



**Follow up on Civil Society Organization Submission to the OSCE Vienna  
(Human Dimension) Mechanism**

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## 1. Introduction

The signatory organizations, Georgian Young Lawyers' Association (GYLA), Institute for Development of Freedom of Information (IDFI) and Rights Georgia, which have been monitoring human rights issues and providing legal aid to victims in Georgia, wish to submit a follow up report to the OSCE Vienna (Human Dimension) Mechanism. The initial submission<sup>1</sup> was made by GYLA on January 21, 2025, in response to the invocation of the OSCE Vienna (Human Dimension) Mechanism by 38 participating States.<sup>2</sup>

While the Georgian Dream (GD) government's response to the Vienna Mechanism is not publicly disclosed, some concerns raised by participating States - particularly regarding the effectiveness of investigations - have recently been addressed by the GD authorities in their comments on the memorandum of the Commissioner for Human Rights of the Council of Europe<sup>3</sup> and the report of the Special Investigation Service.<sup>4</sup> However, we find that the position of the GD authorities does not fully reflect the reality on the ground and seek to provide further insight on the matter.

Additionally, we continue to call for measures to ensure the protection of freedom of expression, peaceful assembly, and political pluralism without reprisal.

## 2. Situation since the submission of GYLA's alternative report

GYLA's alternative report<sup>5</sup>, submitted to OSCE Vienna (Human Dimension) Mechanism described the multiple violent and repressive practices, in violation of national and international human rights law, employed by the GD authorities to suppress peaceful protests and political dissent. These methods, among others, include systemic torture and ill-treatment, abuse of legislative powers and instrumentalization of criminal and administrative persecution.

Since the submission of the alternative report (January 21, 2025), the systemic nature of torture and ill-treatment, as well as peaceful nature of the assemblies has been further confirmed by

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<sup>1</sup> Information from Civil Society Organization Submitted to the OSCE Vienna (Human Dimension) Mechanism Prepared by Georgian Young Lawyers' Association (GYLA), January 21, 2025, [https://admin.gyla.ge/uploads\\_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf), [03.04.2025].

<sup>2</sup> Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxemburg, Montenegro, The Netherlands, North Macedonia, Norway, Poland, Portugal, Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom, the United States of America and Ukraine.

<sup>3</sup> Comments to the Memorandum on the human rights situation in Georgia of the Council of Europe Commissioner for Human Rights 21 March, 2025, <https://rm.coe.int/comments-of-the-authorities-of-georgia-on-the-commissioner-s-memorandu/1680b4fc1d>, [03.04.2025].

<sup>4</sup> Special Investigation Service report of 2024, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99~&lng=geo](https://sis.gov.ge/Statistics-and-reports?rec_id=99~&lng=geo), [03.04.2025].

<sup>5</sup> Information from Civil Society Organization Submitted to the OSCE Vienna (Human Dimension) Mechanism Prepared by Georgian Young Lawyers' Association (GYLA), January 21, 2025, [https://admin.gyla.ge/uploads\\_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf), [03.04.2025].

UN rapporteurs,<sup>6</sup> Commissioner for Human Rights of the Council of Europe,<sup>7</sup> The Public Defender of Georgia<sup>8</sup> as well as local and international human rights organizations<sup>9</sup>.

As the protests are ongoing, Georgian Dream continues its attempts to suppress protest. On February 2, a peaceful protest was violently dispersed with ill-treatment still used against participants. Open source footage shows head of the special forces of Ministry of Internal affairs beating a protester.<sup>10</sup> Degrading practice of stripping detainees naked and searching has become a practice, contrary to CPT standards.<sup>11</sup> The administrative fines and arbitrary detentions continue to be used against protesters with state utilizing biometric surveillance tools, using them in violation of European Court of Human Rights Standards.<sup>12</sup>

The GD Parliament has further amended administrative offences code, law on assemblies and manifestations and criminal code to curb freedoms of expression and assembly. The incompatibility of the amendments with international human rights standards has been confirmed by ODIHR<sup>13</sup> and Venice Commission.<sup>14</sup>

Parallel to grave human rights violations, Georgian Dream continues to shrink space for civil society organizations and media with criminal law mechanisms and new legislative initiatives that could restrict and even effectively criminalize their work. On April 2, 2025, ODIHR called on the authorities to reconsider implementation of Georgia's new law 'Foreign Agents Registration Act', adopted on April 1, 2025.<sup>15</sup> ODIHR noted, that importing legislation from

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<sup>6</sup> Statement by Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; Special Rapporteur on extrajudicial summary or arbitrary executions; Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the right to freedom of opinion and expression; Special Rapporteur on the independence of judges and lawyers, 28.01.2025, <https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-force-police-during-demonstrations-experts>, [03.04.2025].

