia.

Internally displaced people

Following what appeared to be a deliberate policy of forced displacement as part of the 2008 war, an estimated 26,000 people, mostly of Georgian ethnic origin, remained unable to return home to their villages. Most of the displaced people in Georgia had been provided with some kind of accommodation or compensation. However, concerns remained regarding their access to social and economic rights due to loss of livelihoods and lack of employment.

Violence against women

In April, the government approved the new action plan on domestic violence for 2009-10. In July, a national referral mechanism was adopted, providing guidance to identify survivors of domestic violence and to refer them to available services and assistance. The government allocated premises and prepared to set up shelters. However, by the end of the year these state shelters for victims of domestic violence were still not operational.

Freedom of assembly

Supporters of the opposition were allegedly harassed, intimidated and beaten by unidentified masked men during demonstrations between April and July. Reports stated that police officers stood by without intervening while some of these incidents took place, raising concerns about the authorities' failure to protect demonstrators and to ensure the right to freedom of assembly. While investigations were initiated into some of the reported incidents, the authorities failed to carry out full and impartial investigations and to bring those responsible to justice.

Changes to the law regulating the right to assembly and to hold demonstrations, enacted in June, set stringent penalties human rights activists feared could be used to restrict the right to freedom of assembly.

Excessive use of force

On 6 May, police officers reportedly fired impact projectiles at opposition demonstrators in a reckless manner during a violent confrontation outside the police headquarters in Tbilisi, which resulted in several people sustaining head injuries. In another incident on 15 June, police officers reportedly dispersed peaceful opposition protesters outside the Tbilisi police headquarters with excessive force, attacking the protesters using batons without any warning or prior warnings to disperse. Seventeen protesters sought medical assistance in hospital to have their wounds treated; two were hospitalized due to severe injuries. Among those injured was a representative of the Ombudsman's office who was allegedly detained and beaten by police officers. By the end of the year the authorities had failed to conduct open, independent and full investigations into both incidents.

Freedom of expression

Journalists covering the demonstrations between April and June reportedly faced harassment and violence from both the authorities and opposition supporters. According to witnesses, on 15 June, police officers assaulted a number of journalists during the

dispersal of an opposition protest and confiscated their audiovisual equipment. In some instances, tapes containing footage of the incident were not returned; in other cases parts of the tapes were missing.

Before and during these demonstrations, a large number of opposition activists were arrested on charges of possession of drugs and arms. The Ombudsman as well as human rights NGOs voiced concern that some might have been arrested because of their political activities and that their trials failed to meet international fair trial standards.

Amnesty International visits/reports

- Amnesty International delegates visited Georgia in June and November.
- Civilians in the aftermath of war: The Georgia-Russia conflict one year on (EUR 04/001/2009)
- South Caucasus: Promptly adopt and enforce legislation on domestic violence (EUR 04/002/2009)
- Georgia: Police reportedly use excessive force against the demonstrators (EUR 56/001/2009)

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