



SPECIAL INVESTIGATION SERVICE

**SPECIAL INVESTIGATION SERVICE
MID-TERM REPORT
REPORTING PERIOD: MARCH 01–AUGUST 31 (06 MONTHS)
2022**

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INTRODUCTION

INTRODUCTION

An effective, prompt and independent investigation of the facts of violent crimes and ill-treatment committed by an official is one of the most important preconditions for the democratic development of the country and the protection of human rights. To achieve this goal, the creation of an independent investigative mechanism was one of the requests of the society and one of the obligations undertaken by Georgia under the Association Agreement with the European Union.

According to the Association Agenda 2017-2020 between the European Union and Georgia, the country has committed to implement effective reforms in the sphere of combating ill-treatment, which was reflected in the establishment of the State Inspector's Service on November 01, 2019, and in the activation of the independent body – The Special Investigation Service, from March 1, 2022¹.

The mission of the Independent Investigation Mechanism is to strengthen and elevate the human rights standards in the country, to establish guarantees for the protection of victims of ill-treatment, to respond with a prompt and independent investigation to the crimes falling under the article 19, paragraph 1 of the law of Georgia on the Special Investigation Service, to inspire public perception that citizens are protected from excessive, disproportionate and illegal use of force by the representatives of the law enforcement agencies and in turn, to have a positive effect on law enforcement sector in terms of system recovery, system development according to european standards and efficient functioning.

From March 1, 2022, the Service investigates not only the facts of ill-treatment committed in the exercise of official powers, but also the violent crimes committed by the representatives of the law enforcement bodies off-duty. According to the legislative amendments, investigative jurisdiction of the Service was extended up to 28 articles/crimes of the mentioned nature. In addition, the investigative jurisdiction of the Service has been increased by 12 articles of the Chapter on Crimes against Human Rights and Freedoms, which deals with freedom and inviolability of human privacy, obstruction of journalism, persecution and restriction of freedom of speech, as well as, crimes related to election procedures and the free expression of the wills of voters committed either by a public servant or an ordinary citizen. The mentioned facts indicate that the workload of the Service will increase significantly compared to the current status quo, which in turn poses a major challenge for the institution and requires appropriate counter measures to be taken.

¹ [HTTPS://MATSNE.GOV.GE/KA/DOCUMENT/VIEW/4276790?PUBLICATION--6](https://matsne.gov.ge/ka/document/view/4276790?publication--6)

1

ACHIEVEMENTS OF THE REPORTING PERIOD, IMPLEMENTED AND ONGOING ACTIVITIES



1. ACHIEVEMENTS OF THE REPORTING PERIOD, IMPLEMENTED AND ONGOING ACTIVITIES

1.1. INSTITUTIONAL AND ORGANIZATIONAL DEVELOPMENT

From March 1, 2022 the Service started functioning through the administrative buildings located in Tbilisi (№9, M. Asatiani St.), Kutaisi (№22, I. Abashidze Ave.) and Batumi (№54, Mazniashvili St.). However, at the first stage of functioning, taking into account the increased investigative jurisdiction and the specifics of the crimes, in order to carry out a number of investigative and procedural actions promptly and in line to international standards the necessity of adding administrative buildings and operating through the regional units became evident.

As a result of the efforts made in this direction, on May 16 and 19, 2022, the administrative buildings located in Zugdidi (№18, Kostava St.) and Telavi (№16, Erekle II Ave.) were transferred to the Service. However, in order to adapt the existing infrastructure to the specifics of the investigation and to provide an appropriate working environment for the employees, the above-mentioned premises are being rehabilitated and appropriate infrastructure is being arranged. Rehabilitation works are scheduled to be completed by the end of November, this year.

In addition to the above, from March 1, 2022 in the conditions of establishing a new organizational structure of the Service and appropriate staff regrouping between the Service and Personal Data Protection Service, in order to provide appropriate working conditions and environment for the employees placed in Tbilisi, the necessity to find a new building became one of the priorities of the agenda. As a result of the measures taken in this direction, from April 21, 2022, an additional administrative building was found in Tbilisi (№42-42a, Al. Kazbegi Ave.), which housed employees of the Supporting Departments of the institution.

Due to the fact that in Tbilisi the Service operated in administrative buildings, that are leased (located at №09 M. Asatiani St. and №41-42 Al. Kazbegi Ave.), as a result of active communication with the National Agency of State Property, 4440.00 sq.m., non-agricultural land, located at 12th km of D. Aghmashenebeli alley, was transferred to the Service, along with the buildings under construction. Currently, the preparatory measures for the purchase of the design and cost accounting documentation of the administrative building to be built on the mentioned land are underway.

Following the settlement of the relevant infrastructural issues, the process of institutional expansion of the Service was initiated in order to strengthen the institution and to develop it in accordance with international standards. After the reorganization and the relevant legal-procedural stages, a new organizational structure of the Service was established in response to the challenges faced by the agency. As a result of the changes undertaken:

- ▶ In the first stage of institutional expansion, to ensure geographical accessibility, effective management and fulfillment of the objectives of the investigation, three new units were added to the Service: The Second Unit of East Georgia (located in Tbilisi), as well as, the Kakheti and Samegrelo-Zemo Svaneti Units, which will operate in two new offices of the Service located in Telavi and Zugdidi;
- ▶ After the addition of the regional divisions, the Service will carry out the investigative function on the territory of Georgia through the structural units located in Tbilisi, Kutaisi, Batumi, Zugdidi and Telavi.

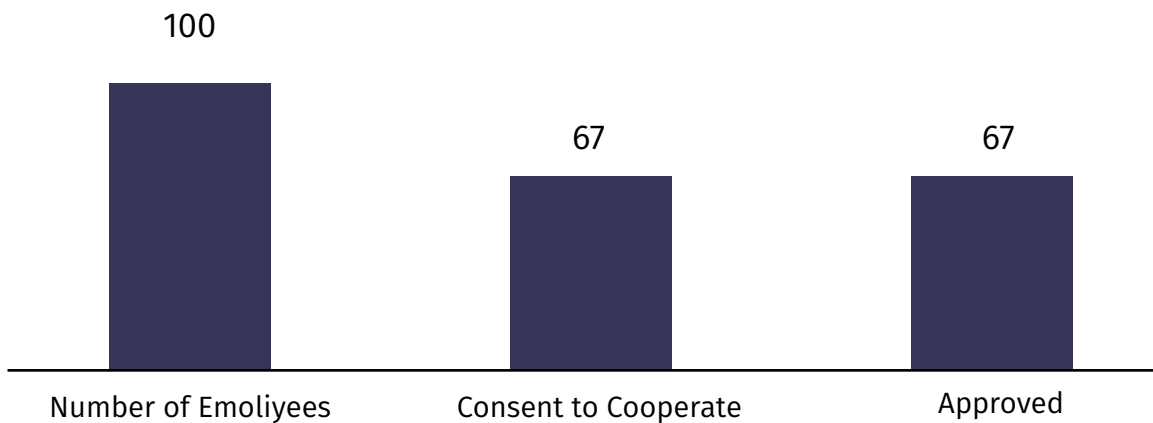
1.2.

HUMAN RESOURCES MANAGEMENT

1.2. HUMAN RESOURCES MANAGEMENT

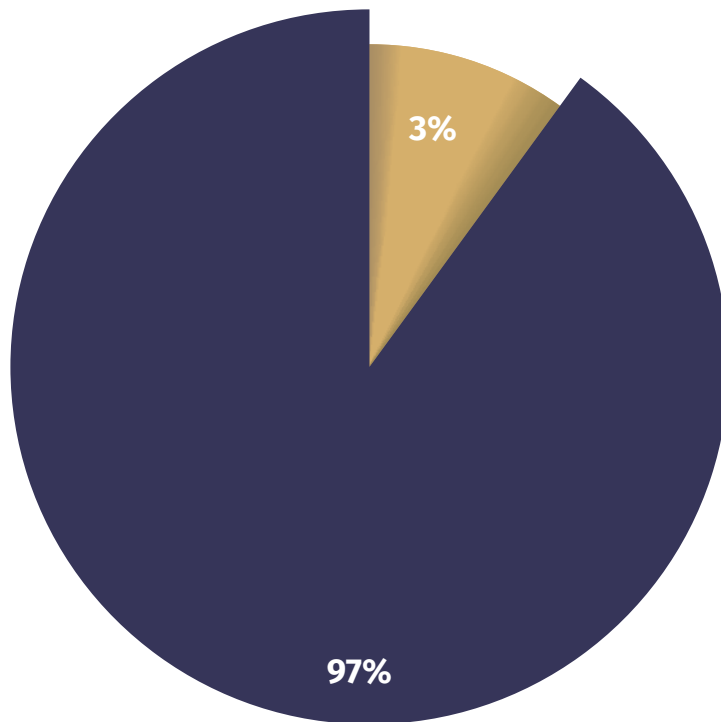
It shall be emphasized, that after the abolition of the State Inspector's Service and the establishment of two new agencies - the Special Investigation Service and the Personal Data Protection Service, as a result of staff regrouping, all the employees who, based on their written will, decided to continue working in the Service, have been appointed to equal positions and stay as such until now. In Particular, as of February 28, 2022, the number of employees at the institution amounted to **100**, out of which **67 (including 46 employees of the Investigation Department)** expressed their will to cooperate with the Service and, as already mentioned, they were given the full opportunity.

HR management statistics



CURRENT STATUS OF EMPLOYEES

● Works at the service ● Does not works at the service

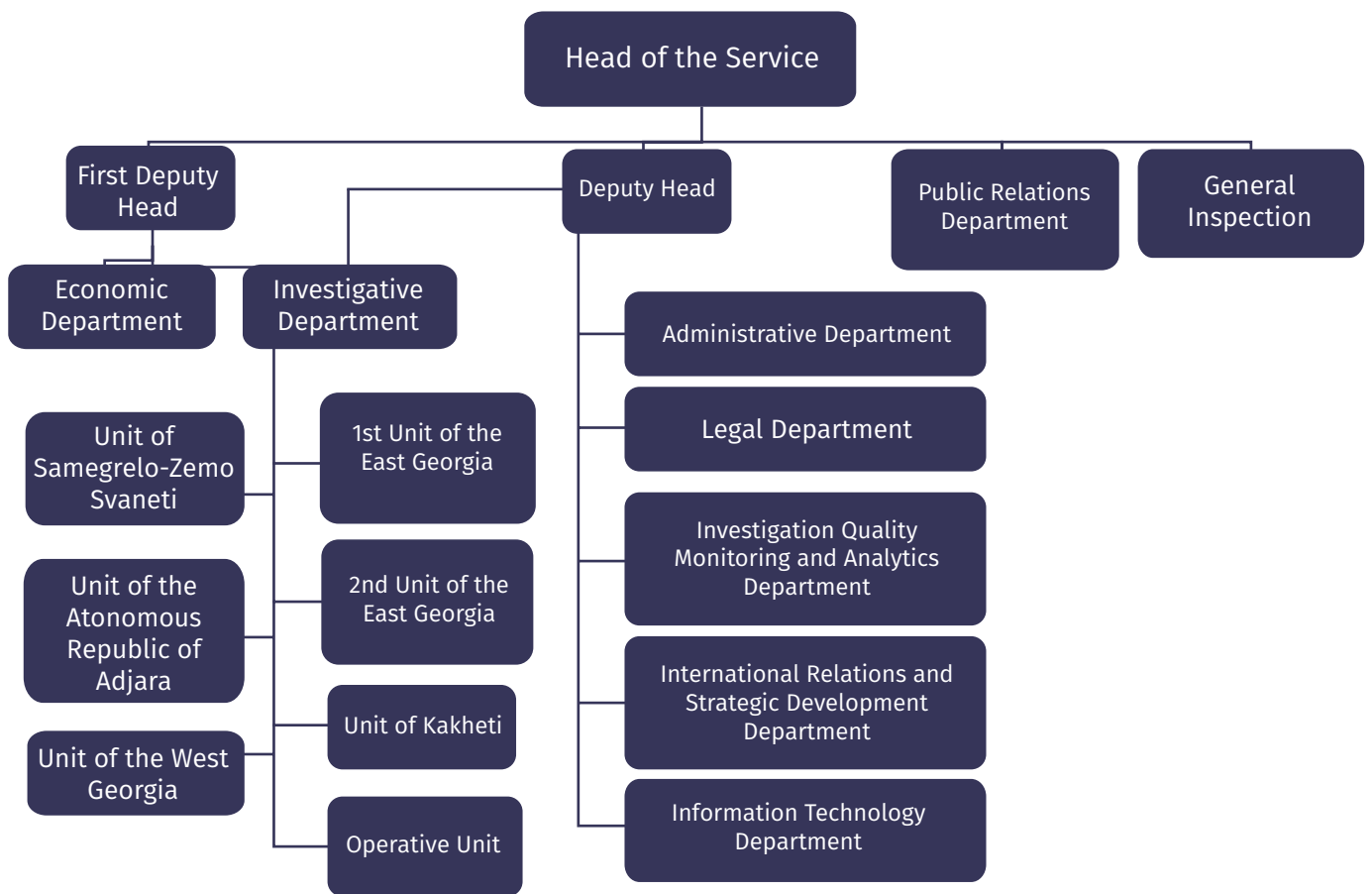


From March 01, 2022, to the present day, only 2 employees of the State Inspector's Service who continued working at the Service left their positions².

As regards the official remuneration for the relevant positions of the Service, the official salary of the personnel employed as of February 28, 2022, equals to the salary of the previous year. In addition, taking into account the existing budget funds and functional workload, a decision was made to increase the salary rate for several positions. In particular, from March 01, 2022, the salary of 20 positions both in the direction of investigation and supporting departments, has been increased. The salary has been increased in relation to such positions as – the head of the investigation department, deputy head of the investigation department, head of the general inspection, deputy head of the general inspection, expert criminalist, case proceedings and administrative support coordinator, human resources management and professional development coordinator, information technology support specialist etc.

It is noteworthy, that within the renewed structure of the Service, reduction of post did not take place. Consequently, during the reorganization, none of the employees were fired, nor did their condition in any way deteriorate. As a result of the institutional changes, the structure of the Service was defined as follows:

² Both of them justified their decision to leave their jobs with the personal motives and were the initiators of the termination of employment relations;



1.3.

ESTABLISHMENT OF THE INVESTIGATION QUALITY MONITORING AND ANALYTICS DEPARTMENT



1.3. ESTABLISHMENT OF THE INVESTIGATION QUALITY MONITORING AND ANALYTICS DEPARTMENT

Within the framework of the 2022 National Action Plan for the Implementation of the EU-Georgia Association Agreement, in June, 2022 Investigation quality monitoring and analytics department of the Service was established and based on the open competition it was staffed with qualified personnel. Department should:

- ▶ Supervise timely, effective and professional investigation of the criminal cases under the investigation of the Service;
- ▶ Monitor the protocols of investigative actions and other procedural documents drawn up by investigators of the Service;
- ▶ Provide an analysis of the practice of the European Court of Human Rights;
- ▶ Conduct research on the established practices and investigation standards, generalize the issues raised within the scope of the research, develop all relevant recommendations/guidelines and monitor their implementation;
- ▶ Prepare quarterly and annual reports of the Service to ensure accountability and transparency;
- ▶ Assess and evaluate performance of the investigators annually and analyze their workload;
- ▶ Based on the outcomes of monitoring, determine the needs for further trainings and participate in the qualification raising process.



1.4.

SELECTION AND PROMOTION OF EMPLOYEES



1.4. SELECTION AND PROMOTION OF EMPLOYEES

It is noteworthy that, during the reporting period, the Service conducted 21 (twenty-one) open, 1 (one) simplified and 4 (four) internal competitions. As a result of the competition procedures qualified personnel were selected for the important positions such as – head of the investigation department, head of the unit of the Autonomous Republic of Adjara of the investigation department, head of the public relations department, head of international relations and strategic development department, head of the information technology department, head and deputy head of the general inspection, investigation quality assessment specialist of the investigation quality monitoring and analytics department, senior lawyer of the legal department, coordinator of human resources management and professional development of the administrative department, information technology support specialist of the information technology department, financial assurance specialist of the economic department, public relations specialist of the public relations department and etc.

During the reporting period, in order to select investigators of highly important cases of the east unit of the investigation department, Kakheti unit, Samegrelo-Zemo Svaneti unit and the unit of Autonomous Republic of Adjara, appropriate competition procedures were conducted and the personnel with relevant knowledge, experience and qualifications were selected. In addition, several internal competitions were conducted, within the scope of which the employees were given the opportunity of career advancement. It is particularly noteworthy that as a result of establishment of regional divisions and staff regrouping, the heads of the Samegrelo-Zemo Svaneti unit, unit of west Georgia, Kakheti unit, second unit of east Georgia and operative unit, were selected from within the staff (investigators and other employees) employed by the Service. Therefore, the selected employees possessed experience of cooperating with the Service and were familiar with the specifics of cases under the investigative jurisdiction of the Service. It should be highlighted that career development of the employees is one of the priorities of the Service.

It should be noted that from the very first days of its establishment, the selection of the staff by the Service was carried out on the basis of open and multi-stage competition in all cases, with the involvement of the representatives of non-governmental organizations, academia and other specific fields.