<sup>7</sup> Commissioner for Human Rights of Council of Europe, Memorandum on the human rights situation in Georgia, <https://rm.coe.int/memorandum-on-the-human-rights-situation-in-georgia-by-michael-o-flahe/1680b4ba41>, [03.04.2025].

<sup>8</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].

<sup>9</sup> OMCT, Omega Research Foundation, GYLA, GCRT, PHR, Briefing note Torture and Ill-Treatment During Protests and Suppression of Political Dissent in Georgia in November-December 2024, march 2025, <https://www.omct.org/site-resources/files/OMCT-Briefing-Note-Georgia.pdf>, [03.04.2025].

<sup>10</sup> GYLA urges the Prosecutor General's Office of Georgia to initiate criminal proceedings against Zviad Kharazishvili and suspend his authority, 02.02.2025, <https://gyla.ge/en/post/saia-kharazishvilis-siskhlis-samartlebriv-debvnas-itxovs>, [03.04.2025].

<sup>11</sup> IPN, NGOs: It is clear that illegal practices are taking place against those detained at protests, including women - complete stripping, forcing them to squat - this contradicts Georgian legislation and international standards, 02.04.2025, <https://www.interpressnews.ge/en/article/138742-ngos-it-is-clear-that-illegal-practices-are-taking-place-against-those-detained-at-protests-including-women-complete-stripping-forcing-them-to-squat-this-contradicts-georgian-legislation-and-international-standards/>, [03.04.2025].

<sup>12</sup> GYLA, The Ministry of Internal Affairs Uses Facial Recognition Technologies against Peaceful Demonstrators for Total Control, 12.03.2025, <https://gyla.ge/en/post/saxis-amomcnobi-kamerebi-saia>, [03.04.2025].

<sup>13</sup> ODIHR, Georgia: Urgent Opinion on the Amendments to the Law on Assemblies and Demonstrations, the Code of Administrative Offences and the Criminal Code of Georgia, 06.03.2025, <https://www.osce.org/files/f/documents/d/2/587466.pdf>, [03.04.2025].

<sup>14</sup> Venice Commission, Georgia - Urgent Opinion on amendments to the Code of administrative offences and the Law on assemblies and demonstrations, issued on 3 March 2025, CDL-AD(2025)001, 18.03.2025, [https://www.coe.int/en/web/venice-commission/-/CDL-AD\(2025\)001-e](https://www.coe.int/en/web/venice-commission/-/CDL-AD(2025)001-e), [03.04.2025].

<sup>15</sup> ODIHR, Georgia's foreign agents legislation raises concerns over negative impact on civil society, OSCE human rights office says, 02.04.2025, <https://www.osce.org/odihr/588667>, [03.04.2025].

one country to another should always be approached with caution and needs to be considered in the context of the broader national institutional and legal framework.<sup>16</sup>

### **3. Investigative mechanism**

#### **3.1. Institutional challenges**

A special investigative mechanism for responding to crimes committed by representatives of law enforcement agencies was established in Georgia in 2018, with its mandate entering into force on January 1, 2019.<sup>17</sup> Until 2022, this function was carried out by the State Inspector's Service, which was headed by a State Inspector elected by the Parliament of Georgia for a six-year term. On July 3, 2019, Londa Toloraia, elected by Parliament, began serving as the State Inspector.<sup>18</sup>

Starting in 2021, the ruling party Georgian Dream launched an active political attack against the State Inspector. By the end of the same year, Georgian Dream initiated a so-called reform of the State Inspector's Service. The Service's functions were divided into two separate bodies, its name was changed, and Londa Toloraia's term was terminated three years early.<sup>19</sup>

A new Special Investigation Service was established on the basis of the former State Inspector's Service. It was tasked with investigating crimes committed by law enforcement officers, and its mandate was expanded to include several additional offenses, including certain crimes related to freedom of expression and media freedom. A prosecutor from the General Prosecutor's Office, Karlo Katsitadze, was appointed head of the newly created Special Investigation Service, a position he still holds.<sup>20</sup>

ODIHR quickly issued an opinion, criticizing the rushed adoption process of these legislative changes. It noted the lack of openness and transparency and warned that the changes could be perceived as politically biased and aimed at undermining the independence and effectiveness of the institution.<sup>21</sup>

In light of this context, the European Commission's opinion of June 17, 2022, emphasized that the newly established Special Investigation Service still had to prove its effectiveness and independence.<sup>22</sup> In its opinion of December 18, 2023, the Venice Commission identified key challenges facing the Service, including the excessive role of the Prosecutor's Office in the investigative process and the exclusion of high-ranking officials (the Minister of Internal Affairs, the Prosecutor General, and the Head of the State Security Service) from the

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<sup>16</sup> Ibid.

