



## **Police control (the so-called police raids), in some cases was carried out with violations and misconduct**

According to the Ministry of Internal Affairs of Georgia, special police control was carried out throughout the country on 22-24 December, 2017. Within the above measures, pedestrians as well as vehicles were stopped and checked. It is obvious that special police control was carried out with a series of procedural violations, and in some cases, the police actions violated the constitutional rights and freedoms of citizens.

The circulated information of the alleged ill-treatment of poet Zviad Ratiani is disturbing as it constitutes a violation of human rights by the police. As Ratiani declared, law enforcement officers beat him several times during the police control. Later, the Ministry of Internal Affairs released a statement regarding the alleged ill-treatment of Ratiani, but the Ministry emphasized not the injuries inflicted on the citizen and the alleged offenses by the police, but Ratiani's alcoholic intoxication and improper behavior. The Ministry's statement is an attempt to shift the focus to Zviad Ratian's possible provocative actions, which may not be qualified as the power abuse

by the police, rather than on the legitimacy of the use of proportionate force by the police.

Investigative actions carried out in Akhmeta point at alleged violations committed by police officers, after which a young female was taken to hospital with health issues. Three more citizens residing in Zugdidi have mentioned the use of excessive force by the Police during detention. According to the above citizens, they were detained by the police on the grounds of disobedience to the law enforcement officers and transferred to Zugdidi District Division where they were fallen the victims to ill-treatment.

Another example of an alleged violation of the law during the police control is the case of a citizen who was detained under the administrative procedures in Batumi and whose interests are protected by the GYLA's Batumi branch. According to the citizen, the strangers dressed in the police uniform roughly addressed him, failed to inform him of his important rights, did not introduce their identity when communicating and did not produce an official document. One of the policemen only told him that they were carrying out a police raid. In the process of checking, J.K was forced into the car and brought to the Division first, and then - to the detention isolator.

**The above once again confirms that, in some cases, policemen did not abide to the requirements established by the law and were applying the gross and degrading forms of communication with citizens.**

The rule and grounds for the implementation of the Special Police Measures are determined by Article 24 of the Law of Georgia "On Police". The above measure shall be carried out if there are reasonable grounds to believe that a crime or other offense has been or will be committed. During a special police control, a police officer shall be equipped with a switched-on video recording device attached to his/her uniform.

We would also like to note that police activities should not infringe on the honor and dignity of a person, they should not violate the right to life, physical integrity, property rights and other rights recognized by the Constitution of Georgia. In addition, torture, inhuman and degrading treatment shall not be allowed during the police control actions.

It is important that police activities (special police control), which are one of the tools to prevent commission of crime / offense, shall be carried out in full compliance with

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the legislation and ethical code of police.

## **GYLA urges:**

- Ministry of Internal Affairs – to ensure the protection of citizens' rights and legislation during any police control measures;
- General Inspection of the Ministry of Internal Affairs - to provide efficient supervision of the activities of police officers and examine any cases of violation of law and / or ethical norms thereof;
- The Prosecutor's Office of Georgia – to investigate impartially and thoroughly all the cases concerning any alleged offenses committed by the police during police control.