In addition, due to the expanded investigative jurisdiction of the Service, necessity of retraining of employees and improving their qualification became evident. Therefore, at this stage, appropriate procedures are being implemented in order to introduce continuous cycle of training at the organizational level. In particular, a complex questionnaire on training needs (TNA) was developed, which is planned to be implemented in the nearest future. The purpose of the TNA is to outline the existing needs and develop the curriculums.

1.5.

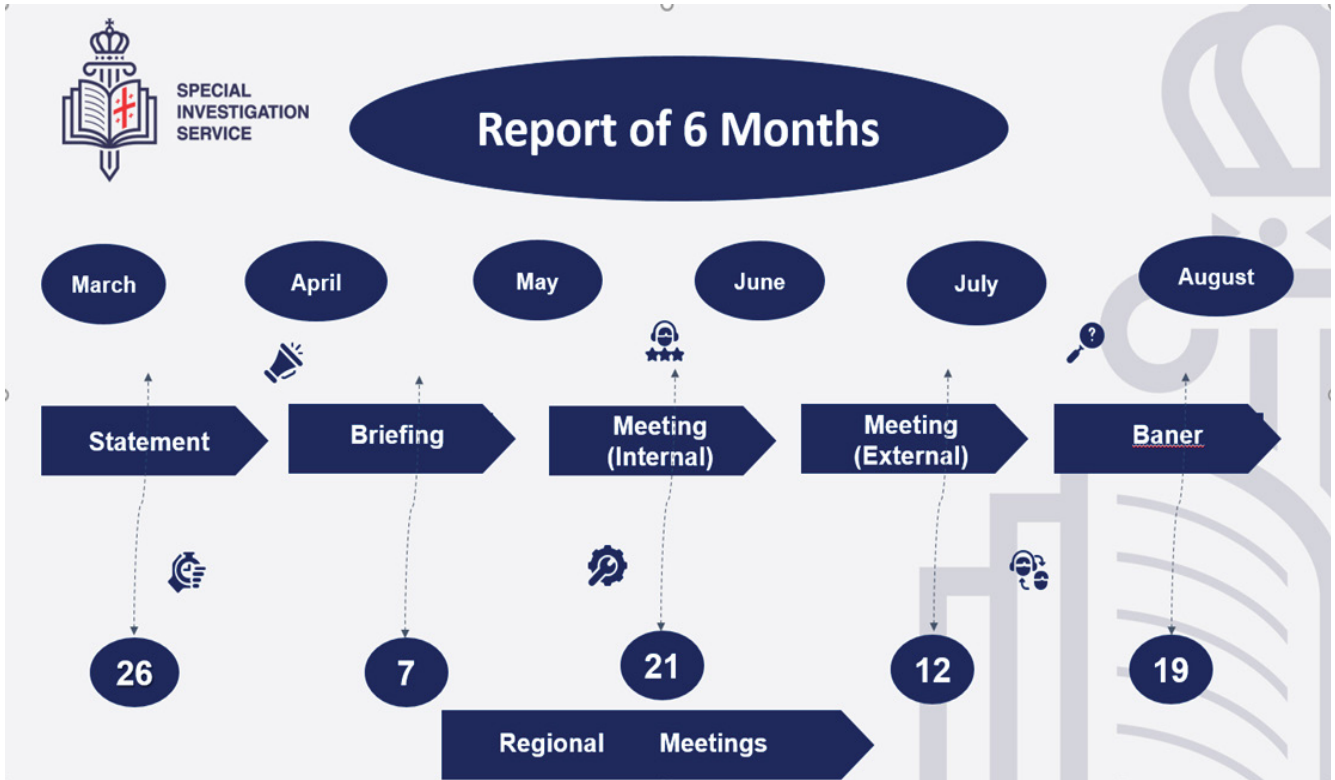
ACCOUNTABILITY AND TRANSPARENCY

1.5. ACCOUNTABILITY AND TRANSPARENCY

From the very first day of its establishment, the Service prioritized open and transparent communication with the public and the media. From March 1, 2022, in order to raise public awareness about the activities of the institution, the media and the society are actively informed. Providing information about the Service to the public was especially important against the backdrop of the abolition of the State Inspector's Service, as a result of which two independent agencies were established and there was a lack of information on how the independent investigative body would continue to operate, what would be its main directions and goals.

From the very beginning, important information related to the activities of the Service, such as the implemented reforms, challenges faced and plans for future development, are proactively published on the Facebook page of the Institution. Official statements are disseminated on the cases of high public interest, and the public is proactively informed about ongoing cases.

In six months, the Service issued 26 official statements, conducted 7 briefings, held 21 internal and 13 external meetings. The abovementioned information was covered by both - news agencies and TV channels. 19 news banners were posted on the official Facebook page of the institution.



On the website of the Service www.sis.gov.ge³, all the relevant news and statements are available in two languages - English and Georgian.

Branding of the service - after the development of the emblem, from May, 2022 appropriate procedures for rebranding of the institution is initiated (which includes - uniforms, cars, business cards, web-site (adapted to the needs of disabled people, with a friendly simple interface), social page and etc.).

The website of the Service is currently being reconstructed, which includes - strengthening of management and protection systems; updating the web design to a modern, light and adapted to the users' experience with UX customized design; integrating the marketing tools such as Facebook Pixel and Google Analytics, etc.

³ <https://sis.gov.ge/en/>;



Social Network

Press Statement

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04 Oct 2022
The Special Investigation Service addressed the Parliament of Georgia with the Proposal Regarding the Implementation of the Recommendation of the European Commission
The Special Investigation Service participates in the working group created in the Parliament of Georgia, which reviews the implementation of the 12-point plan of the European Commission, in respect of further strengthening the Special Investigation Service and the Personal Data Protection Service and ensuring their institutional independence.



03 Oct 2022
The Special Investigation Service has created a new brand-book and completed the branding process
In May 2022 the Special Investigation Service developed a new branding strategy. Starting today, the Service will commence the systematization of the branding process. Effective implementation of the mentioned strategy is one of the priorities for the development of the Service.



03 Oct 2022
The Head of the Special Investigation Service, Koka Katsitadze, together with his deputy, Natia Songhulashvili, met with the Head of the Women's Rights Organization "Sapari" Baia Pataralaia
At the introductory meeting, the parties discussed issues of mutual cooperation. The meeting focused on the main principles of the Service's activities, future plans, existing challenges and the vision of the Service's development.

The official Facebook page of the Service has been functioning since March 07, 2022. Therefore, any interested person has access to communicate with the institution via social media.

In 6 months, the number of visitors of the Facebook page of the Service amounted to 595 900 users. As of today, the number of followers of the Facebook page amounts to 8 232 users.

Results

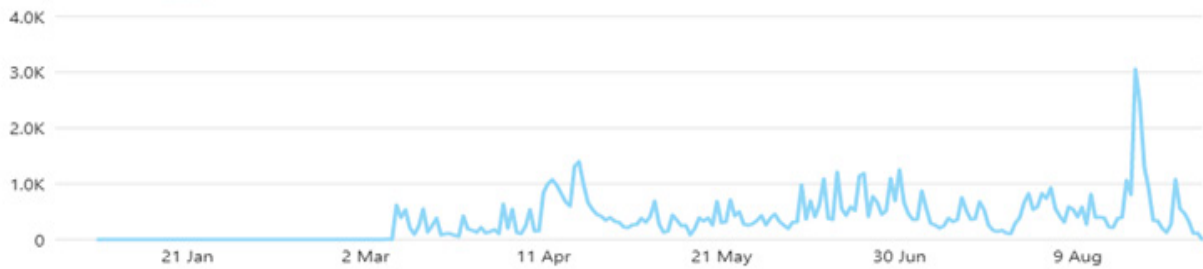
Facebook Page reach

595,990 ↑ 100%



Facebook Page visits

86,627 ↑ 100%



Facebook Page new likes

8,232 ↑ 100%



In May, 2022, a new emblem of the independent investigative body was created and the 'brand book' of the Service was completely updated.

Emblem of the Special Investigation Service



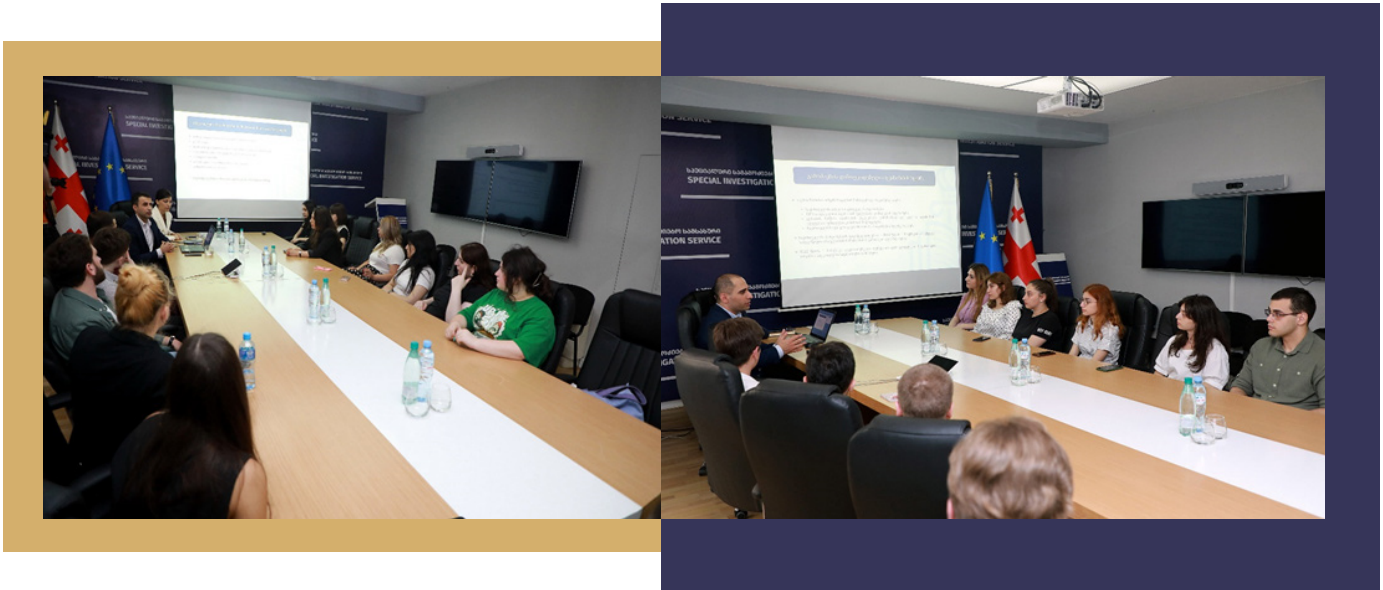
**SPECIAL
INVESTIGATION
SERVICE**

Description:

The emblem of the Special Investigation Service is a folded book placed on a permissible sword surrounded by a lapis lazuli, with a five-cross composition of the Georgian state flag on the left side and a stylized Iberian crown on the top of the sword.

Public awareness-raising, as well as, the initiation of joint trainings and educational projects, granting the opportunity to successful students of higher educational institutions to benefit from internship experience and ensuring their further employment at the Service – all of the above-mentioned constitute the main priorities of the institution.

Within 6 months from the establishment of the Service, the investigators of the agency, held 4 informational meetings with the law students of various higher educational institutions and introduced them the structure, main functions, current relevant issues and future plans of the Service.



Besides, for the purpose of raising public awareness, the Service, with the support of the Council of Europe project – “Human Rights Compliant Policing in Georgia”, held regional meetings throughout Georgia in the cities of Batumi, Zugdidi, Kutaisi and Telavi.

2

INVOLVEMENT OF VICTIMS IN THE INVESTIGATION PROCESS

2. INVOLVEMENT OF VICTIMS IN THE INVESTIGATION PROCESS



The Service has developed a protocol on the cases of ill-treatment, which in accordance with the principle of protection of personal data of the participants of the process, grants the victims opportunity to familiarize themselves with the reports of forensic examination, video-audio materials and other investigative and procedural actions.

This is the first precedent, when the investigative agency gives the opportunity to victims, without any legal/formal status, to access the criminal case and get acquainted with the case materials. The initiative of the Service applies to the cases where the citizen accuses law enforcement officers, public officials or person equal to them of torture, inhuman and degrading treatment, as well as, violence.

It shall be noted, that involving the alleged victims in the process of investigation and granting them the possibility to access the full information about the progress, is one of the pre-conditions of conducting an effective, objective and impartial investigation.

This is the standard set by the European Court of Human Rights for member states in terms of protecting and realizing the rights of potential victims. Accordingly, the mentioned protocol was developed by the Service for the means of ensuring practical implementation of this standard.



The document became an object of public debate and scrutiny and only after that it was adopted. The document was discussed and reviewed with the representatives of non-governmental organizations⁴, Office of the Public Defender of Georgia⁵ and academia.⁶

The protocol on familiarization with criminal case materials and provision of information to the victims of torture/ill-treatment was approved by the order of the head of the Service. It came into force on July 27, 2022, and has of mandatory nature for the investigators of the Service.⁷

⁴ <https://www.facebook.com/sis.gov.ge/posts/pfbid084f3A6pP7VMasNxTq6YwiFxsXqKEX7BEdwFkPNG5ZkmXHMikxi2zhEd-NXtD7FfAGl>

⁵ <https://www.facebook.com/sis.gov.ge/posts/pfbid0MzNhpGUdB7niZCskfVNUaF99xffDAQj8wy8byZSvFyQwJdApLVbQ1jKkpnNfC2PXl>

⁶ <https://www.facebook.com/sis.gov.ge/posts/pfbid0FU55nE5KjXgZ4mLn5VTAJByjZaVGNTQwZ3T4XdX2Wv61Lj2nMpZA-jC4nZExsTCkgI>

⁷ https://sis.gov.ge/ka/page/individualuri-samartlebrivi-aqtebi/20222?fbclid=IwAR03SH1_x0G_9TSE18NZvu0DxVDqdk-k67r-P5Wp2Mo-3GbfZR-dV2umvf0

3

COOPERATION

3.1.

COOPERATION WITH NON-GOVERNMENTAL ORGANIZATIONS



3. COOPERATION

3.1. COOPERATION WITH NON-GOVERNMENTAL ORGANIZATIONS

Proactive cooperation and accountability to the civil sector is one of the most important priorities of the Service. For this purpose, during the reporting period, several individual meetings were held with the representatives of NGO sector. In particular, bilateral meetings were organized with the “Georgian Young Lawyers Association”⁸, the “Institute for Development of Freedom of Information”⁹, the “Social Justice Center” and the “Media Advocacy Coalition.”¹⁰



⁸ <https://sis.gov.ge/en/article/the-head-of-the-special-investigation-service-and-his-two-deputies-met-with-the-chairman-of-georgian-young-lawyers-association-/176>

⁹ <https://sis.gov.ge/en/article/the-deputy-head-of-the-special-investigation-service-held-a-meeting-with-the-executive-director-of-the-institute-for-development-of-freedom-of-information-giorgi-kldiashvili/184>

¹⁰ <https://sis.gov.ge/en/article/koka-katsitadze-head-of-the-special-investigation-service-met-with-representatives-of-the-media-advocacy-coalition/173>

During the period of July 11-19, 2022 Koka Katsitadze, the Head of the Service, together with his deputies, held working meetings with local representatives of law enforcement agencies, non-governmental organizations, Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking, Office of Resource Officers of Educational Institutions, Office of the Public Defender of Georgia and the representatives of public schools.

Regional meetings were held within the framework of the Council of Europe Project – “Human Rights Compliant Policing in Georgia”. The meeting cycle started from Batumi and continued in Zugdidi, Kutaisi and Telavi. The meetings were held for the purpose of raising public awareness among the target groups about the mandate of Service, as well as, notification mechanisms in place. Natia Songhulashvili, the Deputy Head of the Service, presented the first quarterly report at the meetings. She also discussed ongoing and planned activities, the current trends in investigative direction, the importance of meeting local needs and the ways for future cooperation. At the meeting, the parties discussed topical issues, bearing in mind the specifics of the regions.



3.2.

INTERNATIONAL COOPERATION

3.2. INTERNATIONAL COOPERATION

The Service works closely with international organizations and the diplomatic corps to establish an effective investigation process of conventional offenses and crimes related to violent official misconduct. The Service actively participates in the fulfillment of Georgia's international obligations, including the Agenda of the Association Agreement between the EU and Georgia. The Service, within its competence, was involved in the implementation of the obligations under EU-Georgia Association Action Plan and attended the 7th meeting of EU-Georgia Association Committee, held on March 25 this year.

During the reporting period, several meetings were organized with the representatives of international organizations (EU, INL, DoJ, CoE) to plan joint activities, review implemented projects, gain public trust and discuss the challenges faced by the institution.

On June 22 of this year, the representatives of the Service participated in the 15th EU-Georgia Human Rights Dialogue (HRD), held in Brussels. The head of the International Relations and Strategic Development Department of the Service delivered a presentation to the members of the EU subcommittee on the mandate, challenges and future plans of the Service.

On July 5-6, 2022 the Head of the Service, Koka Katsitadze, participated in the session held by the Human Rights Committee of the United Nations. The delegation of Georgia, headed by the Deputy Minister of Justice, Beka Dzamashvili, presented the 5th periodic report on the implementation of the International Covenant on Civil and Political Rights to the Human Rights Committee.