<sup>17</sup> Special Investigation Service webpage, history, <https://sis.gov.ge/history?lng=eng>, [04.04.2025]

<sup>18</sup> Civil Georgia, Parliament Confirms Londa Toloraia as State Inspector, 12.06.2019, <https://civil.ge/archives/308090>, [04.04.2025].

<sup>19</sup> Civil Georgia, Georgian Dream Abolishes State Inspector's Service, 30.12.2021, <https://civil.ge/archives/465270>, [04.04.2025].

<sup>20</sup> Civil Georgia, Parliament Confirms Chiefs of Special Investigation, Personal Data Protection Agencies, 15.02.2022, <https://civil.ge/archives/472851>, [04.04.2025].

<sup>21</sup> ODIHR, OPINION ON THE LEGISLATIVE AMENDMENTS ON THE STATE INSPECTOR'S SERVICE OF GEORGIA, 18.02.2022 para. 32, <https://www.osce.org/files/f/documents/d/1/512728.pdf>, [04.04.2025].

<sup>22</sup> European Commission, COM(2022) 405 final, 17.06.2022, 10 [https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49\\_en?filename=Georgia%20opinion%20and%20Annex.pdf](https://enlargement.ec.europa.eu/document/download/a95905d5-9783-4a1b-aef2-1740a79eda49_en?filename=Georgia%20opinion%20and%20Annex.pdf), [04.04.2025].

institution's investigative jurisdiction.<sup>23</sup> According to the European Commission's most recent report, these challenges remain unresolved.<sup>24</sup>

### **3.2. Mandate of the Special Investigation Service**

The mandate of the Special Investigation Service is focused on investigating the most serious human rights violations committed by representatives of law enforcement agencies. The Special Investigation Service is responsible for investigating crimes committed by the officials that involve violence or the use of weapons, as well as those that include the humiliation of the victim's personal dignity. These crimes include abuse of power and exceeding official authority, coercion to testify, torture, threats of torture, and inhuman or degrading treatment. Notably, in relation to these crimes, the service's mandate extends not only to law enforcement agencies but also to all public officials and individuals equated with public officials (except for certain officials explicitly excluded from its jurisdiction).<sup>25</sup>

Beyond these crimes, directly related to violations during law enforcement activities, the Special Investigation Service's jurisdiction also covers certain fundamental rights violations if they are committed by a law enforcement officer, regardless of whether the crime was linked to the exercise of official duties or committed against a person under effective state control. Such crimes include acts of violence (including domestic violence), unlawful deprivation of liberty, threats, and coercion.<sup>26</sup>

Additionally, the service has a general mandate to investigate certain crimes against human rights, regardless of the perpetrator or victim. In the context of freedom of assembly and expression, key crimes of interest include the violation of freedom of speech, unlawful interference with a journalist's professional activities, and persecution (harassment of an individual based on their speech, beliefs, conscience, religion, or faith, as well as their political, social, professional, religious, or scientific activities).<sup>27</sup> Given the nature of these crimes, it is clear that the acts of violence committed by so-called "titushkies" against protest participants fall within the scope of the service's investigative mandate.

## **4. Ineffective investigation of ill-treatment and police brutality**

While the Special Investigation Service publishes information on the measures taken, their reports emphasize numbers rather than substantive progress. According to the report of the Special investigation Service, since the start of the investigation, 476 individuals have been interviewed, including 51 journalists and 130 law enforcement officers.<sup>28</sup> A forensic medical examination has been assigned to the Levan Samkharauli National Forensics Bureau for 236

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<sup>23</sup> European Commission, CDL-AD(2023)044, 18.12.2023, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)044-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)044-e), [04.04.2025].

<sup>24</sup> European Commission, SWD(2024) 697 final, 30.10.2024.. 24-25, [https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd\\_en?filename=Georgia%20Report%202024.pdf](https://enlargement.ec.europa.eu/document/download/7b6ed47c-ecde-41a2-99ea-41683dc2d1bd_en?filename=Georgia%20Report%202024.pdf), [04.04.2025].

