



The joint Statement of Georgian Civil Society Organizations on the Case of Irakli Bebuia

To the Government of Georgia

To the UN High Commissioner for Human Rights

To the Council of Europe Commissionaire for Human Rights

To the Parliamentary Assembly of Council of Europe

To EU Special Representative for Human Rights

To EU Special Representative for the South Caucasus and the crisis in Georgia

საქართველოს ახალგაზრდა იურისტთა ასოციაცია
GEORGIAN YOUNG LAWYERS' ASSOCIATION



To the Organization for Security and Co-operation in Europe (OSCE)

To the International Committee of Red Cross (ICRC)

To the All Diplomatic Missions accredited in Georgia

The public organizations in Georgia call the Government of Georgia and relevant agencies, as well as the International Organizations and Diplomatic Missions to take all necessary measures under their respective mandates to protect illegally detained Irakli Bebuia's security, life and rights in the occupied Abkhazia and facilitate the process of his transfer to the controlled territory of Georgia.

As you know, Irakli Bebuia, the citizen of Georgia was detained on 30th of September in Gali region, [1] on the fact of burning Abkhazian flag in front of the Culture House. In the video recording, where Irakli Bebuia is allegedly being interrogated by the Abkhazian de facto authorities, himself confirms the burning of the flag, but also points out that he has nothing against Abkhazians, he supports friendly relationship of these two peoples and he symbolically burned the flag as a sign of protest against their division.

On September 30, Irakli Bebuia was detained by the Abkhazian de facto law enforcement authorities. On the same day, during the search at Irakli Bebuia's house, de-facto militia found a grenade, and claimed that they found it under the pillow.

The de facto law enforcement authorities of occupied Abkhazia accuse Bebuia under several articles of the criminal code of de facto republic, including the insult to state symbols, punishable up to 1 year in prison, intentional damage or destruction to property in aggravating circumstances, punishable by 4 to 7 years in prison, and illegal possession of a weapon, punishable by 2 to 5 years imprisonment.

Irakli Bebuga was sentenced with 30 days of imprisonment as a restrictive measure and he remains in Sokhumi custodial until now. The family has a restricted communication with Irakli Bebuga and does not have a reliable information on his treatment and state of health. The Treasury Attorney was probably appointed and the issue of his effective legal protection could also become problematic.

Irakli Bebuga and his family are IDPs since the war of 1993. In 2016, Irakli returned to Gali to take care on his grandmother, but he could not come back to Tbilisi as he had not needed documents for so called border crossing. It is noteworthy, that his health condition is weak, he has chronic diseases and as he was locked down in Gali for 4 years, he could not take necessary treatment, which worsened his health conditions.

Illegal detention of Irakli Bebuga is particularly alarming due to the political contexts and sensitivity of his case. The harsh comments were made in social networks, some of them request his severe punishment.

Illegal detentions and inhuman and cruel treatment during detention are characteristic of occupied regimes. In such conditions we remember number of dramatic cases, including the obscure death of Irakli Kvaratskhelia in the de facto penitentiary institution, the violations of right to life in tragic cases of Giga Otkhozoria, Archil Tatumashvili, David Basharuli and others.

The situation in Abkhazian prisons and the inadequate conditions of prisoners, who are deprived of basic rights and adequate living conditions in penitentiary institutions, are problematic. The hard and scarce prison conditions contains the high risks of spreading severe diseases and cannot create minimum guarantees for the protection and respect of privacy.^[2]

The restriction of legal mechanisms in the context of occupation creates the feeling of impunity and inactivity. Therefore, engagement of international actors with their political instruments has particular importance.

Taking into account the context of Irakli Bebuia case and its related risks, we address and call for:

The government of Georgia:

- to use formal and informal formats of communication with Abkhazia de facto authorities and all diplomatic mechanisms for the release and transfer of Irakli Bebuia;
- to take relevant administrative and legal measures to protect Irakli Bebuia's security and rights before his transfer;
- to take preventive political measures so that Irakli Bebuia's case was not another reason for the oppression of ethnic Georgians living in Gali.

The International Organizations and Diplomatic Missions:

- to take respective political, diplomatic and administrative measures to facilitate protection of Irakli Bebuia's rights, security and life.
- more specifically, the international organizations acting on the territory of Abkhazia, facilitate communication of Irakli Bebuia with his family and examine and monitor his physical and mental health conditions.

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Signatory Organizations:

Human Rights Education and Monitoring Center (EMC)

Georgian Young Lawyers' Association (GYLA)

Human Rights Center

Democracy Research Institute (DRI)

Tolerance and Diversity Institute (TDI)

Platform SALAM

Center for Peace and Civic development

[1] Note: On 30th of September, Abkhaz Community and de-facto authorities celebrate their victory in war, while 27th of September is celebrated as a day of mourning and the fall of Sokhumi.

[2] Human Rights in Abkhazia Today Report by Thomas Hammarberg and Magdalena Grono, July 2017