3.3

COOPERATION WITH THE OFFICE OF THE PUBLIC DEFENDER OF GEORGIA

3.3. COOPERATION WITH THE OFFICE OF THE PUBLIC DEFENDER OF GEORGIA

On April 19 of this year, the Head of the Service met with the Public Defender of Georgia. At the meeting the issues concerning the activities, development and challenges of the independent investigation mechanism were discussed. During the meeting the following topics were emphasized: improvement of the legal status of the victims along with implementation of specific measures for the prevention of crime, the initiative to create Crime Prevention Council and the willingness and readiness of the Service to maintain close cooperation with the Office of the Public Defender of Georgia. The meeting was also attended by the Deputy Public Defenders of Georgia – Tamar Gvaramadze and Giorgi Burjanadze.¹¹



On July 14, 2022, the Head of the Service presented the first quarterly report to the Deputy Public Defender of Georgia - Giorgi Burjanadze, and to the other representatives of the Office of the Public Defender of Georgia. The main aspects of the development of the Service and the steps undertaken to improve the legal status of citizens was discussed during the meeting.¹²

¹¹ <https://sis.gov.ge/en/article/koka-katsitadze-head-of-the-special-investigation-service-met-with-nino-lom-jaria-public-defender-of-georgia-/170>

¹² <https://www.facebook.com/sis.gov.ge/posts/pfbid0MzNhpGUdB7niZCskfVNUaF99xffDAQj8wy8byZSvFyQwJdApLVbQ1jKk-pnNfC2PXL>

3.4

COOPERATION WITH THE PARLIAMENT OF GEORGIA

3.4. COOPERATION WITH THE PARLIAMENT OF GEORGIA

In order to increase the institutional and functional independence of the Service, in March 2022, the Head of the institution submitted a legislative proposal to the Parliament of Georgia on the amendments of the Law of Georgia on Special Investigation Service. The amendments proposed by the legislative proposal was deemed accepted by the Parliament of Georgia and the draft law was developed with the close cooperation of the Service and Parliamentary Committees in charge.

The matters submitted to the Parliament of Georgia, which are already an integral part of the law and are in force, were related to increasing the institutional and functional independence of the Service. In particular, the right to enter the penitentiary institutions without hindrance, the ability of the persons placed in the penitentiary institutions to file a complaint to the Service without any obstacles, as well as, the extension of the rights incorporated in the Article 19 of the Law of Georgia on Special Investigation Service - Effective use of special protection measures and increase of investigative subordination. The mentioned amendments, also expanded the social and legal protection guarantees of the employees of the Service, as well as, ensured the equal accessibility to them. In particular, based on the legislative amendments:

- ▶ All employees (regardless of their position) of the Service, as well as, their family members enjoy mandatory state health and life insurance, the basic insurance package of which is fully reimbursed by the Service;
- ▶ All employees (except the ones employed by the employment contract and intern-investigators) may be awarded a special state rank, which grants them the opportunity to receive:
 - Rank remuneration corresponding to a special rank;
 - Additional remuneration based on the number of years served;
 - State compensation or state pension in accordance with the legislation of Georgia, in case of dismissal due to reaching the age limit or being recognized as a disabled person.

On July 18, 2022 the Head of the Service, Koka Katsitadze, met with Anri Okhanashvili, the Chairman of the Committee of Legal Affairs of the Parliament of Georgia, and Mikheil Sarjveladze, the Chairman of the Human Rights Protection and Civil Integration Committee of the Parliament of Georgia. The parties discussed the 12-point plan of the European Commission and the development of relevant proposals, focusing on further strengthening of the institution. Within the framework of the recommendation of the European Commission, one of the issues concern the steps to be taken in terms of the institutional strengthening of the Service.¹³

¹³ <https://www.facebook.com/sis.gov.ge/posts/pfbid02PjpYsgFbmFhowYbbBCPxfHrnZudt15zK1pqpnxRUuyLq7x8N65Rz1dMxVerbXyl>

3.5

INTERNATIONAL EDUCATIONAL COURSES



3.5. INTERNATIONAL EDUCATIONAL COURSES

From July 10 to 29, 2022, within the framework of **MASHAV's** (Israel's Agency for International Development and Cooperation) international training – “Security and Society”, employees of the Service (Inspector of particularly important cases of the general inspection, investigator of particularly important cases of the east unit of the investigation department and the head of the operative Unit of the investigation department) visited Israel. The Purpose of the visit was to improve qualification and familiarize the employees with the best practices in the field of Israel's Security.¹⁴



¹⁴ <https://www.facebook.com/MashavGeorgia/posts/3150778325185923/>; <https://www.facebook.com/mashav.tbilisi/posts/10224929394834964/>

4

FINANCIAL REPORTING

Pursuant to article 28¹, paragraph 5 of the Law of Georgia on the Special Investigation Service, the activities of the Service in 2022 are financed from the program code (51 00) approved by the Law of Georgia on the State Budget of Georgia for 2022. As of today, the approximate number of budget allocations allocated to the institution is 7,100,000 GEL, and the cash expenditure as of August 31, 2022, amounts to – 3, 173, 092.31 GEL.

Lack of sufficient budgetary resources still constitutes as one of the major challenges for the Service.

5

INFORMATIONAL AND TECHNOLOGICAL STRENGTHENING

In modern world using digital technologies for organizing both the meetings and the training courses is becoming more and more important. In order to increase digital communication and save resources, with the funding of the European Union and active cooperation with the United Nations Procurement Office (UNOPS), on May 17, 2022 the Service was equipped with a modern Cisco Teleconference System, which conducting remote conferences, meetings and trainings between offices (including regional) of the Service made possible. The existence of the “telepresence” system in regional and central offices guarantees that the communication between offices is flexible and safe.

6

STATISTICS OF THE REPORTING PERIOD¹⁵

The Service conducts investigation of the crimes provided by the Criminal Code of Georgia and committed from the period of November 1, 2019, by the law enforcement officers, officials or a person equal to them. The crimes, that fall under the investigative jurisdiction of the Service are as follows:

- ✓ Torture (article 144¹ of the Criminal Code of Georgia);
- ✓ Threat of Torture (article 144² of the Criminal Code of Georgia);
- ✓ Humiliation or inhuman treatment (article 144³ of the Criminal Code of Georgia);
- ✓ Abuse of official powers using violence or weapon or by offending personal dignity (article 332, paragraph 3, subparagraph „b“ and „c“ of the Criminal Code of Georgia);
- ✓ Exceeding official powers using violence or weapon or by offending personal dignity (article 333, paragraph 3, subparagraphs „b“ and „c“ of the Criminal Code of Georgia);
- ✓ Providing explanation, evidence or opinion under duress (article 335 of the Criminal Code of Georgia);
- ✓ Coercion of a person placed in a penitentiary facility or liberty restriction facility into changing or refusing to give testimony, as well as, coercion of a convicted person in order to interfere with the fulfilment of his/her civil duties (article 378, paragraph 2 of the Criminal Code of Georgia);
- ✓ Other crimes that resulted in the death of a person and during the commission of which the person was placed in a temporary detention facility or any other place where he/she was forbidden to leave the facility against his/her will by a representative of a law enforcement agency, an official or a person equivalent to him/her, or the person was under the effective control of the State.

From March 01, 2022, the following crimes defined by the articles of the criminal Code of Georgia - 108, 109, 111, 113-118, 120-124, 126, 126¹, 137 - 139, 143-144, 150-150¹ have been subjected to the investigation jurisdiction of the Service (in case they are committed by a representative of a law enforcement agency). Investigative jurisdiction of the Service also extends to crimes defined by the following articles of the Criminal Code of Georgia – 153-159, 162-163 and 164⁴.

¹⁵ 6 months statistics of the Investigative Department (March-August, 2022);

6.1.

STATISTICS OF 6 MONTHS



6.1. STATISTICS OF 6 MONTHS ¹⁶

During the reporting period, the investigative department of the Service received **1544** crime reports, out of which 65% (**1014**) crime reports were reviewed by the unit of east Georgia, 19% (**288**) – by the unit of the Autonomous Republic of Adjara, 14% (**221**) – by the unit of west Georgia, 1% (**13**) – by the unit of Samegrelo-Zemo Svaneti and 1 % (**8**) – by the Kakheti unit.¹⁷

Out of the above-mentioned **1544** crime reports, **1267** (82%) crime reports concerned the alleged crimes defined by the article 19, paragraph 1, subparagraphs “a” and “b” of the law of Georgia on the Special Investigation Service¹⁸; **32** (2%) crime reports concerned the alleged crimes defined by the article 19, paragraph 1, subparagraph “c” of the law of Georgia on the Special Investigation Service¹⁹ and **92** crime reports (6%) concerned the article 19, paragraph 1, subparagraph “d” of the mentioned law²⁰. As for remaining **153** (10%) crime reports, they did not fall under the investigation jurisdiction of the Service.²¹

¹⁶ Period of March 01-August 31, 2022;

¹⁷ As regards to the crime reports, statistics of the Samegrelo Zemo-Svaneti and Kakheti Units were separated from the month of August, therefore, the report contains only one month's statistics in this respect;

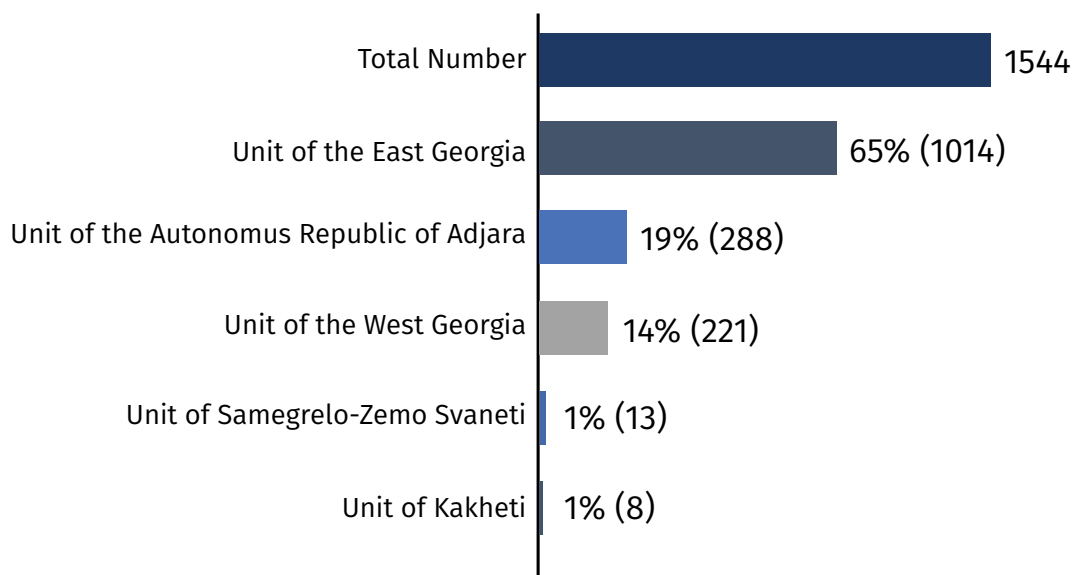
¹⁸ Crimes committed by the representatives of law enforcement agencies, officials or a persons equal to them;

¹⁹ Crimes committed by the representative of law enforcement agency off-duty;

²⁰ Crimes defined by the following articles of the Criminal Code of Georgia: 153-159, 162-163 and 164⁴;

²¹ Crime reports, which at the stage of receiving the notification, did not contain the signs of crimes belonging to the competence of the Service, are recorded as the crime reports that don't fall under the investigative jurisdiction of the Service;

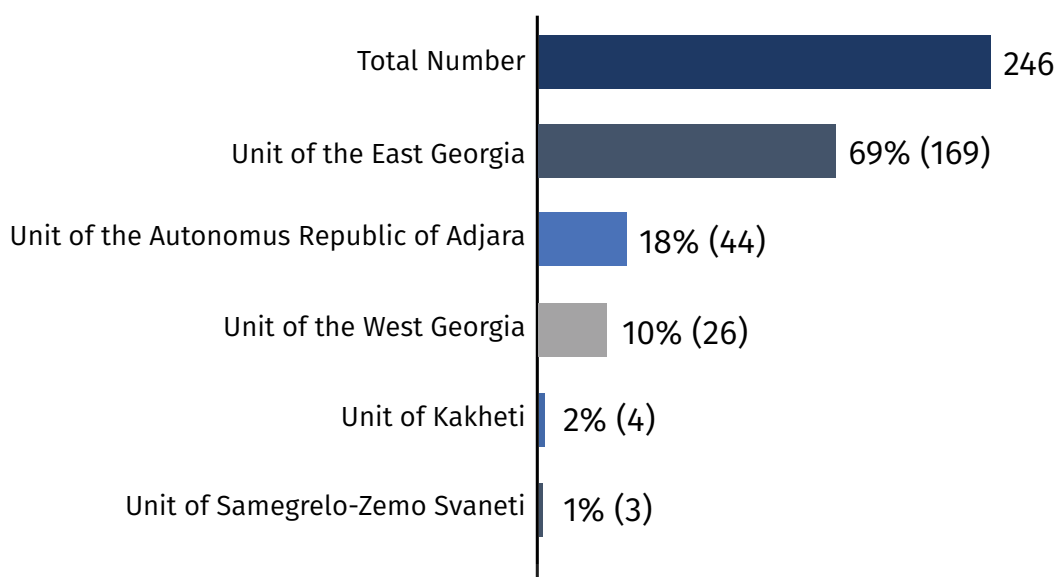
Number of the received crime reports



During the reporting period, the investigative department of the Service launched investigation into **246** criminal cases, out of which **212** were investigated on the basis of received crime reports, **2** criminal cases were separated from the criminal cases under investigation of the Service, and **32** criminal cases were sent to the investigative department of the Service due to the investigation subordination.

Out of the mentioned **246** criminal cases, **169** criminal cases are investigated by the unit of east Georgia, **44** criminal cases – by the unit of the Autonomous Republic of Adjara, **26** criminal cases – by the unit of west Georgia, **4** criminal cases – by the Kakheti unit and **3** criminal cases by the unit of Samegrelo-Zemo Svaneti.

Investigation initiation rate

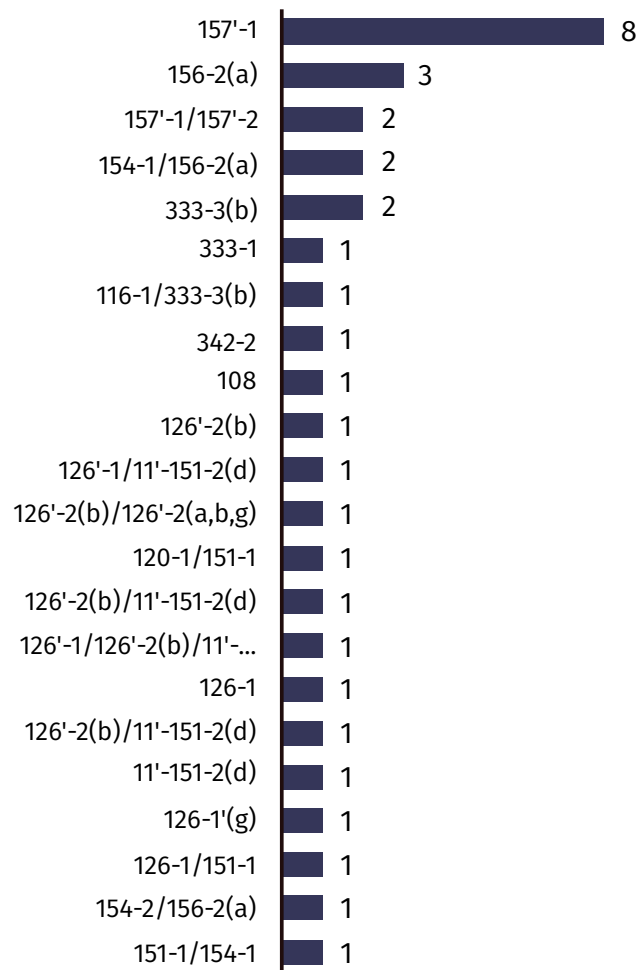


During the reporting period, the General Prosecutor's Office of Georgia initiated criminal prosecution against **34** persons in **29** criminal cases falling under the investigative jurisdiction of the Service. In Particular:

- ✓ Criminal Prosecution was launched against 2 persons under the article 333, paragraph 3, subparagraph "b" of the Criminal Code of Georgia;
- ✓ Criminal Prosecution was launched against 1 person under the article 333, paragraph 1 of the Criminal Code of Georgia;
- ✓ Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 333, paragraph 3, subparagraph "b" and the article 116, paragraph 1 of the Criminal Code of Georgia;
- ✓ Criminal Prosecution was launched against 1 person under the article 342, paragraph 2 of the Criminal Code of Georgia;
- ✓ Criminal Prosecution was launched against 1 person under the article 108 of the Criminal Code of Georgia (the accused is not a public official, yet the investigation was initiated under the following articles of the Criminal Code of Georgia: 342¹ (paragraph 2), 117 (paragraph 1) and 108). Despite the investigative jurisdiction the above-mentioned case was transferred to the Service);
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126¹, paragraph 2, subparagraph "b" (two episodes) of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the articles 11'-151, paragraph 2, subparagraph "d" (3 episodes) and the article 126¹, paragraph 1 of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126¹, paragraph 2, subparagraph "b" and the article 126¹, paragraph 2, subparagraphs "a", "b" and "c" of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 151, paragraph 1 (two episodes) and the article 120, paragraph 1 of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126¹ paragraph 2, subparagraph "b" (two episodes) and articles 11'-151, paragraph 2, subparagraph "d" of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126¹, paragraph 2, subparagraph "b" (4 episodes), article 126¹, paragraph 1 (three episodes) and articles 11'-151, paragraph 2, subparagraph "d" of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126, paragraph 1 (2 episodes);

- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126¹, paragraph 2, subparagraph “b” and articles 11'-151, paragraph 2, subparagraph “d” (2 episodes) of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person under the articles 11'-151, paragraph 2, subparagraph “d” of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person under the article 126, paragraph 11, subparagraph “c” of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 126, paragraph 1 (6 episodes) and article 151, paragraph 1 of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 8 persons under the article 157¹, paragraph 1 of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 3 persons under the article 156, paragraph 2, subparagraph “a” of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 2 persons for cumulative crimes - under the article 157¹, paragraph 1 and the article 157¹, paragraph 2 of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 2 persons for cumulative crimes - under the article 154, paragraph 1 and the article 156, paragraph 2, subparagraph “a” of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 154, paragraph 2 and the article 156, paragraph 2, subparagraph “a” of the Criminal Code of Georgia;
- Criminal Prosecution was launched against 1 person for cumulative crimes - under the article 151, paragraph 1 and the article 154, paragraph 1 of the criminal code of Georgia.