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Special Investigation Service report of 2024, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99~&lng=geo](https://sis.gov.ge/Statistics-and-reports?rec_id=99~&lng=geo), [03.04.2025].

individuals injured during the protests. The Service has obtained over 2 000 hours footage from public sources and cameras installed at the protest site and surrounding streets.<sup>29</sup>

According to the Public Defender of Georgia, from November 28 to the nights of December 3-4 and December 6-7, 2024, during the unlawful dispersal of peaceful protests, as well as on February 2, 2025, nearly all detainees were subjected to alleged torture, inhuman, and degrading treatment by members of the Special Forces.<sup>30</sup> According to the Public Defender's report, in these dates, at least 242 detainees were subject to alleged ill-treatment.<sup>31</sup> However, the Prosecutor's Office of Georgia has granted victim status to only 85 individuals.<sup>32</sup> Notably, according to the reviewed cases, victim status was granted to individuals subjected to ill-treatment only upon request by them or their legal representatives. As for those who did not submit a request to the Prosecutor's Office for the recognition of victim status, the Prosecutor's Office has not granted them such status.

Despite these figures, the investigation has not reached any tangible results, nor do the measures taken adequately address the severity and scale of the situation. Multiple key challenges remain, that point at ineffectiveness and complicity of the investigative authorities.

Inconsistencies across various official sources regarding the investigation progress are also worth noting. While the January 17 statement of the Special Investigation Service cites 343 interviews, 52 victims, and 1,400 hours of video footage,<sup>33</sup> the annual report - which should only cover 2024 - reports significantly higher figures. A later communication from the Prosecutor's Office to the Council of Europe on March 21, 2025,<sup>34</sup> includes data exceeding even the report's figures, with no reference to the time period for the actions recorded. These discrepancies raise serious concerns about data manipulation and cast further doubt on the transparency and effectiveness of the investigation.

#### **4.1. Consolidation of cases**

The investigation into allegations of ill-treatment in Tbilisi by Ministry of Internal Affairs officials since November 28 2024, has been consolidated under a single criminal case (N 199291124001), except for the violence against TV Pirveli journalists Maka Chikhladze and Giorgi Shetsiruli, which is being investigated separately.<sup>35</sup>

The case covers incidents spanning two weeks and occurring across multiple locations in Tbilisi. By merging these incidents into a single case, GD authorities create the appearance of an extensive investigation. However number of investigative actions does not equate to an effective investigation. The artificial merging of incidents raises concerns about oversight,

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<sup>29</sup> Ibid.

<sup>30</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, 89, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].

<sup>31</sup> Ibid.

<sup>32</sup> Special Investigation Service report of 2024, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99~&lng=geo](https://sis.gov.ge/Statistics-and-reports?rec_id=99~&lng=geo), [03.04.2025].

<sup>33</sup> Statement of the Special Investigation Service on the progress of the criminal cases initiated in November and December 2024. 17.01.2025, <https://sis.gov.ge/media/Statement-of-the-Special-Investigation-Service-on-the-progress-of-the-criminal-cases-initiated-in-November-and-December-2024>, [03.04.2025].

<sup>34</sup> Comments to the Memorandum on the human rights situation in Georgia of the Council of Europe Commissioner for Human Rights 21 March, 2025, <https://rm.coe.int/comments-of-the-authorities-of-georgia-on-the-commissioner-s-memorandu/1680b4fc1d>, [03.04.2025].

<sup>35</sup> Letter of the office of the Prosecutor General of Georgia, N13/10883, 21.02.2025.

prioritization, and accountability, as the chaotic processing of large amounts of evidence may prevent thorough scrutiny of each crime. Without a case-by-case approach, the investigation risks failing to deliver justice to victims and allowing impunity for perpetrators.

## **4.2. Inadequate criminal qualification**

Investigation into the ill-treatment cases is still being conducted under inadequate qualification to minimize nature and scale of the crimes. According to the office of the Prosecutor General of Georgia, investigation into criminal case N 199291124001 initially began under Article 333, Paragraph 3(b) of the Criminal Code (abuse of official power with violence).<sup>36</sup> However, after incidents of attacks on journalists were recorded, the qualification of the investigation was revised, and it is now being conducted under the combined provisions of Articles 333 and 154 (obstruction of journalistic activities through violence, threats of violence, or abuse of official position).<sup>37</sup>

However, testimonies from victims of ill-treatment, as well as Public Defender's latest report<sup>38</sup> show clear indications of more severe crimes such as torture, threats of torture, and inhuman and degrading treatment.

