



# GYLA appeals against Irakli Khoperia's torture case at the European Court of Human Rights

On April 17, 2019, in cooperation with the partner organization [\[REDACTED\] Human Rights Advocacy Center \(EHRAC\)](#) **Georgian Young Lawyers Association** filed a complaint at the European Court of Human Rights. The complaint concerns the ill-treatment carried out against Irakli Khoperia by the police officers and the inefficiency of the investigation launched on this fact.

On February 16, 2017, Irakli Khoperia was taken to the 5<sup>th</sup> Unit of Vake-Saburtalo Police Department by the police officers without any explanation, where he was subject to verbal and physical abuse by the police officers. In Parallel with the violence, police officers were forcing Irakli to confess a crime he had not committed, otherwise threatening him by planting drugs and multi-year prison sentence. Irakli Khoperia was in the department for about 4 hours without communication with the outside world. The police officers released Irakli Khoperia only after they found out, that they arrested Irakli by mistake, instead of another person.

The Tbilisi Prosecutor Office **launched** investigation on Irakli Khoperia's torture on March 15, 2017, about one month late after the fact. The Tbilisi Prosecutor Office had been conducting the investigation for several months, however, in October 2017, suspended the investigation on the grounds that **there were no signs of the crime identified** in the police actions. In November 2017, based on the decision of the Tbilisi City Court, the suspended investigation on Irakli Khoperia's torture has been resumed. After that, the investigation on the mentioned case is conducted by the Chief

Prosecutor's Office of Georgia.

In the filed complaint GYLA claims, that Irakli Khoperia received the injuries exactly in the 5<sup>th</sup> Unit of Vake-Saburtalo Police Department of Tbilisi city, while being under the police control. Herewith, nevertheless more than 2 years have passed since the launch of the investigation and numerous [evidence](#) obtained within the investigation directly confirms the fact of ill-treatment against Khoperia by the police officers, the perpetrators have not been punished yet. Accordingly, the ongoing investigation cannot meet efficiency standards set by the European Court.

**GYLA substantiates the violation of Article 3 (Prohibition of Torture) of the European Convention in the complaint filed at the European Court.**

**Irakli Khoperia ☐☐ torture case clearly demonstrates the systematic deficiencies revealed in the process of ongoing investigation related to the crimes committed by the law enforcement officers.** Impunity for this type of crime cannot guarantee the prevention of criminal acts by the police in the future, moreover, it may have a stimulating effect.

**This case once again confirms the need to activate promptly State Inspector ☐☐ Office. GYLA believes, that the tool equipped with the right to investigate and criminal persecution will guarantee an independent and effective investigation of the crime committed inside the system of the law enforcement agencies.**