Legal qualification of criminal prosecution (based on the following articles of the Criminal Code of Georgia)

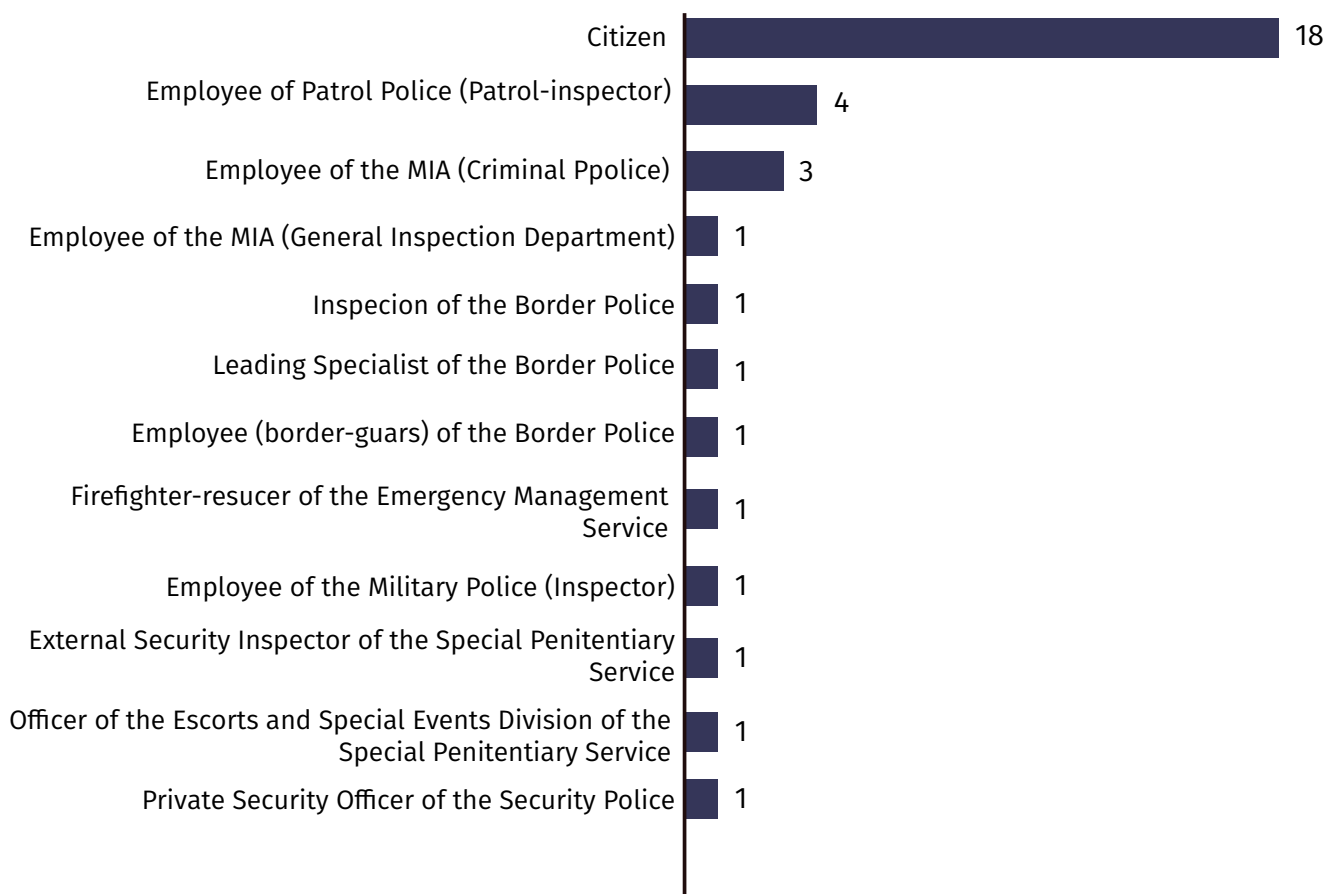



Out of the 34 persons subjected to criminal Prosecution:

- ✓ 4 persons - Employees of the Patrol Police Department of MIA (patrol-inspectors);
- ✓ 3 persons – Employees of the Criminal Police Department of MIA (2 persons – detective-investigators, 1 person- district inspector-investigator);
- ✓ 1 person – Employee of the General Inspection of MIA (Head of the Division);
- ✓ 1 person – Inspector of the Border Police;
- ✓ 1 person – Leading specialist of the Border Police;
- ✓ 1 person – Employee of the Border Police (border-guard);
- ✓ 1 person - Firefighter-rescuer of the Emergency Management Agency;
- ✓ 1 person – Employee of the Military Police (inspector);

- ✓ 1 person – Security Inspector of the Special Penitentiary Service;
- ✓ 1 person – Officer of the Escorts and Special Events Division of the Special Penitentiary Service;
- ✓ 1 person – Private security inspector of the Security Police;
- ✓ 18 persons - Citizens.

Positions of the accused persons





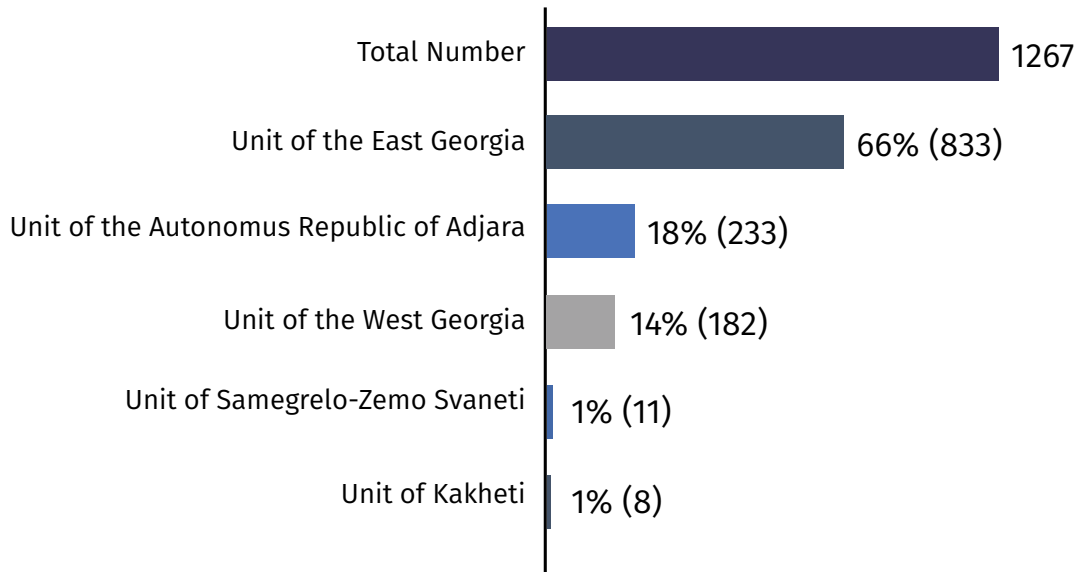
STATISTICS OF THE CRIMES DEFINED UNDER THE ARTICLE 19, PARAGRAPH 1, SUB-PARAGRAPHS “A” AND “B” OF THE LAW OF GEORGIA ON THE SPECIAL INVESTIGATION SERVICE²²

I. RECEIVED REPORTS

During the reporting period, the investigative department of the Service received **1267** crime reports concerning the alleged crimes defined by the article 19, paragraph 1, subparagraphs “a” and “b” of the law of Georgia on Special Investigation Service, committed by representatives of law enforcement agencies, officials and persons equal to them. Out of the total crime reports, 66% (**833**) crime reports were reviewed by the unit of the east Georgia, 18% (**233**) by the unit of the Autonomous Republic of Adjara, 14% (**182**) by the unit of the west Georgia, 1% (**11**) by the Samegrelo-Zemo Svaneti unit and 1% (**8**) by the Kakheti Unit.

²² Crimes committed by the representatives of law enforcement agencies, officials or a persons equal to them, prescribed under the articles 144¹-144³, 332 (paragraph 3, subparagraphs “b” and “c”), 333 (paragraph 3, subparagraphs “b” and “c”), 335 and/or article 378 (paragraph 2) of the Criminal Code of Georgia;

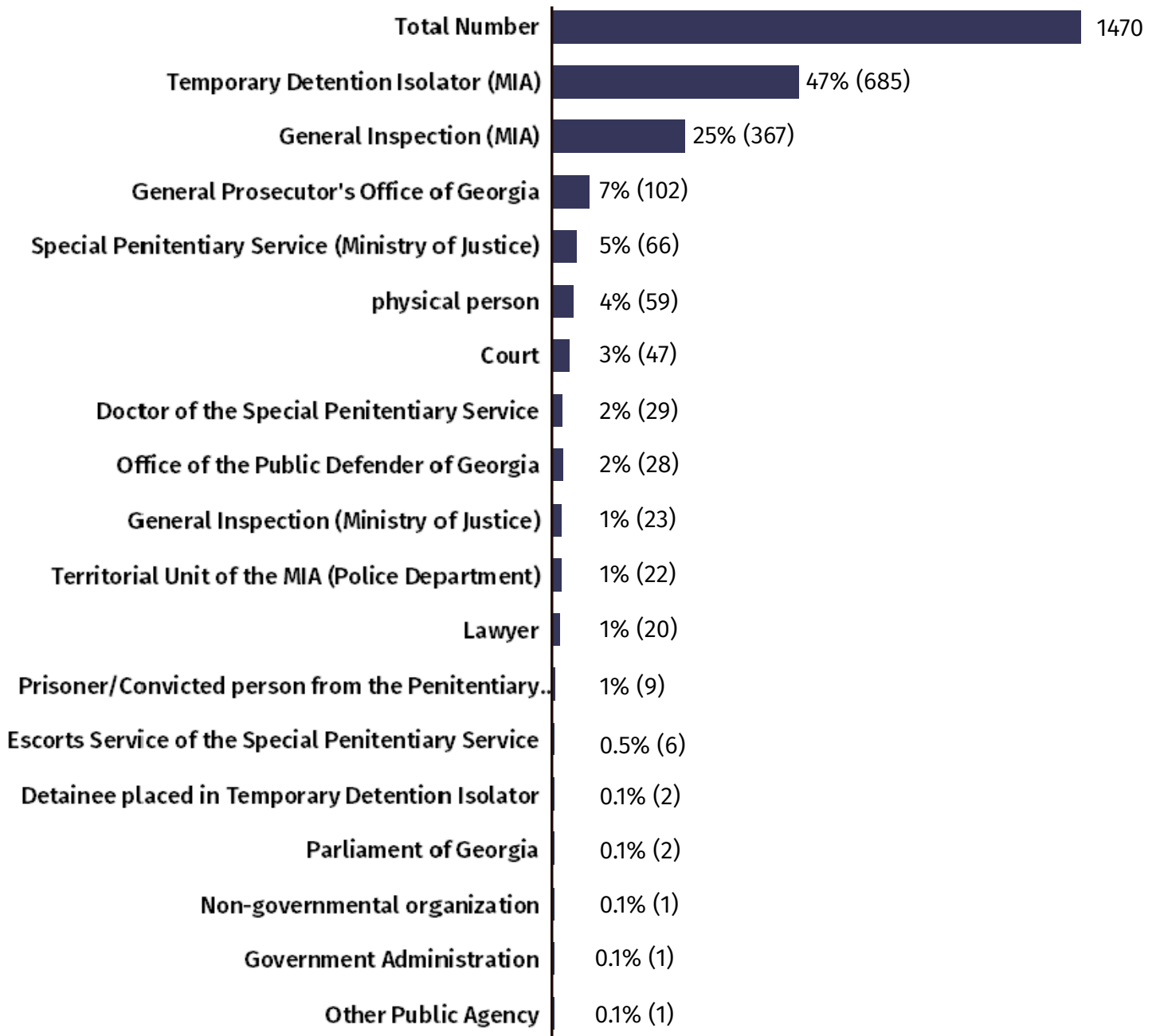
Number of the received crime reports



THE VAST MAJORITY OF THE CRIME REPORTS (**73%**) WERE RECEIVED FROM THE MINISTRY OF INTERNAL AFFAIRS OF GEORGIA. IN SOME CASES, CRIME REPORTS ON THE SAME FACTS WERE RECEIVED FROM THE SEVERAL SOURCES.²³

²³ In some cases, the Service received the same crime reports from several sources. In order to record complete statistical data, on such cases the notification is attributed to all relevant agencies. Considering this, the total number of authors of incoming crime reports exceeds the total number of reports received by the institution;

Sources of the received reports



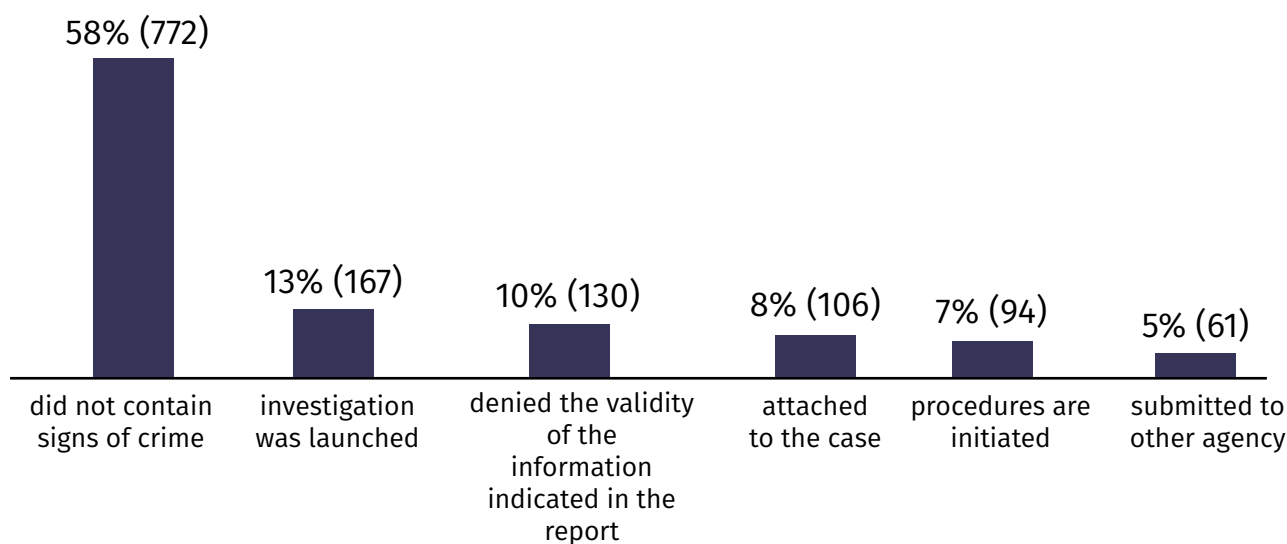
Response to the Received Crime Reports

1267 crime reports received by the investigative department concerned **1330** persons (in some cases, one crime report involved an action against not one but several persons).

Out of the received crime reports, 58% (**772** persons)²⁴ contained no signs of crime, on 13% (**167** persons) of crime reports investigation was launched, in 10% (**130** persons) of crime reports victims denied the information provided in the report, 8% (**106** persons) reports were considered as additional information on criminal cases under investigation of the Service and/or on other reports already received, on 7% (**94** persons) of the reports the case is under the proceedings and 4% (**61** persons) was forwarded to the other agency, as far as it did not fall under the investigation jurisdiction of the Service.