There were also numerous cases of police unlawfully confiscating personal belongings of ill-treatment victims, which were never returned to the owners.<sup>39</sup> Some victims were able to track their phones using location apps, which indicated that the devices were inside police stations or even at the homes of police officers.<sup>40</sup> Despite this, GD authorities failed to take any action. These acts of theft are not adequately addressed under the current legal classification of the crimes.

## **4.3. Inaction regarding the possibility of destruction or damage of key evidence**

Despite requests from the Special Investigation Service, video recordings were not handed over by the State Security Service, the State Protection Service, the Tbilisi City Hall Security Service, or the Georgian Parliament's Administration:

- According to a letter (N SSG 1 24 00299602) dated 18 December 2024 from the State Security Service, due to ongoing renovations at the Service's administrative building located near the protest location, surveillance cameras on the facade were not recording or monitoring the external perimeter.
- A letter (N 7193/2-1/24) dated 16 December 2024 from the Head of the Parliament's Administration stated that the Parliament does not possess footage from the exterior surveillance cameras installed on the Parliament building.
- A letter (N SSPS 7 24 000 53545) dated 24 December 2024 from the Special State Protection Service stated that due to a malfunction in the video surveillance system and

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<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].

<sup>39</sup> Ibid, 99-100.

<sup>40</sup> Radio Liberty, Check the map to see where the phones confiscated during the arrests at the protest are appearing, 23.12.2024, <https://www.radiotavisupleba.ge/a/33249887.html>, [03.04.2025].

damage to the cameras located on the side of the building, the cameras were not recording.

- A letter (N 22-01243623386) dated 27 December from the Tbilisi City Hall Security Department stated that at one relevant location, there was a malfunction starting on 27 November and video recording was not functioning. Another letter from the same department (N 22-01243623436), dated 27 December, stated that at another relevant location, cameras were damaged and recordings were no longer stored. However, no information was provided about the date of the damage or the status of recordings prior to the malfunction.
- A letter (N MIA 5 24 03928174) dated 26 December from the Director of the Tbilisi Police Department, regarding the detention of more than 60 individuals by department representatives, stated that officers were not equipped with body cameras during the arrests and had not used any devices to record audio evidence.

Neither the report of the Special Investigation Service nor the service's public statements acknowledge that various agencies failed to provide video recordings, citing reasons such as "repairs," "technical issues," or "damage." It took the Service nearly two months to obtain footage from the Public Safety Management Center (112), and each letter from "112" contained disclaimer, that the videos were incomplete. Moreover, Special Investigation Service only requested footage covering the times when special means were actively used, excluding other critical periods such as police movements, positioning, or locations for breaks - which could be essential for identifying masked officers.

Furthermore, the case files contain no body camera footage logs or protocols of inspection, and it remains unclear what volume of such recordings - if any - was handed over to the Special Investigation Service. Given that body camera footage is stored by the Public Safety Management Center "112" for 30 days,<sup>41</sup> the investigative body should have already obtained the recordings or formally requested their archiving. This issue could not be verified through the case materials. The report of Special Investigation Service merely mentions "challenges related to body cameras" in vague terms.<sup>42</sup> The Public Defender's 2024 report also confirms the problems regarding obtaining relevant video evidence with police officers giving different reasons for the absence of body camera footage.<sup>43</sup>

The simultaneous malfunction of camera operations across multiple agencies raises suspicion about intentional damage or deliberate withholding of evidence from the investigative body. The case materials do not clarify whether the investigative body sought additional verification of the unavailability of video recordings or whether, in instances of vague replies, it followed up with clarifying questions to the responsible state agencies.

Particularly noteworthy is the Special Investigation Service's communication with the Operative-Technical Agency. According to a letter (N SSG 0 24 00299610) dated 18 December 2024 from the Head of the Operative-Technical Agency of the State Security Service, radio

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<sup>41</sup> Letter of the Ministry of Internal Affairs, Head of the Patrol Police Department MIA 0 24 03789589, 13.12.2024.

<sup>42</sup> Special Investigation Service report of 2024, [https://sis.gov.ge/Statistics-and-reports?rec\\_id=99~&lng=geo](https://sis.gov.ge/Statistics-and-reports?rec_id=99~&lng=geo), [03.04.2025].

<sup>43</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, 85, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].



communications (walkie-talkie transmissions) were not recorded from 28 November to 8 December 2024. The system was malfunctioning during that period and did not record any transmissions via walkie-talkies.

These recordings were likely to be crucial evidence for determining both the individual responsibility of senior officials and the direct perpetrators of violent acts, as walkie-talkies were the primary means of communication and command transmission among Ministry of Internal Affairs units.

