

აბაზოვის საქმეზე  
სასამართლოს  
და პროკურატურის  
გადაწყვეტილებები  
საეჭვო და  
დაუსაბუთებელია



## THE DECISIONS OF THE COURT AND PROSECUTOR'S OFFICE ON ABAZOV'S CASE ARE SUSPICIOUS AND UNJUSTIFIED

GYLA responds to the judgment delivered by the Rustavi City Court on February 12, 2020, by which Temur Abazov, the former mayor of Marneuli, accused of degrading treatment was acquitted. According to GYLA, at the last stage of the proceedings, Prosecutor's Office reduced the charges of Temur Abazov that was suspicious and unsubstantiated. However, despite the sufficient evidence in the case, the court passed the judgment of acquittal, thereby encouraging the dangerous practice of degrading treatment. The Rustavi City Court also acquitted three other persons charged with this case, who were accused of physical assaulting of the victim.

As it is known to the public, on June 10, 2018, Abazov forced the resident of Marneuli to apologize and wash urine on his face. The Prosecutor's Office charged Teimuraz Abazov under Article 144<sup>3</sup> (2) (a) of the Criminal Code of Georgia (degrading and inhuman treatment by an official or a person holding equivalent position). During the

investigation Teimuraz Abazov was additionally charged under Article 157 (2) of the Criminal Code of Georgia, this included unlawful use and/or dissemination of personal or family secrets, information on private life or of personal data through a piece of work disseminated in a certain way, through internet, including social network, mass media or other public appearance, which has resulted in considerable damage.

GYLA has been protecting the victim's interests since the second day of the beginning of the investigation. Accordingly, GYLA's lawyer was able to study the evidence obtained by the investigation. The evidence in the case (testimony of witnesses, biological examination report (biological material - urine content was ascertained), psychological examination report, disseminated video production, etc.) proved culpability of Teimuraz Abazov' and provided the possibility of delivering of a judgment of conviction.

It is noteworthy that, a few days before the court delivers a judgment, the Prosecutor's Office had acquitted Teimuraz Abazov of the charge under Article 157 (2), but the probability of passing judgment of conviction against Teimuraz Abazov under that article was high. According to the Prosecutor's Office, the dissemination of video of degrading and inhumane treatment t which has resulted in considerable damage was one of the components of Article 144<sup>3</sup> of the Criminal Code of Georgia and there was no need to bring any additional charges. In addition to the fact that this substantiation is not in line with the existing legislative framework and practice. It is unclear why the Prosecutor's Office decided to acquitted Abazov of the charge at the last stage of the proceedings, particularly for the crime considered in Article 157. However, GYLA believes that despite the fact that the Prosecutor's Office reduced the charge, the judge could pass judgment of conviction under Article 144<sup>3</sup>.

GYLA continues to protect the interests of the victim in this case and will provide the public with an additional assessment after submitting a substantiated verdict.