²⁴ The rate of response to alleged victims is depended on the content of the crime report;

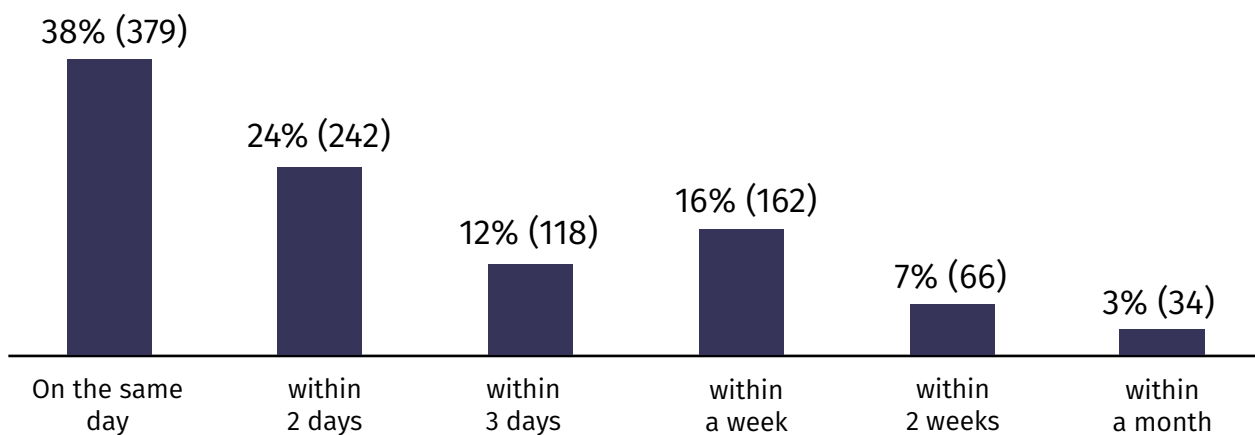
Response to the received crime reports (by the number of alleged victims)



The employees of the investigative department interviewed **1001** alleged victims out of the total of **1330** alleged victims. In **62%** of cases interview was conducted on the the same day of receiving the crime report or the next day²⁵.

²⁵ Interviewing the alleged victim a few days (weeks) after receiving the crime report was mainly due to the following factors: the victim could not be contacted – he/she did not answer phone calls; was not at his/her registered address, and family members did not have any information about her/his whereabouts; The alleged victim needed time to hire a lawyer; The alleged victim refused to be interviewed for some period of time; The crime report did not contain the contact information of the alleged victim, therefore, after obtaining the contact information, he/she was contacted;

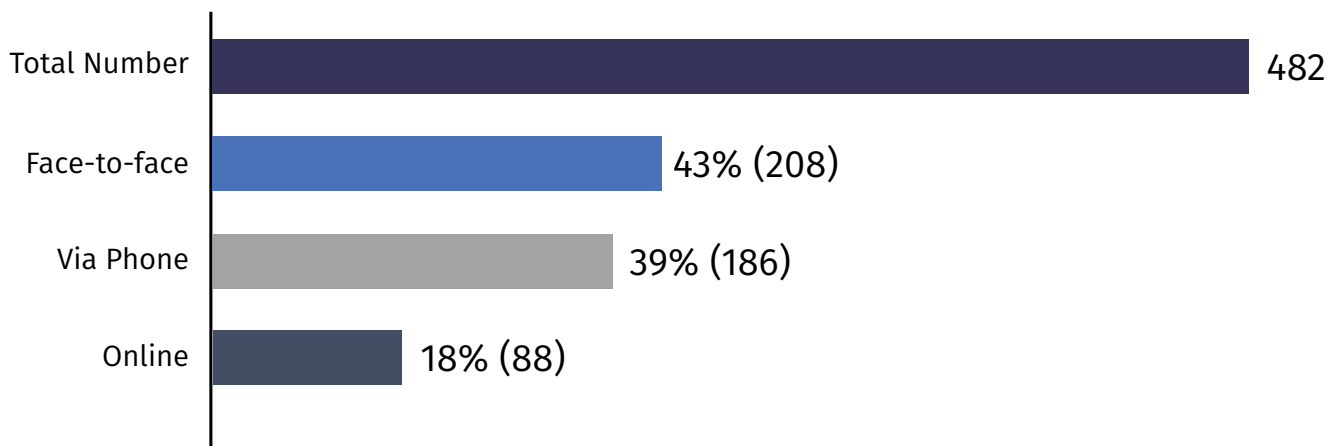
The date of interview with the alleged victim after receiving the crime report



43% of the alleged victims were interviewed face-to-face, 39% via phone and 18% - online²⁶

²⁶ Production of statistics on the method of interviewing alleged victims commenced in June, therefore, the report contains data of three months (June-August);

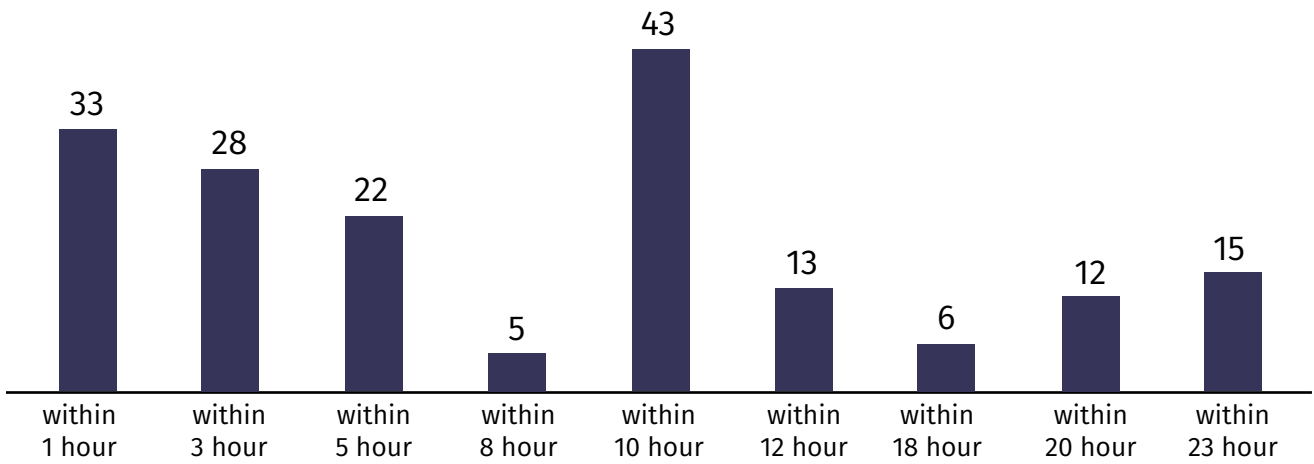
Interviewing method



The exact time of the receipt of the crime report is recorded only in cases of receiving the reports via hotline. A total of **177** alleged victims were interviewed on the same day concerning the reports received via hotline. In particular, **33** alleged victims were interviewed within **1** hour of receiving the report, **28** alleged victims were interviewed within **3** hours, 22 victims - within **5** hours, **5** alleged victims – within **8** hours, **43** alleged victims – within 10 hours, **13** alleged victims – within **12** hours, **6** alleged victims – within **18** hours, **12** alleged victims – within **20** hours and **15** alleged victims – within **23** hours ²⁷.

²⁷ Production of statistics on the time between the receipt of the crime report and the interview with the alleged victim, started from month of April, therefore, the report contains the data of ⁵ months (April-August);

Time of interviewing the alleged victim (after receiving the crime report)



II. INITIATION OF INVESTIGATION

In March-August 2022, the investigation department of the Service launched the investigation into **145 cases** (140 criminal cases were based on the crime reports received, 5 criminal case were transferred due to investigation subordination), committed by the representatives of law enforcement bodies, by an official, or a person equal to an official, prescribed under article 19, paragraph 1, subparagraph “a” and “b” of the law of Georgia on the Special Investigation Service.

Out of the mentioned 145 criminal cases, in **96** criminal cases investigation was launched by the unit of the east Georgia, in **30** cases by the unit of Autonomous Republic of Adjara, in **14** cases by the the unit of west Georgia, in **4** cases by the Kakheti unit and in 1 case by the unit of Samegrelo-Zemo Svaneti.

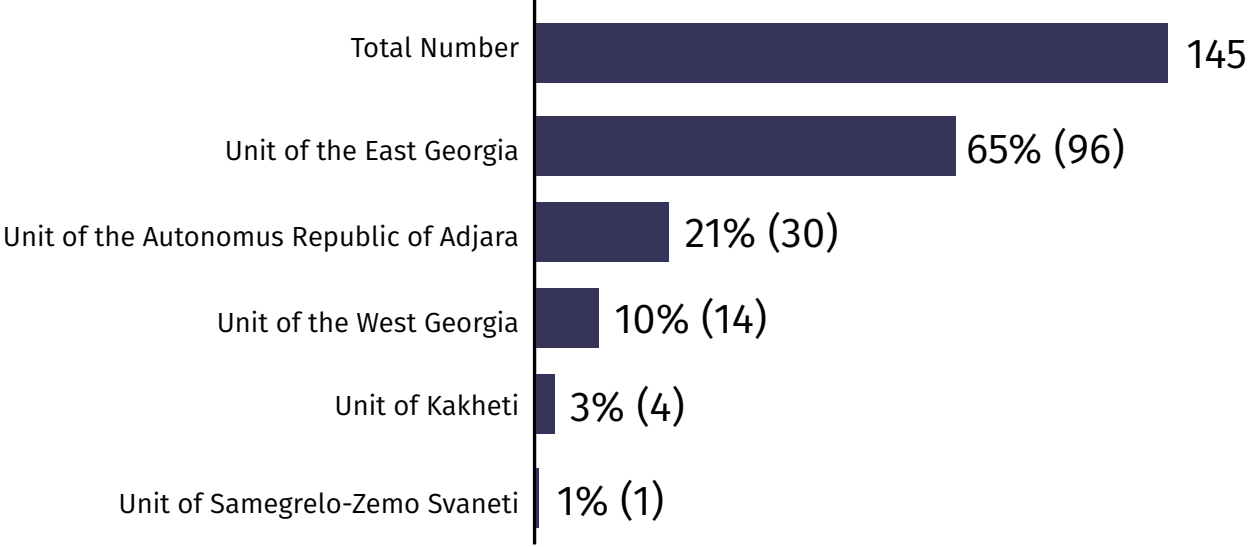
Out of **5** criminal Out of the mentioned **145** criminal cases, in **96** criminal cases investigation was launched by the unit of the east Georgia, in **30** cases by the unit of Autonomous Republic of Adjara, in **14** cases by the the unit of west Georgia, in **4** cases by the Kakheti unit and in **1** case by the unit of Samegrelo-Zemo Svaneti²⁹.

cases received on the basis of Investigative subordination, **2** cases were received from the General Inspection of the Ministry of Justice (the investigation was resumed by the unit of east Georgia), **1** case was received from the Police Department of Imereti, Racha-Lechkhumi and Kvemo Svaneti (the investigation was resumed by the unit of west Georgia), **1** case was received from the Marneuli District Unit of the Kvemo Kartli Police Department (investigation was resumed by the unit of East Georgia) and **1** case was received from the Patrol Police Department (the investigation was resumed by the unit of east Georgia). **2** cases were submitted to the Service on the 2nd day after launching the investigation, **1** case within **1** week, **1** case within **1** month and **1** case within 2 months.

²⁸ As of July 1, 2022, the statistical data of the Kakheti and Samegrelo-Zemo Svaneti Units are recorded separately;

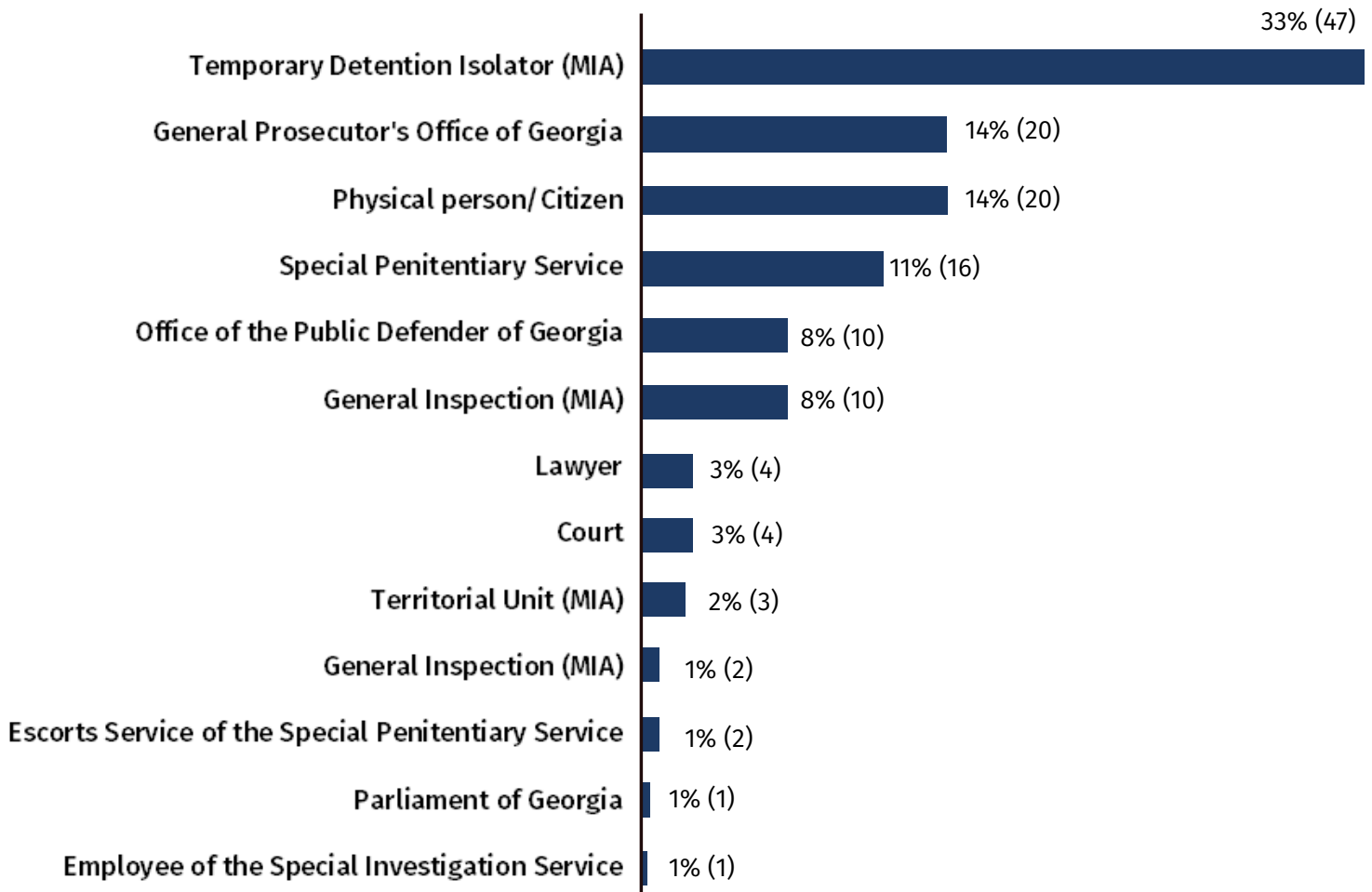
²⁹ AS OF JULY 1, 2022, THE STATISTICAL DATA OF THE KAKHETI AND SAMEGRELO-ZEMO SVANETI UNITS ARE RECORDED SEPARATELY;

Investigation initiation rate



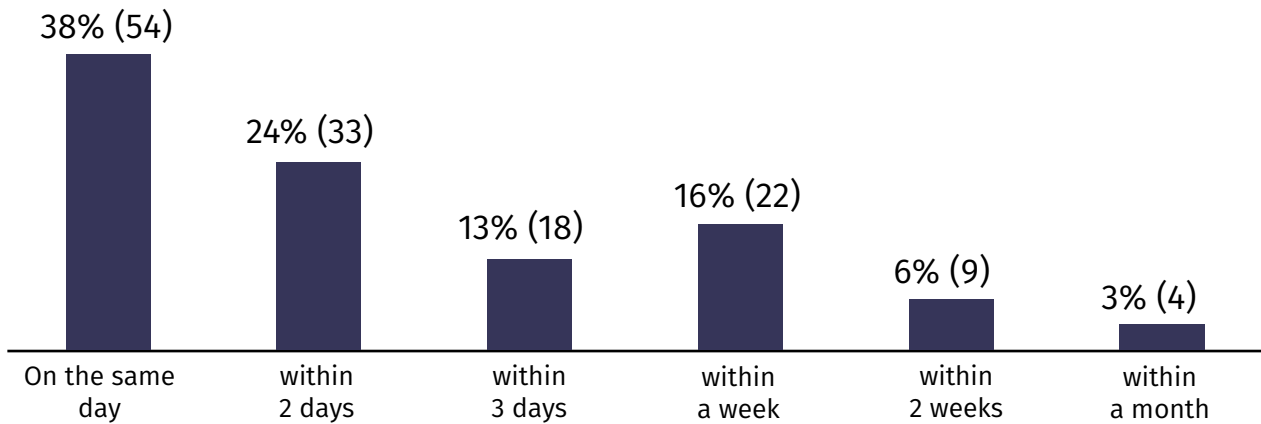
The vast majority of the reports (**43%**) containing signs of crime were received from the Ministry of Internal Affairs of Georgia.

