Regarding the airing of the torture-depicting video records on TV company “Obiektivi”

For the last few days, the video records, depicting torture, are being aired through the TV company “Obiektivi”. The mentioned video records are repeatedly aired in the format of the advertisement, in a way which makes it possible to identify the victims. We consider that it is unacceptable for the media to air the mentioned videos in this way, because this violates the right to privacy of the victims and might have dire psychological impacts on both victims, as well as their family members and the broader public. At the same time, the video records can become easily accessible to the underaged.

We consider that it is possible to draw public attention towards the impunity in relation to the torture, and this must be done in consideration of the media ethics and respect towards human rights. The law of Georgia on the Public Broadcaster directly prohibits a broadcaster to air the materials, which are violating the dignity and basic human rights of the humans and citizens, or materials that contain obscenity. Through its actions, the TV company “Obiektivi” is violating the rules of ethics of a broadcaster. Regardless of the timing of airing this information, the broadcaster has the obligation to safeguard the right to privacy, to safeguard the public from the damaging and insulting materials, as well to as safeguard the principles relating to airing the antisocial and criminal acts. The broadcaster is obliged to ensure, among others, the safeguarding of the legitimate interests of the victims and potential perpetrators, as well as their family members. At the same time, the Georgian Young Lawyers’ Association (GYLA) underlines that the state must ensure effective investigation of the cases of torture, must ensure that all perpetrators are identified and that the responsibility is imposed upon them. The state is obliged to investigate the torture cases comprehensively, while the public has the right to receive objective, unbiased and comprehensive information about the state of the compliance with those duties (to investigate) by the government.

The mentioned video records represent an important evidence for the purposes of such investigation. The video records also have the public value; it is possible to preserve them and make available to the public for the strictly defined purposes and in such a form, which makes it impossible to identify the victims and in such a way that those records are only accessible to those, who have the possibility to give prior consent on viewing those video records (which automatically excludes the possibility for the underage youth to access them); this can have the aim of informing the public and preventing the repetition of such crime. Those aims must strictly exclude the possibility to abuse the video records for the political purposes, for triggering violence, calling upon or provoking the violence.