Here too, the case files do not indicate whether the Special Investigation Service took steps to verify the information provided, summoned relevant officials for questioning, referred the matter to the Prosecutor's Office as a potential destruction of evidence, or conducted computer forensic analysis. There are also no records of official reports regarding the system malfunction. The timing of the walkie-talkie system's malfunction coincides with the period in which other agencies reported video system malfunctions or outages - further amplifying concerns about the credibility of the information and reinforcing suspicions of a coordinated and systemic crime within the law enforcement sector.

Although the destruction or damage of evidence does not fall under the investigative jurisdiction of the Special Investigation Service, the case files do not indicate whether the Service referred the potential destruction of evidence to the Prosecutor's Office for investigation. Moreover, it is unclear whether the Special Investigation Service utilized the authority granted under Paragraphs 3-5 of Article 19 of the Law of Georgia on the Special Investigation Service to assume jurisdiction over a non-subordinate case.

#### **4.4. Failure to inspect crime scenes and conduct investigative actions in timely manner**

The failure to inspect crime scenes, the delayed collection of key evidence, and the failure to initiate investigations into publicly disseminated information indicating criminal conduct unless victims filed direct complaints, are prevalent concerns indicating ineffectiveness of the investigation. Moreover, in individual cases, only a minimal number of initial investigative actions were carried out, while some procedures that should have been conducted promptly were still not carried out even months after the investigation began.

It is concerning, that the Ministry of Internal Affairs, in coordination with the City Hall's sanitation service, used special means to wash down crime scenes - destroying evidence of critical importance to the investigation. This includes the failure to collect blood samples from locations where victims were beaten or subjected to violence, the collection and forensic examination of discharged tear gas canisters and shell casings, and the extraction of fingerprints from such items.

The Special Investigation Service never visited the crime scenes to collect such evidence. In fact, they did not even request the Ministry of Internal Affairs to preserve the crime scenes after the dispersal of the protests.

#### **4.5. Failure to obtain security action plan**

By letter No. MIA 8 24 03804291 dated 16 December 2024, the Ministry of Internal Affairs provided the Special Investigation Service with a copy of the Minister of Internal Affairs'

Order No. 1006 of 31 December 2013 on the "Rules for the Storage, Carrying, and Use of Special Means Available in Police Armament" and the Minister's Order No. 1002 of 30 December 2015 "On the Approval of the Guideline on the Conduct of Ministry of Internal Affairs Officers During Assemblies and Manifestations." These acts were delivered in response to the Special Investigation Service's request.

Order No. 1002 stipulates the obligation of development of a security action plan. One component of this plan is the identification of responsible persons and their respective positions in the management of the manifestation. According to the case materials, the Special Investigation Service did not even request this action plan.

It is also noteworthy that the Ministry of Internal Affairs' letter dated December 31 (MIA 8 24 03973672) provides only a partial response to the questions posed by the Special Investigation Service. According to the letter, the Ministry claims to have used only the following special means: water cannons, tear gas, and pepper spray. The Ministry denies the use of rubber bullets, despite the existence of multiple pieces of evidence indicating otherwise.<sup>44</sup>

Moreover, the Ministry's response does not specify who ordered the use of each means or whether multiple types of force were used simultaneously. The Special Investigation Service has not followed up with additional questions on this matter, nor do the case files indicate whether the Director of the Department of Special Tasks was summoned for questioning.

#### **4.6. Lack of investigative measures aimed at identifying personnel and inspecting equipment involved in dispersals**

In its letter No. MIA 6 24 03973670 dated 31 December 2024, the Ministry of Internal Affairs explained that, by Order No. 3348201 of the Special Tasks Department dated 13 December 2019, Annex No. 14 — "The Register for Special Means, Equipment, and Material Property Assignment" — was approved. This register allows for a one-time record of the special equipment assigned to an officer, without indicating a unique identification number. Special means are transferred to the Special Tasks Department in quantities, not individually tracked. This response confirms that the procedure for assigning equipment to officers is deliberately designed in such a way that identification is made difficult — or, in some cases, impossible.

This information, along with the investigation launched by the Special Investigation Service into the spring 2024 protests, clearly indicates that the Ministry of Internal Affairs intended to shield those responsible for the crimes to the greatest extent possible.

The Special Investigation Service has not taken any effective measures aimed at identifying the individual officers, units, specialists, or their commanders involved in managing the manifestations. For instance, it did not request the names, surnames, or official positions of the involved personnel.