Source of crime reports on which the investigation was Launched



On **38%** of the crime reports containing signs of crime, the investigation was launched on the day of the receipt report, on **24%** of the reports - on the 2nd day, on **13%** of the reports - within **3** days, on **16%** of the reports - within 1 week, on **6%** of the reports - within **2** weeks, on **3%** of the reports - within a month.

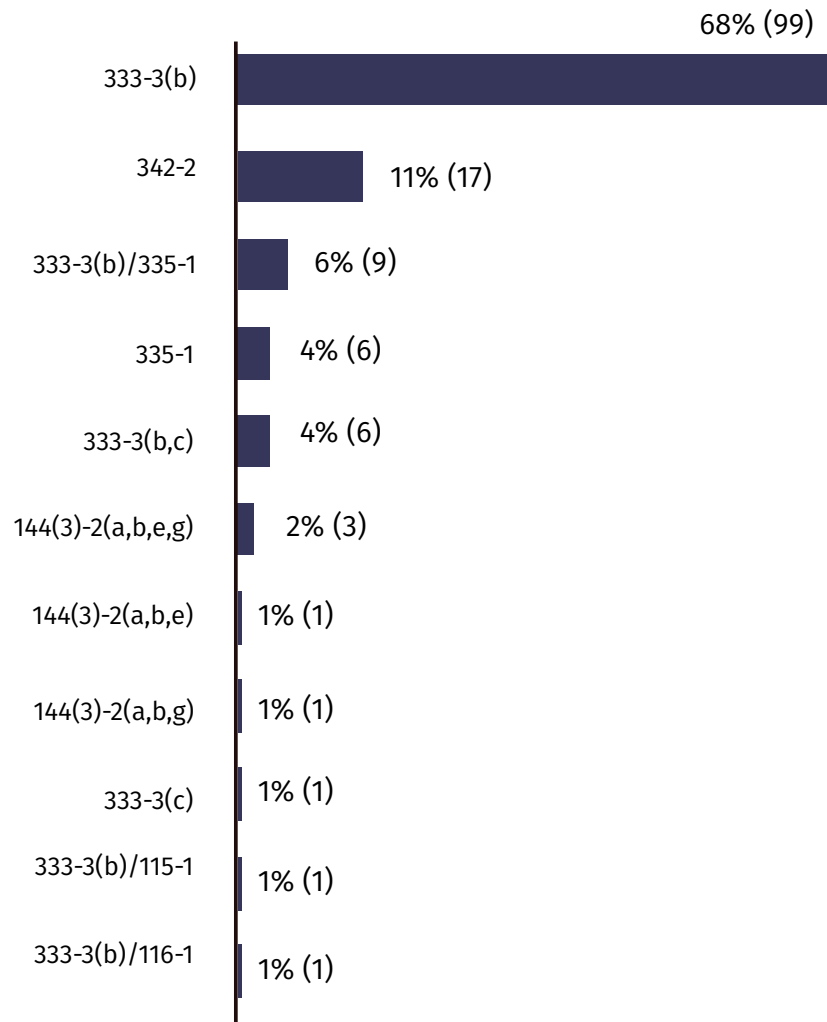
Time of initiation of the investigation on the crime reports containing signs of crime



Legal Qualification of Crimes

In most of the criminal cases investigation was launched under the article 333, paragraph 3, subparagraph “b” of the Criminal Code of Georgia.

Qualifications of the crimes determined at the outset of the investigation (CRIMINAL CODE OF GEORGIA)

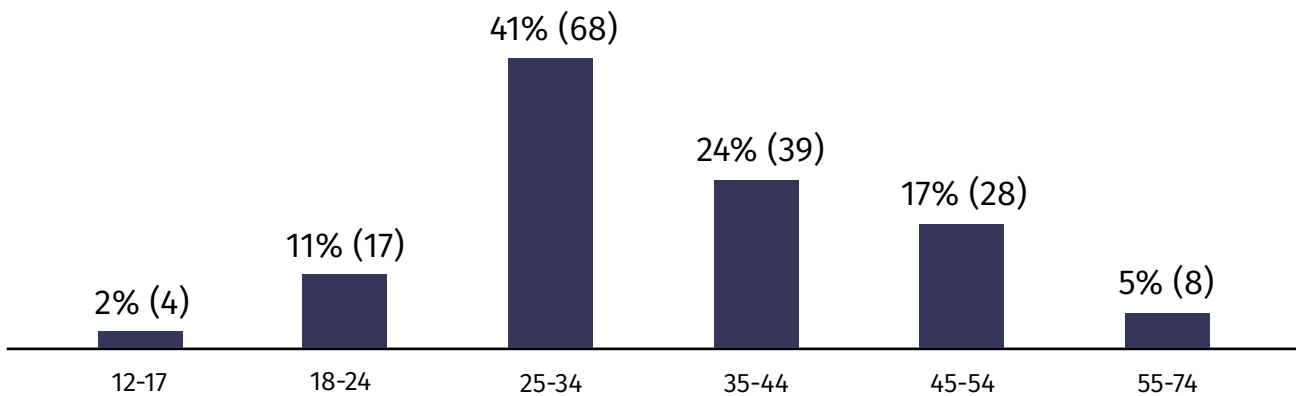


Out of **145** criminal cases, only in **1** case there was a precedent of changing the qualification by the prosecutor, in particular, the investigation had been launched under the article 333, paragraph 3, subparagraph “b”, while after changing the qualification, the investigation was proceeded under the article 333, paragraph 1 of the Criminal Code of Georgia.

III. ALLEGED VICTIMS

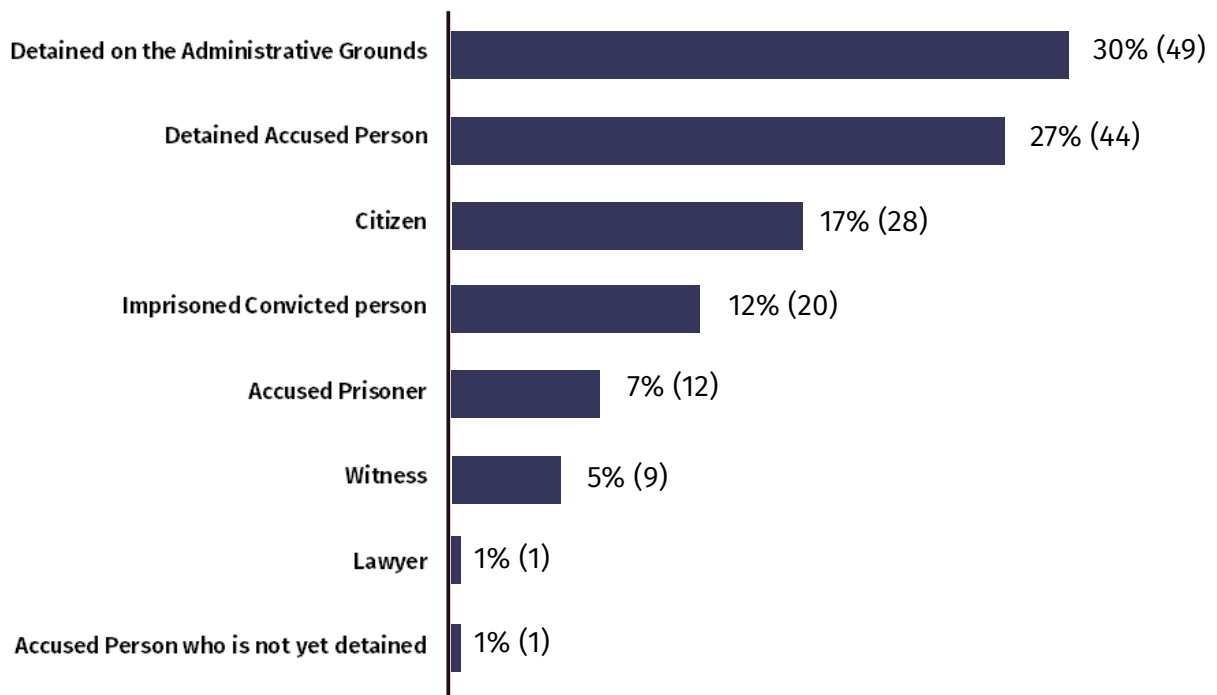
A total of **164** alleged victims appear in the criminal law cases launched under the article 19, paragraph 1, subparagraph “a” and “b” of the law of Georgia on the Special Investigation Service. **93%** of them (**153 persons**) are male, and **7% (11 persons)** are female.

Age of the alleged victims



30% (49) of the alleged victims are detained on the administrative grounds, **27% (44)** are accused, **17% (28)** are citizens, **12% (20)** are imprisoned convicted persons, **7% (12)** are imprisoned accused persons, **5% (9)** are witnesses, **1% (1)** is lawyer and **1% (1)** is accused person who is not yet detained.

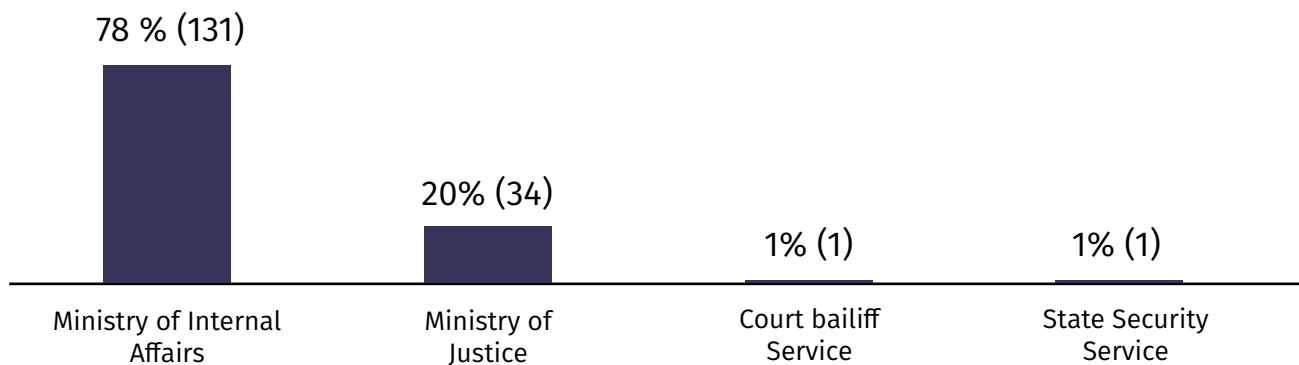
Procedural status of the alleged victims



IV. CIRCUMSTANCES OF THE ALLEGED CRIMES

78% (131) of the alleged victims indicate the employees of the Ministry of Internal Affairs as alleged perpetrators, **20%(34)** - indicate the employees of the Special Penitentiary Service, **1% (1)** indicate employees of the State Security Service of Georgia, **1%(1)** refer to the Court bailiff service.³⁰

Institutions indicated by alleged victims



Alleged victims, who indicate Police officers (except for Patrol Police) as perpetrators, also name the concrete units:

³⁰ In some cases, the alleged victims identified representatives of several units as perpetrators of the alleged crime, therefore, the number of agencies exceeds the number of victims;

TBILISI

Police Department of Tbilisi, MIA	2
Special Tasks Department, MIA	1
Juvenile Affairs Unit, MIA	1
Central Criminal Police Department, MIA	3
Investigation Division of the Central Criminal Police Department's Main Unit for Combating Illegal Drug Trafficking, Unit for Combating Illegal Import of Narcotic Drugs and New Psychoactive Substance, MIA	1
Main Unit of Tbilisi Police Department (Investigative Unit), MIA	1
Isani-Samgori Main Unit of Tbilisi Police Department, MIA	1
1 st Unit of Isani-Samgori Main Unit of Tbilisi Police Department, MIA	2
2 nd Unit of Isani-Samgori Main Unit of Tbilisi Police Department, MIA	1
6 th Unit of Isani-Samgori Main Unit of Tbilisi Police Department, MIA	1
8 th Unit of Isani-Samgori Main Unit of Tbilisi Police Department, MIA	3
3 rd Unit of Old Tbilisi Main Unit of Tbilisi Police Department, MIA	1
4 th Unit of Old Tbilisi Main Unit of Tbilisi Police Department, MIA	1

5 th Unit of Old Tbilisi Main Unit of Tbilisi Police Department, MIA	1
7 th Unit of Old Tbilisi Main Unit of Tbilisi Police Department, MIA	1
1 st Unit of Gldani-Nadzaladevi Main Unit of Tbilisi Police Department, MIA	1
2 nd Unit of Gldani-Nadzaladevi Main Unit of Tbilisi Police Department, MIA	1
3 rd Unit of Gldani-Nadzaladevi Main Unit of Tbilisi Police Department, MIA	1
9 th Unit of Gldani-Nadzaladevi Main Unit of Tbilisi Police Department, MIA	1
2 nd Unit of Didube-Chughureti Main Unit of Tbilisi Police Department, MIA	1
3 rd Unit of Didube-Chughureti Main Unit of Tbilisi Police Department, MIA	2
4 th Unit of Didube-Chughureti Main Unit of Tbilisi Police Department, MIA	1
1 st Unit of the Vake-Saburtalo Main Unit of Tbilisi Police Department, MIA	2
2 nd Unit of the Vake-Saburtalo Main Unit of Tbilisi Police Department, MIA	1
6 th Unit of the Vake-Saburtalo Main Unit of Tbilisi Police Department, MIA	1
7 th Unit of the Vake-Saburtalo Main Unit of Tbilisi Police Department, MIA	1
№2 Temporary Detention Isolator of Department of Provision of temporary Detention, MIA	1

რეზიუმეები:

Police Department of the Autonomous Republic of Adjara, MIA	3
Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	3
1 st division of Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	1
2 nd division of Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	2
3 rd division of Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	4
4 th division of Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	1
6 th division of Batumi City Unit of Police Department of the Autonomous Republic of Adjara, MIA	2
Kakhabri Police Division of Kelvachauri District Unit of Police Department of the Autonomous Republic of Adjara, MIA	3
Khulo District Unit of Police Department of the Autonomous Republic of Adjara	2

Chakvi Police Division of Kobuleti District Unit of Police Department of the Autonomous Republic of Adjara, MIA	1
Gonio Police Division of Khelvachauri District Unit of Police Department of the Autonomous Republic of Adjara, MIA	1
Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
1 st Division of Kutaisi City Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
4 th Division of Kutaisi City Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
Vani District Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
Kharagauli District Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
Terjola District Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
Naxshirgeli Police Division of District Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	1
Zestafoni District Unit of Imereti, Racha-Lechkhumi and Kvemo Svaneti Police Department, MIA	2
Ureki Police Division of Ozurgeti District Unit of Guria Police Department, MIA	1
Ozurgeti District Unit of Guria Police Department, MIA	1

Poti City Unit of Samegrelo-Zemo Svaneti Police Department, MIA	1
Akhmeta District Unit of Kakheti Police Department, MIA	3
Telavi District Unit of Kakheti Police Department, MIA	2
Napareuli Division of Telavi District Unit of Kakheti Police Department, MIA	1
Lagodekhi District Unit of Kakheti Police Department, MIA	1
Dedoplistskaro District Unit of Kakheti Police Department, MIA	1
Borjomi District Unit of Samtskhe-Javakheti Police Department, MIA	1
Akhalkalali District Unit of the Samtskhe-Javakheti Police Department, MIA	1
Akhalsikhe District Unit of the Samtskhe-Javakheti Police Department, MIA	1
Mtskheta District Unit of the Mtskheta-Mtianeti Police Department, MIA	1
Saguramo Police Division of the Mtskheta-Mtianeti Police Department, MIA	1
Tserovani Police Division of Mtskheta District Unit of Mtskheta-Mtianeti Police Department, MIA	1

Marneuli District Unit of Kvemo Kartli Police Departement, MIA	4
2 nd Unit of Rustavi City Unit of Kvemo Kartli Police Departement, MIA	2
2 nd Police Division of Rustavi City Unit of Kvemo Kartli Police Departement, MIA	1
Tetritskaro District Unit of Kvemo Kartli Police Departement, MIA	3
1 st Division of Rustavi City Unit of Kvemo Kartli Police Departement, MIA	1
2 nd Division of Rustavi City Unit of Kvemo Kartli Police Departement, MIA	1
Rustavi Temporary Detention Facility of Temporary Detention Department, MIA	1
Gardabani District Unit of Kvemo Kartli Police Departement, MIA	2
Bolnisi District Unit of Kvemo Kartli Police Departement, MIA	1
Shida Kartli Police Department, MIA	2
Khashuri District Unit of Shida Kartli Police Department, MIA	1
Gori District Unit of Shida Kartli Police Department, MIA	3
5th Division of Gori District Unit of Shida Kartli Police Department, MIA	1

Alleged victims who indicate the employees of the Penitentiary Service as perpetrators of crimes refer to the following penitentiary institutions:

№2 Penitentiary Institution	1
№3 Penitentiary Institution	2
№6 Penitentiary Institution	2
№8 Penitentiary Institution	12
№10 Penitentiary Institution	1
№12 Penitentiary Institution	1
№15 Penitentiary Institution	1
№16 Penitentiary Institution	1
№17 Penitentiary Institution	2
№18 Penitentiary Institution	2
Escorts and Special Events Unit of the Special Penitentiary Service	5
№16 Division of the External Security and Informational-Technical Security Unit of the Special Penitentiary Service	3

Alleged victim also indicates the employee of the Ministry of Justice as a perpetrator of the crime, In particular:

