

## URGENT APPEAL - THE OBSERVATORY

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**GEO 001 / 1110 / OBS 087**

Acts of violence /

Physical assault

**Georgia**

October 14, 2016

The Observatory for the Protection of Human Rights Defenders, a partnership of the World Organisation Against Torture (OMCT) and FIDH, requests your urgent intervention in the following situation in **Georgia**.

### **Description of the situation:**

The Observatory has been informed by reliable sources about the assault of three international election observers<sup>1</sup> from a joint mission of the Norwegian Helsinki Committee (NHC), International Partnership for Human Rights (IPHR) and the European Platform for Democratic Elections (EPDE).

According to the information received, on October 8, 2016, just before midnight, a group of unidentified men broke into the polling station 79 in the Village of Jikhashkari, in Zugdidi district (West Georgia). They disrupted the counting procedure, broke the ballot box, damaged election items and physically attacked the observers. They took the phone of two of the observers, while the third observer, a woman, was tripped and hit with an elbow.

The police was present during the scene and did not intervene. The observers subsequently filed a complaint at the Zugdidi Central Police Station on the same evening. As of issuing that Urgent Appeal, two suspects had been apprehended.

The joint international election observation mission was established on September 12, 2016, in Georgia, and on the day of the first round of the parliamentary elections, 36 accredited observers were deployed in the country to visit more than 200 polling stations.

The Observatory strongly condemns the assault against the above-mentioned human rights defenders, and would like to remind Georgia's obligation to protect international observers in all circumstances under both the national Election Code and the OSCE Copenhagen Document.

The Observatory nonetheless welcomes the investigation conducted by the Georgian police and the inquiry opened by the General Inspectorate regarding police's behaviour, and hopes that the investigations will be carried out impartially and transparently, in order to identify all those responsible, bring them before an independent tribunal, and sanction them as provided by the law.

### **Action requested:**

Please write to the authorities in Georgia urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of the above-mentioned international election observers;
- ii. Ensure that they are not subject to any acts of harassment, so that they are able to carry out their work without hindrances in Georgia;

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<sup>1</sup> The Observatory does not disclose the name of the three observers, as they are still fulfilling their mission in Georgia.

iii. Undertake a thorough, impartial and transparent criminal investigation into the assault perpetrated against them, in order to identify all those responsible, bring them before a competent and impartial tribunal and apply to them the sanctions provided by the law;

iv. Comply with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, in particular:

- Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”

- Article 5 and 6 (c), which stipulate that “for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually or in association with others, [...] to meet or assemble peacefully” and “to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these matters and other appropriate means, to draw public attention to those matters”;

- Article 12.1, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, **de facto** or **de jure** adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the [...] Declaration”;

v. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international and regional human rights standards and human rights instruments ratified by Georgia.

#### Addresses:

- Mr. Giorgi Margvelashvili, President, State Chancellery, 7 Ingorokhva Street, 0134 Tbilisi, Georgia; Tel : (995 32) 28-27-13; (995 32) 28-24-00; (995 32)99 96 53; ( 995 32) 98-72-62, ( 995 32) / 99-87-50, Fax: ( 995 32) 98-72-62 (99532) 28-27-68; (99532)28-27-14; E-mail: pr@president.gov.ge, vano@president.gov.ge
- Ms. Irine Imerlishvili , Secretary of the National Security Council of Georgia, 7, Ingorokhva Street. 0134 Tbilisi, Georgia, Tel: (+995 32) 2 282547 ; Fax: (995 32) 2 98 99 72 ; E-mail: office@nsc.gov.ge
- Mr. Guiorgui MGHEBRISHVILI, Minister of Interior, Ministry of Interior of Georgia, 10, Gulua street, Tbilisi, Georgia. Tel: (+995 32) 274 62 50/ (+995 32) 2 41 21 47; Fax:(995 32) 2 98 71 46 / 99 95 24; E-mail: press\_center@pol.ge
- Ms. Eka Beselia, Chairman of the Parliamentary Committee on Human Rights and Civil Integration, Parliament of Georgia, 8 Rustaveli Avenue. 380018 Tbilisi, Georgia; Tel: (995 32) 2 28 13 88; Fax: (995 32) 2 92 15 63. Email: Humanrights@parliament.ge
- Ms. Théa TSULUKIANI, Minister of Justice, 19, Griboedov st, Tbilisi, 0108, Georgia, Tel: (995 32) 2 93 27 21 / 93 50 49 / 75-82-22; Fax: (995 32) 2 93 02 25 / 75-82-22 ; Email: justice@justice.gov.ge
- Mr. Ucha Nanuashvili , Ombudsman of Georgia, N6 Nino Ramishvili Street, Tbilisi 0179 Georgia, Phone: (995 32) 2 23 44 99 / 2 91 38 14 / 2 91 38 15 / 2 91 38 41 / 2 91 38 42 / 2 91 38 43 / 2 91 38 75 / 2 91 38 76 / 2 91 38 77; Fax: (995 32) 2 91 38 41; Email: info@ombudsman.ge
- H.E Mr. Shalva Tsiskarashvili, Ambassador, Permanent mission of Georgia to the United Nations in Geneva, Rue Richard Wagner 1, 1202 Geneva, Switzerland, Tel: +41 22 919 10 10; Fax: + 41 22 733 90 33 ; Email: geomission.geneva@bluewin.ch
- H.E Ms. Natalie Sabanadze, Ambassador, Diplomatic Mission of Georgia to Brussels, Rue Père Eudore Devroye 245, 1150 Woluwe Saint Pierre, Belgium, Tel: +32 2 761 11 90; Fax: + 32 2 732 85 47; Email: geomission.eu@mfa.gov.ge

Please also write to the diplomatic mission or embassy of Georgia in your respective country as well as to the EU diplomatic missions or embassies in Georgia.

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Geneva-Paris, October 14, 2016

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

*The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by the World Organisation Against Torture (OMCT) and FIDH. The objective of this programme is to intervene to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of [ProtectDefenders.eu](http://ProtectDefenders.eu), the European Union Human Rights Defenders Mechanism implemented by international civil society.*

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
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