



Statement of Civil Society Platform “No to Phobia!” on Investigation of the Attack on African Students

NGOs react to the acts of violence perpetrated against African students on April 8, on possible grounds of racial intolerance. Questions arise whether the pending investigation is impartial, whether the law enforcement authorities aim to establish the objective truth in the case and whether attempts are made to address the legal matter in an informal format and allow possible perpetrators to escape liability.

On April 8, in Tbilisi, on a municipal sports field on Beliashvili Street, several foreign students were playing football when they were approached by a group of aggressive men and expelled from the field on possible grounds of racial intolerance, amid physical and verbal insults.

The same day videos of the incident [1] were released online, clearly illustrating that the perpetrators were armed with bats and cold weapons and used hate speech against the victims. This is also confirmed by statements provided by the students to the police, proving the discriminatory motive of the crime.

Initially, police officers that responded to the incident suggested that the students deal with the confrontation in a non-legal format. Following the public acute reaction, investigation was launched under Art.126 of the Criminal Code (battery) and it is still pending. The investigation has not qualified the case as racial discrimination. Several investigative measures have been carried out but possible perpetrators have

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not been held liable.

NGOs have highlighted that police officers have demonstrated negligence and tolerance towards racially motivated violence and have urged the General Inspection to examine the matter [2], but their demand has not been responded.

The friendly match proposed by Tbilisi Mayor Kakha Kaladze[3] should have been aimed at expressing solidarity with the students and encouraging tolerance in the society, and public officials should have unequivocally denounced crime and racism, but this was not the case.

As the investigation is progressing, possible attempts to pressure the students have been identified. The law enforcement authorities and residents of Beliashvili Street that were involved in the incident are possibly trying pressure some of the students into recanting their statements, to cause termination of the investigation on grounds of absence of elements of a criminal act.

We believe that the investigation is not objective. In addition, possible attempts of the MIA employees and political officials to possibly cover-up the crime and terminate the investigation are extremely alarming. This once again confirms the state's failure to adequately react to and ensure effective investigation of crimes motivated by discrimination.

We urge:

The Ministry of Internal Affairs of Georgia:

1. To immediately take measures in response to the April 8 incident and adequately punish the perpetrators. In this regard, it is especially important to identify the racist motives of the crime.
2. The General Inspection should immediately launch a probe into possible misconduct of MIA employees.
3. To make results of the investigation public in view of public interest.

The Prosecution Service of Georgia:

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1. To examine and respond to possible abuse and/or excessive use of power by police officers.
2. To refer the case to another structural unit of the Ministry of Internal Affairs of Georgia for investigation, if acts of misconduct are confirmed in the course of the investigation.

Georgian Young Lawyers' Association (GYLA)

Tolerance and Diversity Institute (TDI)

Institute for Democracy and Safe Development (IDSD)

Media Development Fund (MDF)

Sapari Union

Georgian Reforms association (GRASS)

Georgian Democratic Initiative (GDI)

Article 42 of the Constitution

Open Society Georgia Foundation (OSGF)

[1] <https://www.youtube.com/watch?v=P8Bmq-mnY64>

<http://netgazeti.ge/news/266201/>

[2] Statement of NGOs, 09.04.2018 <http://www.tdi.ge/ge/statement/arasamtavrobo-organizaciebi-shakvkanian-studentebze-tavdasxmis-shesaxeb>

[3] <http://netgazeti.ge/news/267875/>

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TDI responds to the initiative and statements of Kakha Kaladze
<http://www.tdi.ge/ge/statement/tdi-kaxa-kalazis-iniciativasa-da-gancxadebebs-exmaureba>