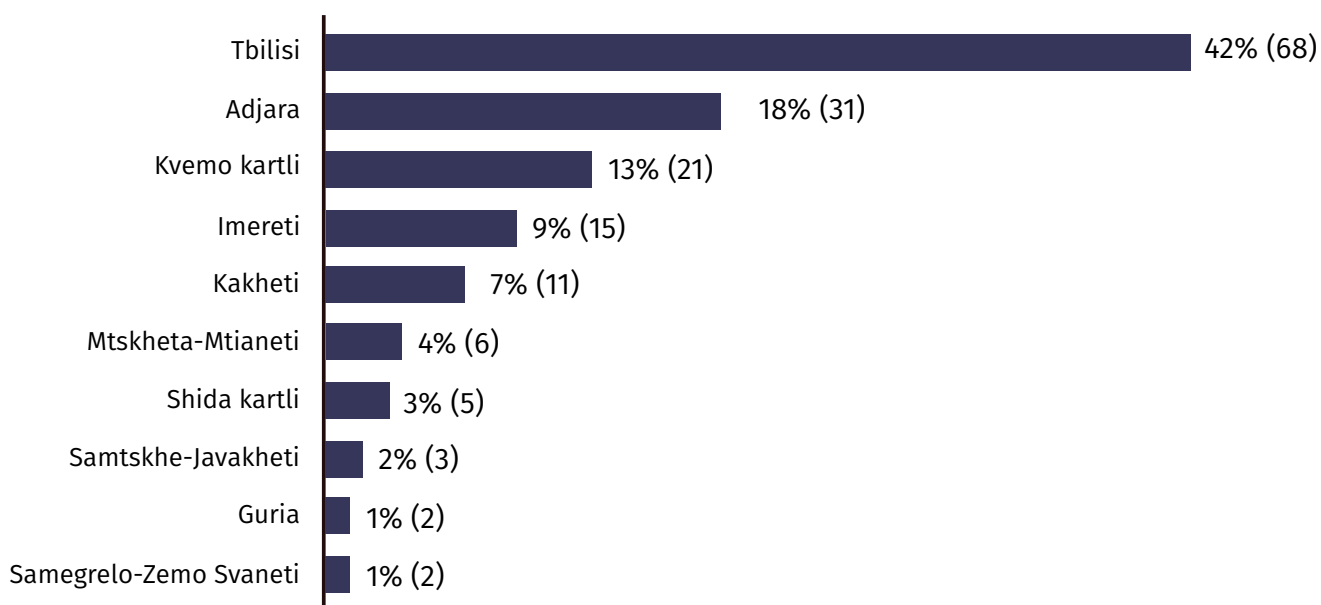
LEPL “National Enforcement Bureau”	1

Alleged victims also indicate the employees of other agencies as perpetrators of crimes, In particular:

Court Bailiff Service	1
State Security Service	1

Majority of the alleged victims (42% - 68 persons) indicated Tbilisi as the place of crime. Also, the places the victims referred were as follows: Adjara (18% - 31 persons), Kvemo Kartli (13% - 21 persons), Imereti (9% - 15 persons), Kakheti (7% - 11 persons), Mtskheta-Mtianeti (4% - 6 persons), Shida kartli (3% - 5 persons), Samtskhe-Javakheti (2% - 3 persons), Samegrelo-Zemo Svaneti (1% - 2 persons) and Guria (1% - 2 persons).

Geographical areas of the alleged crimes

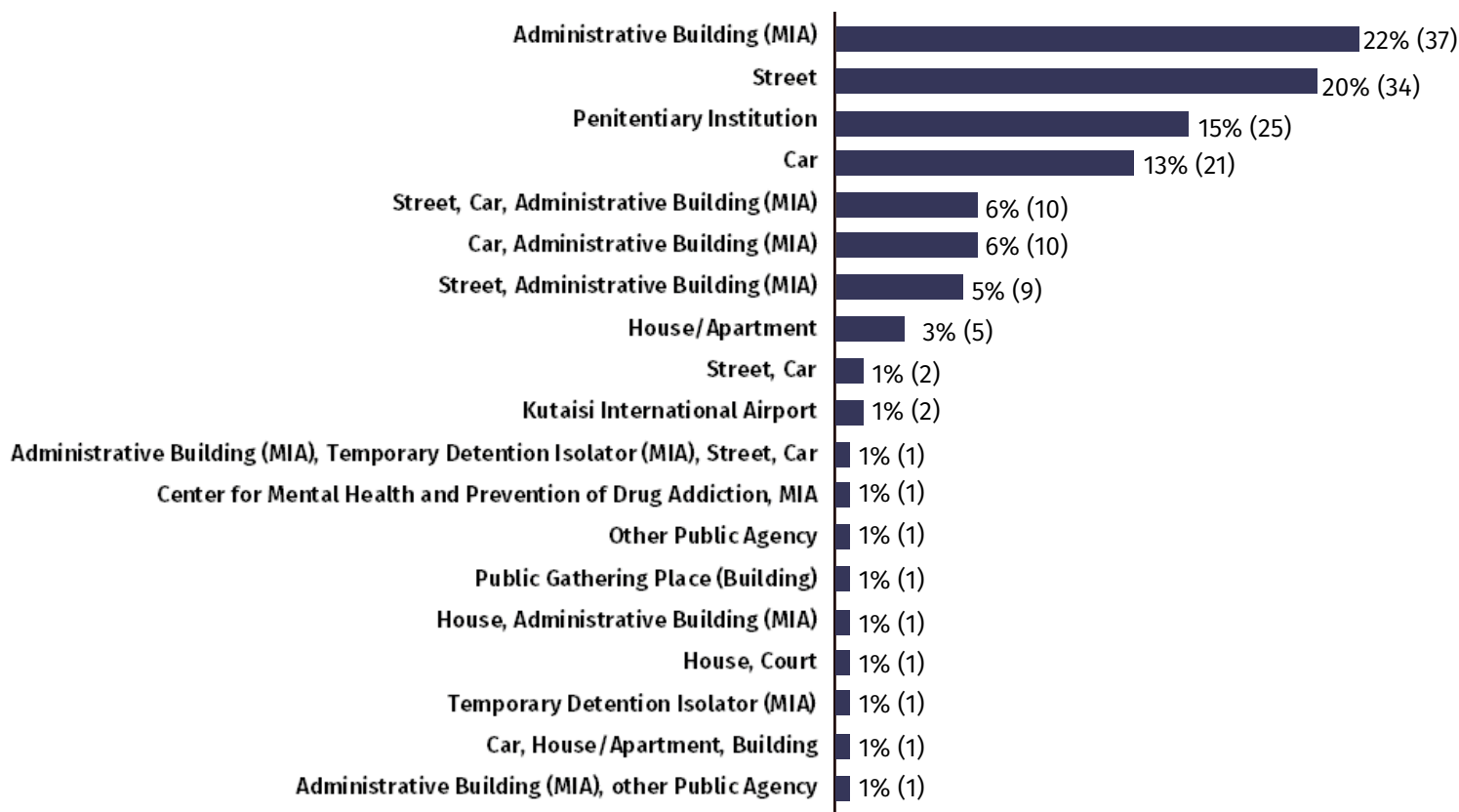


33% (70 persons) of the alleged victims indicate the administrative building of the Ministry of the Internal Affairs as a place of crime, **25% (56 persons)** – street, **20% (45 persons)** – car, **11% (25 persons)** – penitentiary institution, **4% (8 persons)** – house, **1% (2 persons)** – Temporary Detention Isolator of the Ministry of Internal Affairs, **6% (14 persons)** - other public institutions³¹. **In some cases, the same victim identified several places as a crime scene**³².

³¹ The mentioned agencies are depicted in detail in the diagram;

³² The percentage is derived from the overall data;

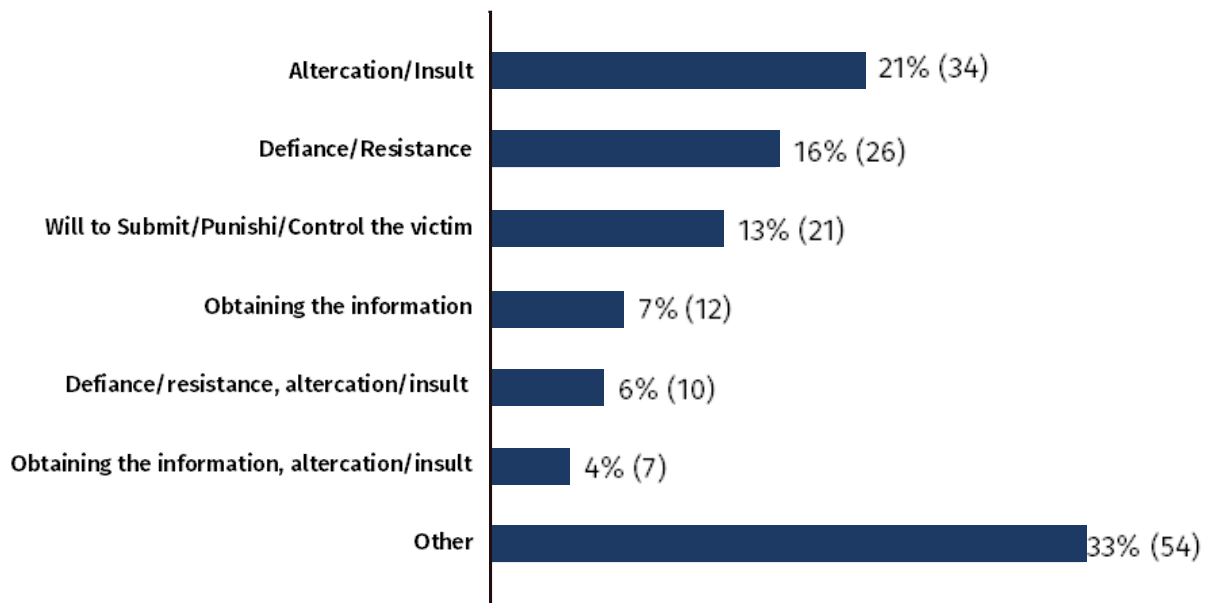
Specific places of alleged crime as indicated by victims



28% (51 persons) of the alleged victims indicated conflict/insult as a motive of a crime, **20% (36 persons)** – disobedience/resistance from the side of the victim, **12% (21 persons)** – intent to submit/punish/control the victim, **10% (19 persons)** - obtaining information, and **30% (54 persons)** – other motives. **In some cases, the victim named several motives as possible reasons for violence.**³³

³³ The percentage is derived from the overall data;

Motives of violence





V. CRIMINAL PROSECUTION

During the reporting period, the Prosecutor General's Office of Georgia launched criminal prosecution against 6 persons, who were charged under Article 19, Paragraph 1, Subparagraph "a" and "b" of the Law of Georgia on Special Investigation Service. Out of the above-mentioned 6 persons:

- ✓ 1 person was an inspector of external protections of the Special Penitentiary Service and criminal prosecution against him was initiated under the article 333, paragraph 1 of the Criminal Code of Georgia;
- ✓ 1 Person was a criminal police officer (detective-investigator) and criminal prosecution against him was initiated under the article 333, paragraph 3, subparagraph "b" and the article 116, paragraph 1 of the Criminal Code of Georgia;
- ✓ 1 person was a criminal police officer (district inspector-investigator) and criminal prosecution against him was initiated under the article 333, paragraph 3, subparagraph "b" of the Criminal Code of Georgia;
- ✓ 1 person was a patrol police officer (patrol-inspector) and the criminal prosecution against him was initiated under the article 333, paragraph 3, subparagraph "b" of the Criminal Code of Georgia;
- ✓ 1 person was an officer of the Escort and Special Events Unit of the Special Penitentiary Service and criminal prosecution against him was initiated under the article 342, paragraph 2 of the Criminal Code of Georgia;
- ✓ 1 person was a prisoner of a penitentiary institution and criminal prosecution against him was initiated under the article 108 of the Criminal Code of Georgia (the accused is not a public official, yet the investigation was initiated under the article 342¹, paragraph 2, Article 117, paragraph 1 and the article 108 of the Criminal Code of Georgia. Regardless of the investigation subordination, the mentioned criminal case was handed over to the Service for investigation.

VI. REQUESTED AND APPLIED MEASURES OF RESTRAINT

Out of the **6** incriminated defendants, the General Prosecutor's Office of Georgia submitted a motion to the court to apply a measure of restraint against **5** persons (out of which **1** was a prisoner and no measure of restraint was requested against him and only the date of preliminary court hearing was determined). Detention was requested for all the five mentioned persons. The court approved the measure of restraint requested against **2** defendants, while the court did not approve the measure of restraint requested against **3** defendants. In particular – the court applied bail as a measure of restraint against **1** defendant and bail with provision of detention – against **2** defendants.

VII. TERMINATION OF INVESTIGATION

During the reporting period, the Prosecutor General's Office of Georgia terminated the investigation of **14** criminal cases, in which investigation was launched on crimes committed by representative of law enforcement bodies, by an official, or a person equal to an official, as defined under the article **19**, paragraph **1**, subparagraphs “a” and “b” of the Law of Georgia on the Special Investigation Service. In **1** case the investigation was launched in 2019, in **2** cases – in 2020, in **8** cases – in 2021 and in **3** cases – in 2022.

The investigation of the above-mentioned **14** criminal cases was terminated due to the absence of criminal act provided by the Criminal Code of Georgia.

The investigation of the terminated criminal cases was launched under the following articles:

- 11 criminal cases - article 333, paragraph 3, subparagraph “b” of the Criminal Code of Georgia;
- 2 criminal cases - article 144³, paragraph 2, subparagraphs “a”, “b”, “e” and “g” of the Criminal Code of Georgia;
- 1 criminal case - article 335, paragraph 1 of the Criminal Code of Georgia.

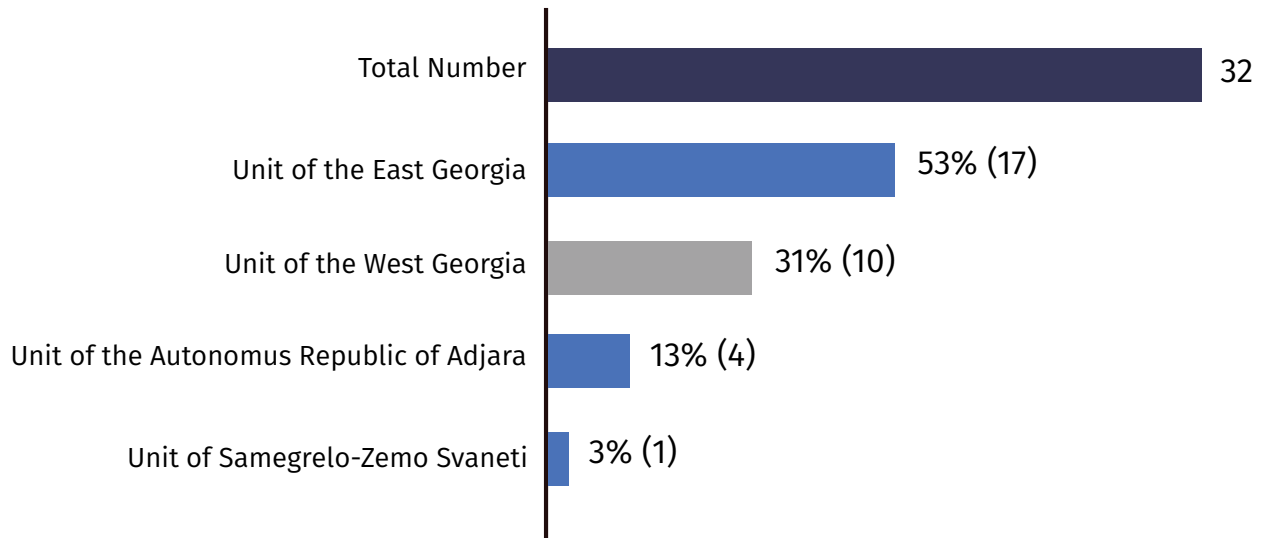
STATISTICS OF THE CRIMES DEFINED BY THE ARTICLE 19, PARAGRAPH 1, SUBPARAGRAPH 'C' OF THE LAW OF GEORGIA ON THE SPECIAL INVESTIGATION SERVICE³⁴

I. RECEIVED REPORTS

In the period of March-August of 2022, the investigative department of the Service received **32** crime reports on the alleged crimes defined by the article **19**, paragraph 1, subparagraph "c" of the law of Georgia on the Special Investigation Service, committed by the representative of law enforcement agency. **53%(17)** of the crime reports were reviewed by the unit of east Georgia, **31%(10)** by the unit of west Georgia, **13%(4)** by the unit of the Autonomous Republic of Adjara, and **13%(4)** of the crime reports by the Samegrelo-Zemo Svaneti unit.

