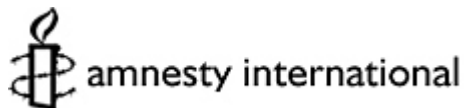


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Amnesty International Annual Report 2012 - Georgia

Head of state: **Mikheil Saakashvili**
Head of government: **Nikoloz Gilauri**
Death penalty: **abolitionist for all crimes**
Population: **4.3 million**
Life expectancy: **73.7 years**
Under-5 mortality: **29.1 per 1,000**
Adult literacy: **99.7 per cent**

The police used excessive force in dispersing demonstrations. Evictions failed to meet international standards. The independence of the judiciary remained a concern.

Aftermath of armed conflict

The breakaway regions of Abkhazia and South Ossetia held presidential elections on 26 August and 13 November respectively. The elections were declared illegitimate by the Georgian authorities and the international community. The elections in South Ossetia were accompanied by protests, reports of increased violence and harassment of opposition candidates.

Security and freedom of movement for civilians living in the conflict-affected areas remained a concern. Some progress towards greater security was made and detainees were exchanged under the internationally mediated Incident Prevention and Response Mechanism, bringing together the Georgian and South Ossetian sides. However, incidents of shooting, injury and the detention of civilians for the alleged illegal crossing of the Administrative Boundary Line between South Ossetia and Georgia were reported throughout the year.

The right of internally displaced people to return to their original places of residence in Abkhazia and South Ossetia continued to be denied by the de facto authorities there.

Internally displaced people

The government prioritized the provision of adequate housing for some 247,000 people displaced after the armed conflicts in the 1990s and 2008. However, a government

programme intended to provide them with more permanent housing led to several forced evictions, which violated domestic and international standards.

Hundreds of internally displaced families were affected by a series of forced evictions in Tbilisi. In most cases the evictions were carried out without adequate consultation, notice or access to legal remedies. Those evicted were offered alternative accommodation outside the capital, mainly in rural areas. Aspects of the right to adequate housing – such as access to employment and sustainable livelihoods – were not always respected.

Freedom of assembly

Several protests during the course of the year were violently dispersed.

- On 3 January, police violently dispersed an authorized peaceful demonstration of dozens of veterans of Georgia's armed conflicts. Police officers and individuals in plain clothes beat and dragged the demonstrators into police cars. Video footage also showed a plain-clothes police officer hitting a female demonstrator in the face as she tried to back away. Police arrested 11 people on charges of petty hooliganism and disobedience. The court convicted those charged reportedly without viewing available video evidence, relying instead on the testimony of police officers. The detainees were each ordered to pay 400 lari (US\$240). The police officer seen hitting the woman was dismissed and an investigation initiated. However, by the end of the year, the investigation had not produced any results.
- On 26 May, the police used excessive force to disperse an anti-government protest of some 1,000 demonstrators calling for the resignation of President Saakashvili. Riot police moved in at midnight, immediately after the rally permit expired. The available video footage showed police officers beating unarmed demonstrators who were offering no resistance. At least 10 journalists were verbally and physically assaulted by police officers. Others were detained for questioning, and had their equipment damaged or confiscated. Four people died, including one police officer, and dozens were injured. The police officer and a civilian were killed after being hit by a speeding car, carrying an opposition leader away from the scene.

More than 105 demonstrators were arrested and later sentenced to up to two months' imprisonment for resisting police. The families of the detained only learned of their arrest two days later, following inquiries made by the Ombudsperson.

The investigation into the death of two protesters, found on the roof of a shop close to the protest, concluded that they had died after being accidentally electrocuted. This version was contested by an alleged eyewitness, who claimed that he last saw one of the victims being taken into police custody.

An internal investigation conducted by the Ministry of the Interior into the 26 May events resulted in several administrative punishments and dismissal of four police officers for excessive use of force. However, no public, independent investigation was conducted and allegations of ill-treatment by police were not investigated.

The authorities had still failed to carry out effective investigations into allegations of the excessive use of force by law enforcement officials during demonstrations in 2009 and 2007.

Justice system

After visiting Georgia in June, the UN Working Group on Arbitrary Detention raised concerns regarding aspects of the justice system, including the role of prosecutors, an extremely low acquittal rate and the excessive use of pre-trial detention.

- On 26 April, the European Court of Human Rights ruled that Georgia had failed to carry out an effective investigation into a high-profile murder case involving government officials. The court found that the investigation into the death of Sandro Girgvliani in 2006 lacked "independence, impartiality, objectivity and

thoroughness". It was particularly concerned by attempts by the Ministry of the Interior, the Prosecutor's Office, the domestic courts and the President to "prevent justice from being done". The Court ordered the government to pay €50,000 (US\$74,000) to the victim's parents. Sandro Girgvliani, aged 28, was kidnapped and beaten to death by Ministry of the Interior officials in January 2006, after he argued with a group of high-ranking ministry officials in a Tbilisi café. No new investigation was opened into the case.

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