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<sup>44</sup> Amnesty International, Georgia: Police actions in Tbilisi amount to yet another punitive assault on freedom of peaceful assembly, 29.11.2024, <https://www.amnesty.org/en/latest/news/2024/11/georgia-police-actions-in-tbilisi-amount-to-yet-another-punitive-assault-on-freedom-of-peaceful-assembly/>, [03.04.2025]; Netgazeti, The photographers injured at the protest were likely hit by rubber bullets, 02.12.2024, <https://netgazeti.ge/news/754360/>, [03.04.2025].

As evident from the materials provided, the Special Investigation Service has not carried out any investigative actions concerning the equipment and vehicles<sup>45</sup> used by law enforcement agencies, nor to identify crimes committed using such equipment.

#### **4.7. Lack of accountability of publicly identified perpetrators and high ranking officials**

On February 2, 2024, during the dispersal of a rally, the head of the Special Tasks Department Zviad Kharazishvili physically assaulted one of the detainees in front of media cameras.<sup>46</sup> GYLA called for the criminal prosecution be initiated against Zviad Kharazishvili and that his authority be suspended.<sup>47</sup> However, no charges have been brought against him regarding this incident.<sup>48</sup>

It is worth noting that a similar incident occurred during the spring protests of 2024, where a law enforcement officer, without a mask, repeatedly struck a citizen in the face for approximately half a minute. This incident was recorded and circulated on social media, however, this incident remains uninvestigated to this day, despite the fact that the perpetrator was identifiable.<sup>49</sup>

This once again confirms that the inaction is not merely due to difficulties in identifying the perpetrators but also stems from the Special Investigation Service's reluctance to hold offenders accountable and the broader culture of impunity and capture of investigative institutions.

Despite the fact that civil society organizations have requested the information through a freedom of information letter, the Special Investigation Service has not disclosed whether any high-ranking officials have been questioned, raising further concerns about accountability.

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<sup>45</sup> For example, according to victims' testimonies, minibuses were used for the torture of protest participants — these vehicles lacked seats and windows and were allegedly mobilized specifically for the purpose of physical violence and torture. See OMCT, Omega Research Foundation, GYLA, GCRT, PHR, Briefing note Torture and Ill-Treatment During Protests and Suppression of Political Dissent in Georgia in November-December 2024, march 2025, <https://www.omct.org/site-resources/files/OMCT-Briefing-Note-Georgia.pdf>, [03.04.2025].

<sup>46</sup> GYLA urges the Prosecutor General's Office of Georgia to initiate criminal proceedings against Zviad Kharazishvili and suspend his authority, 02.02.2025, <https://gyla.ge/en/post/saia-kharazishvilis-siskhlis-samartlebriv-debvnas-itxovs>, [03.04.2025].

<sup>47</sup> Ibid.

<sup>48</sup> On February 3, 2025 the investigation was launched by the Special Investigation Service into the facts of alleged exceeding official powers using violence committed by employees of the Ministry of Internal Affairs against the participants of protests, that took place in Tbilisi on David Aghmashenebeli Avenue under the Article 333 §3 “b” of Criminal Code of Georgia. See Comments to the Memorandum on the human rights situation in Georgia of the Council of Europe Commissioner for Human Rights 21 March, 2025, <https://rm.coe.int/comments-of-the-authorities-of-georgia-on-the-commissioner-s-memorandu/1680b4fc1d>, [03.04.2025].

<sup>49</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, 87-89, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].

## 5. Case of Mzia Amaghlobeli

Georgian female journalist, founder of the media outlets "Batumelebi" and "Netgazeti," Mzia Amaghlobeli, remains in arbitrary custody, as hearings on politically motivated criminal case against her continue.<sup>50</sup>

Mzia Amaghlobeli was initially arbitrarily detained under administrative law on January 11, 2025, while putting up a protest sticker. She was later released on a personal guarantee. Shortly after her release, she was detained again under criminal law, charged with an offense under Article 353<sup>1</sup>, Part 1 of the Georgian Criminal Code, which pertains to an assault on a police officer in connection with their official duties. The Batumi City Court unjustifiably imposed the strictest measure of restraint - detention - against her. Mzia Amaghlobeli was subjected to ill-treatment by the head of Batumi Police, Irakli Dgebuadze, both in the police yard and inside the police station building.<sup>51</sup> The circumstances of her arbitrary detention and ill-treatment are detailed in GYLA's previous alternative report.<sup>52</sup>

On the day of her arrest, Mzia Amaghlobeli underwent a medical examination conducted by an expert from the Levan Samkharauli National Forensics Bureau. According to the expert's conclusion, Mzia Amaghlobeli had bruises in the area of her left shoulder. These injuries were caused by the impact of a blunt object.<sup>53</sup> A review of the case materials confirm that there is a legal basis for granting Mzia Amaghlobeli victim status. GYLA urged the Prosecutor's Office on multiple occasions to grant her victim status, but did not receive any response.<sup>54</sup> On February 24, 2025, GYLA submitted a complaint to the Tbilisi City Court, requesting that the court grant Mzia Amaghlobeli victim status.<sup>55</sup> The court has denied the request.

