



## Respond of the Civil Organizations to the industrial accident occurred in Tkibuli Mines

Another industrial accident occurred in Tkibuli, Mindeli □□ mine at dawn, resulting in 4 deaths and 6 severe injuries. Reportedly, the incident took place at the same precinct, where 6 miners died on April 5 of the current year. In the last 3 months, this is the third industrial accident in Tkibuli, which led to the death of 12 people and severely injured 9 people.

Cases of death and maiming of the miners and its recurrence show, that we are dealing not with single and exceptional industrial accidents, but with continuous and systematic practices committed against the employees, to which the absolute indifference of the state makes it an accomplice. Despite the severity of the problem over the years, the government has not taken effective steps to create an efficient labor supervisory system; furthermore, in the absolute majority of cases of death and

injury of the workers as a result of violation of labor safety rules, the relevant persons have not been held liable, among them, in none of the cases the investigation has established the criminal liability of the mine owners and its managers until now.

The current situation indicates the complete failure of labor safety policy and criminal policy from the government. The government has acknowledged the labor safety issue over the years; however, no decision has been made throughout those years to establish effective supervisory mechanisms in favor of labor safety. After the death of 6 miners on April 5, with the participation of the Minister of Labor and other Cabinet Ministers, the Tripartite Social Partnership Commission made a decision to establish a special commission to evaluate the technical operability of the Tkibuli mines. Despite the high legitimacy of the decision made on the establishment of the Commission, in fact, the Commission has not worked until now, which clearly demonstrates non-priority of the labor policy issues from the government and attempts to create an illusion of solving existing serious issues.

Furthermore, it is important to talk about the responsibility of the Ministry of Internal Affairs on the death and maiming of the people as a result of violation of the labor safety rules, whose work on crimes committed by violation of labor safety rules is particularly inefficient. We can not talk about the real responsibility as a result of the investigation on any case in Tkibuli. The Public Defender also points out the issue of inefficient investigation, according to which, in 2017, out of 128 cases of investigation launched on industrial accidents only 11 cases were conducted at the court, the investigation has been suspended on 36 cases, 81 cases are still under investigation. In connection with industrial accidents, within 90 cases, the deprivation of liberty as a real punishment was determined only in 3 cases. 72,2% of the cases ended without a substantial review in the plea agreement. The amount of the imposed fine varies from 500 to 5000 Gel. [1] As a result, significant questions arise toward efficiency and relevance of the investigation made by the Ministry of Internal Affairs on cases of death and maiming as a result of violation of labor safety rules.

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Taking into consideration the current crisis, we keep the demands on the agenda, which implies the responsibility of the State to ensure the launch of well-functioning and efficient labor supervisory system immediately, in shortest time and as for the Ministry of Internal Affairs of Georgia it should conduct an investigation on the incident promptly and effectively and proactively inform the society about the process of investigation.

In addition, due to the current situation, we demand the following:

-The Parliament of Georgia should establish a temporary investigative commission, which will examine and evaluate the efficiency and relevance of the investigations carried out by the Ministry of Internal Affairs on cases of maiming and injury occurred in the recent years in Tkibuli.

-Within one month the Government of Georgia should present the vision of alternative economic development of Tkibuli, which will be developed with the involvement of interested parties, local municipality and local population and immediately start its implementation for the purpose of creating possibility of alternative employment in Tkibuli.

## Signatory organizations:

Human Rights Education and Monitoring Center (EMC)

Georgian Young Lawyers' Association (GYLA)

Article 42 of the Constitution

The "Open Society Georgia" Foundation

Solidarity Network-Workers' Center

Young Socialists

Equality Movement

Georgian Young Greens

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