## 6. Public Defender's assessment of the ineffectiveness of the investigation

According to the recently published annual report of the Public Defender of Georgia, the ongoing investigation by the Special Investigation Service is ineffective and fragmented, focusing only on the potential responsibility of individual officers without examining the

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<sup>50</sup> GYLA, Mzia Amaghlobeli Remains in Illegal Custody, 05.03.2025, <https://gyla.ge/latest/news?page=3>, [03.04.2025].

<sup>51</sup> On January 13, 2025 the investigation was launched by the Special Investigation Service into the facts of exceeding official powers using violence against the arrested participants (including Mzia Amaghlobeli) of protests, that took place on 11-12 January of 2025, near the building of Police Department of Autonomous Republic of Adjara of the Ministry of Internal Affairs under the Article 333 §3 "b" of Criminal Code of Georgia. See Comments to the Memorandum on the human rights situation in Georgia of the Council of Europe Commissioner for Human Rights 21 March, 2025, <https://rm.coe.int/comments-of-the-authorities-of-georgia-on-the-commissioner-s-memorandu/1680b4fc1d>, [03.04.2025].

<sup>52</sup> Information from Civil Society Organization Submitted to the OSCE Vienna (Human Dimension) Mechanism Prepared by Georgian Young Lawyers' Association (GYLA), January 21, 2025, [https://admin.gyla.ge/uploads\\_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf), [03.04.2025].

<sup>53</sup> GYLA files a complaint with the court regarding granting Mzia Amaghlobeli a victim status, 25.02.2025, <https://gyla.ge/post/saia-sachivari-mziaamaglobeli>, [03.04.2025].

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

events systematically.<sup>56</sup> It fails to assess possible orders or approval from high-ranking officials and does not aim to reconstruct the full picture.<sup>57</sup>

The Public Defender also emphasizes, that the investigation does not include charges of torture, threats of torture, inhuman, or degrading treatment. Instead, cases are being investigated under the charge of abuse of power through violence, which fails to reflect the severity and scale of the mistreatment.<sup>58</sup> GD authorities continue to apply Article 156 of the Criminal Code (persecution on the grounds of intolerance) inconsistently and arbitrarily, qualifying cases of political or opinion-based persecution under different legal provisions.<sup>59</sup>

According to the report, the investigation has failed to obtain relevant video footage from various state agencies and private entities, as well as body camera recordings and police radio communications.<sup>60</sup> Authorities have justified this failure with unsubstantiated or contradictory explanations.<sup>61</sup>

The Public Defender underlines, that the so-called "black-masked" groups that brutally attacked protesters, including journalists, during the protests also remain unpunished.<sup>62</sup> Likewise, almost no individuals have been held accountable from various groups who physically assaulted activists and politicians during 2024 spring protests.<sup>63</sup>

## 7. Conclusion

The recent grave violations of fundamental human rights and democratic backsliding remain urgent issues in Georgia. The ineffective investigation of these abuses - including excessive force against peaceful protesters, torture, and targeted harassment of journalists and civic activists - indicates an organized crackdown on civil liberties.

The signatory organizations believe, that as Georgian Dream's attacks on human rights persist and a culture of impunity prevails, the recommendations outlined in GYLA's previous alternative report<sup>64</sup> remain as relevant as ever. We call on participating states to take immediate action and respond by invoking the OSCE's Human Dimension Reporting Mechanism (i.e. Moscow Mechanism).

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<sup>56</sup> The Public Defender of Georgia, The Situation in Human Rights and Freedoms in Georgia 2024, 79, <https://ombudsman.ge/res/docs/2025040114382036221.pdf>, [03.04.2025].

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Information from Civil Society Organization Submitted to the OSCE Vienna (Human Dimension) Mechanism Prepared by Georgian Young Lawyers' Association (GYLA), January 21, 2025, [https://admin.gyla.ge/uploads\\_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf](https://admin.gyla.ge/uploads_script/publications/pdf/Alternative%20Information%20from%20GYLA%20to%20Vienna%20Mechanism.pdf), [03.04.2025].