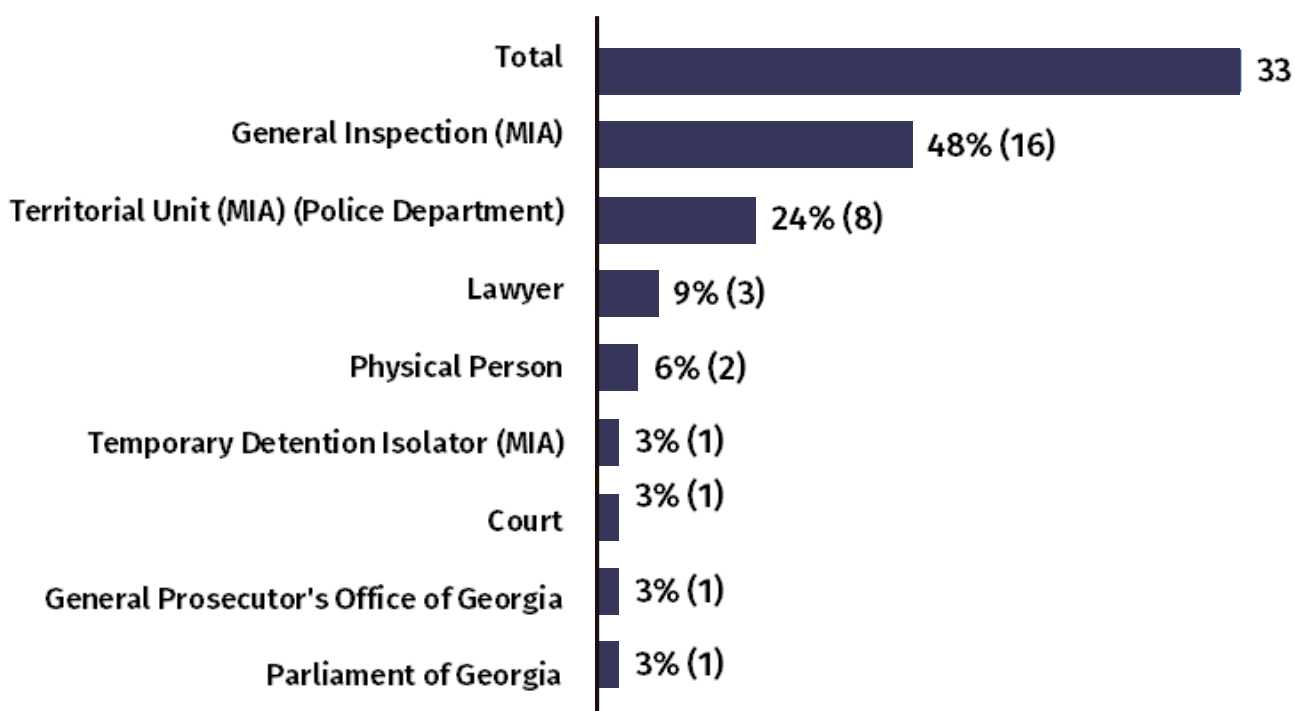
³⁴ The crimes committed by the representative of law enforcement agency off-duty, prescribed under the articles: 108, 109, 111, 113-118, 120-124, 126, 126', 137-139, 143-144, 150-151' of the Criminal Code of Georgia

შემოსული შეტყობინებების რაოდენობა



75% of the crime reports were received from the Ministry of the Internal affairs of Georgia.

Sources of the Received Reports

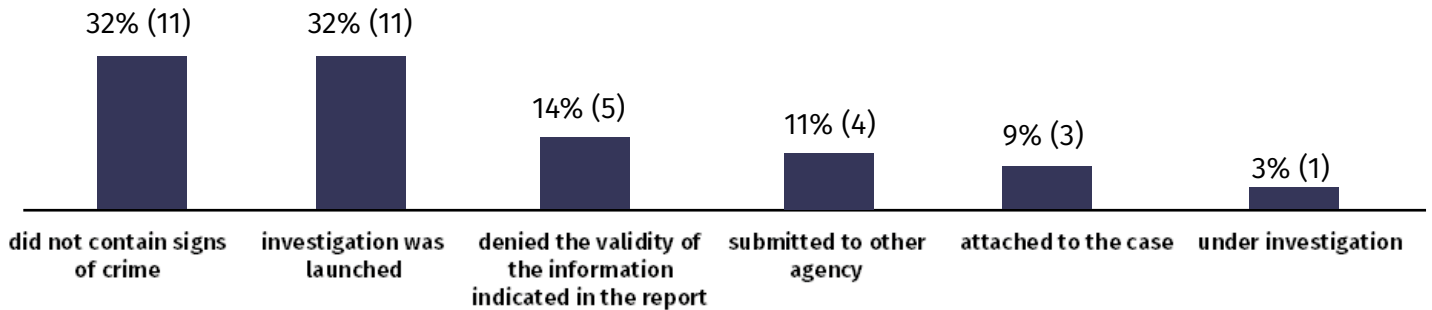


Response to the Received Reports

32 crime reports received by the investigative department concerned 35 persons.

Out of the received crime reports, **32% (11 persons)** contained no signs of crime, on **32% (11 persons)** of crime reports investigation was launched, in **14% (5 persons)** of crime reports victims denied the information provided in the report, **11% (4 persons)** reports were transferred to other agency, since they did not fall under the investigative jurisdiction of the Service. **9% (3 persons)** crime reports were considered as additional information on criminal cases under investigation of the Service and/or on other reports already received and on **3% (1 person)** of the crime reports the case is under the proceedings.

Response to the received reports (by the number of alleged victims)

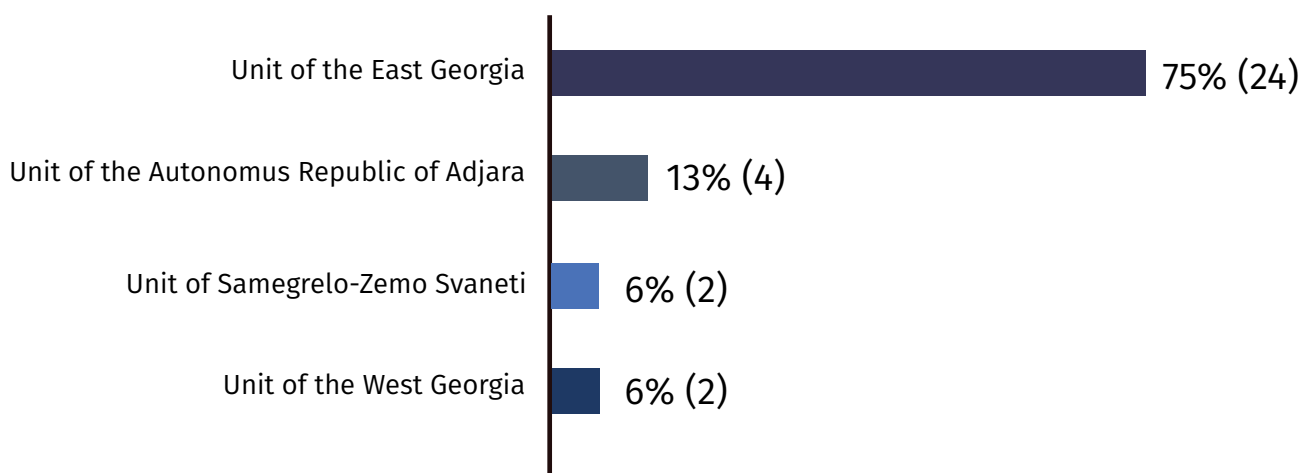


II. INITIATION OF INVESTIGATION

During the reporting period, the investigative department of the Service launched investigations into **32** criminal cases, provided by the article **19**, paragraph 1, subparagraph “c” of the law of Georgia on the Special Investigation Service, committed by the representatives of law enforcement agencies. Out of the mentioned cases, the investigation into **14** criminal cases was launched on the basis of the received crime reports. Among mentioned cases, in **14** criminal cases investigation was resumed by the unit of east Georgia, in **2** criminal cases – by the unit of the Autonomous Republic of Adjara and in 1 criminal case – by the unit of west Georgia. **6** criminal cases were transferred to the Service on the day of launching the investigation, **2** criminal cases – within **2** days, **5** criminal cases – within **3** days, **2** criminal cases – within **4** days, 1 criminal case – within **14** days, 1 criminal case – within **27** days.

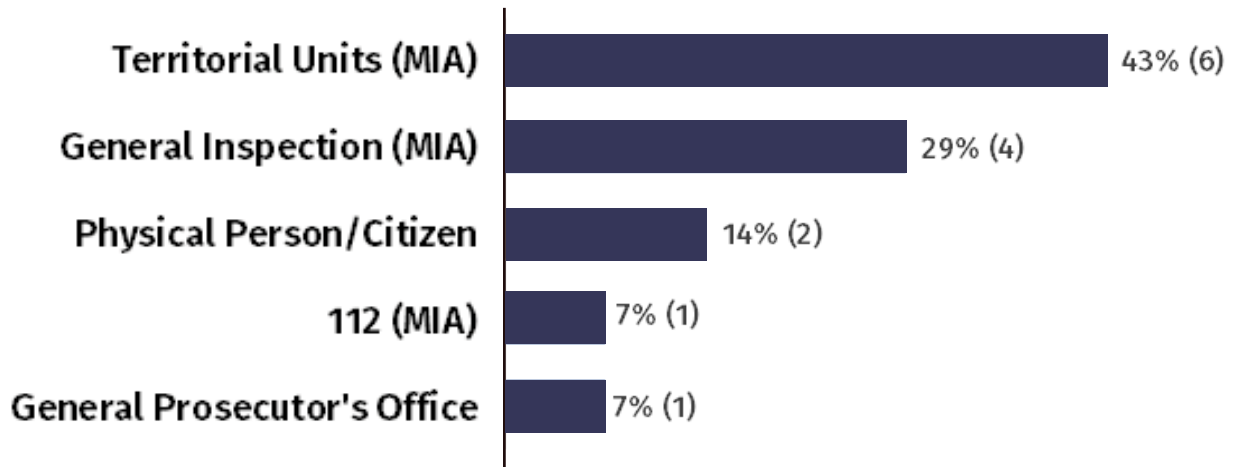
1 criminal case was separated from the case under investigative subordination of the Service. The investigation into above-mentioned case was resumed by the unit of east Georgia.

Investigation initiation rate



6 crime reports were received from the territorial unit of MIA, **4** crime reports from the General Inspection of MIA and 1 crime report from the Public Security Management Center - 112 of MIA, **1** crime report from the General Prosecutor's Office of Georgia and **2** reports from the citizens.

Sources of the reports on which the investigation was launched



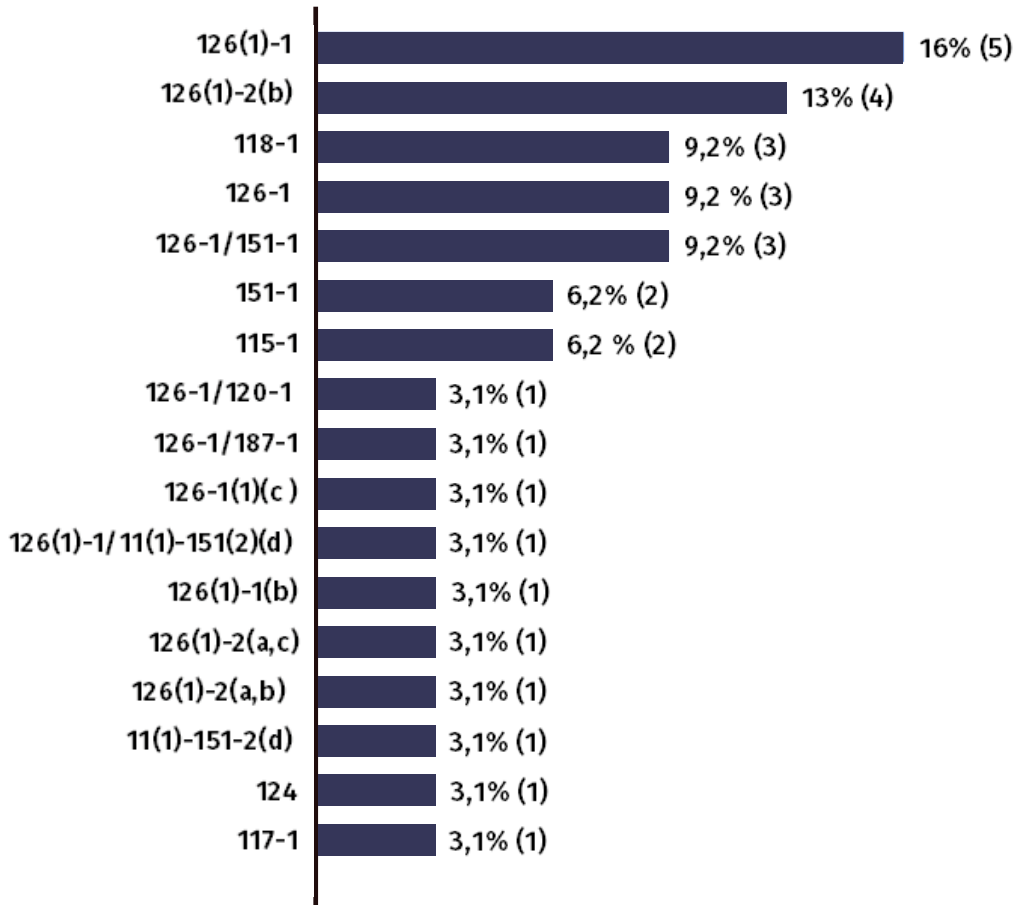
Qualification of Crimes

Out of the above-mentioned cases, **3** criminal cases were transferred to the Service, where the investigation was launched under the article 126¹, paragraph 1 of the Criminal Code of Georgia; **1** criminal case - under the article 151, paragraph **1** of the Criminal Code of Georgia; **1** criminal case - under the article 118, paragraph 1 of the Criminal Code of Georgia; 3 criminal cases under the article 126, paragraph 1 of the Criminal Code of Georgia; **1** criminal case under the article 126, paragraph 1 and the article 120 paragraph 1 of the Criminal Code of Georgia; **1** criminal case under the article 126, paragraph 1 and the article 187, paragraph **1** of the Criminal Code of Georgia; 1 criminal case under the article 126, paragraph 11, subparagraph “c” of the Criminal Code of Georgia, **1** criminal case under the article 126¹, paragraph 2, subparagraph “b” of the Criminal Code of Georgia; 1 criminal case under the article 115, paragraph 1 of the Criminal Code of Georgia, **1** criminal case under the article 126¹, paragraph **1** and articles 11¹-151, paragraph 2, subparagraph “d” of the Criminal Code of Georgia, **1** criminal case under the article 126, paragraph **1**, subparagraph “b” of the Criminal Code of Georgia and 2 criminal cases – under the article 151, paragraph **1** and the article 126, paragraph **1** of the Criminal Code of Georgia.

The investigation of 2 criminal cases was lunched under the article 118, paragraph 1 of the Criminal code of Georgia, in 1 criminal case under the article 126¹, paragraph 2, subparagraphs “a” and “b” of the Criminal Code of Georgia, in 1 criminal case - under the article 126, paragraph 1 and the article 151 paragraph 1 of the Criminal Code of Georgia, in 2 criminal cases – under the article 126¹, paragraph 1, in 1 criminal case – under the article 11¹-151 paragraph 2, subparagraph “d” of the Criminal Code of Georgia, in 3 criminal case under the article 126¹, paragraph 2, subparagraph “b” of the Criminal Code of Georgia, in 1 criminal case under the article 151, paragraph 1 of the Criminal Code of Georgia, in 1 criminal case – under the article 124 of the Criminal Code of Georgia, in 1 criminal case – under the article 115, paragraph 1 of the Criminal Code of Georgia and in 1 criminal case - under the article 117, paragraph 1 of the Criminal Code of Georgia.

1 criminal case was separated under the article 126¹, paragraph 2, subparagraphs “a” and “c” of the Criminal Code of Georgia.

Qualification of the crimes determined at the outset of the investigation (Criminal Code of Georgia)



Out of the 32 criminal cases, legal qualifications of 5 criminal cases were changed. In particular, the investigation into 1 criminal case was launched under the article 126¹, paragraph 2, subparagraph “b” of the Criminal Code of Georgia, after the changing the legal qualification, the investigation was resumed under the article 126¹, paragraph 2, subparagraph “b” (two episodes) and the articles 11¹-151, paragraph 2, subparagraph “d” of the Criminal Code of Georgia. Investigation into 1 criminal case was launched under the article 115, paragraph 1 of the Criminal Code of Georgia and after changing the legal qualification the investigation was resumed under the article 333, paragraph 3, subparagraph “b” of the Criminal Code of Georgia. The investigation into 1 criminal case was launched under the article 126¹, paragraph 1 and the articles 11¹-151, paragraph 2, subparagraphs “d” and after changing the legal qualification the investigation was resumed under the article 126¹, paragraph 2, subparagraph “b” (4 episodes), article 126¹, paragraph 1 (3 episodes)

and the articles 11¹-151, paragraph 2, subparagraph “d” of the Criminal Code of Georgia. The Investigation into 1 criminal case was launched under the article 126¹, paragraph 2, subparagraph “b” and after changing the legal qualification the investigation was resumed under the article 126¹, paragraph 2, subparagraph “b” and the article 126¹, paragraph 2, subparagraphs “a”, “b” and “c” of the Criminal Code of Georgia. The investigation into 1 criminal case was launched under the article 118, paragraph 1 and after changing the legal qualification the investigation was resumed under the article 117, paragraph 1 of the Criminal Code of Georgia.

III. ALLEGED VICTIMS

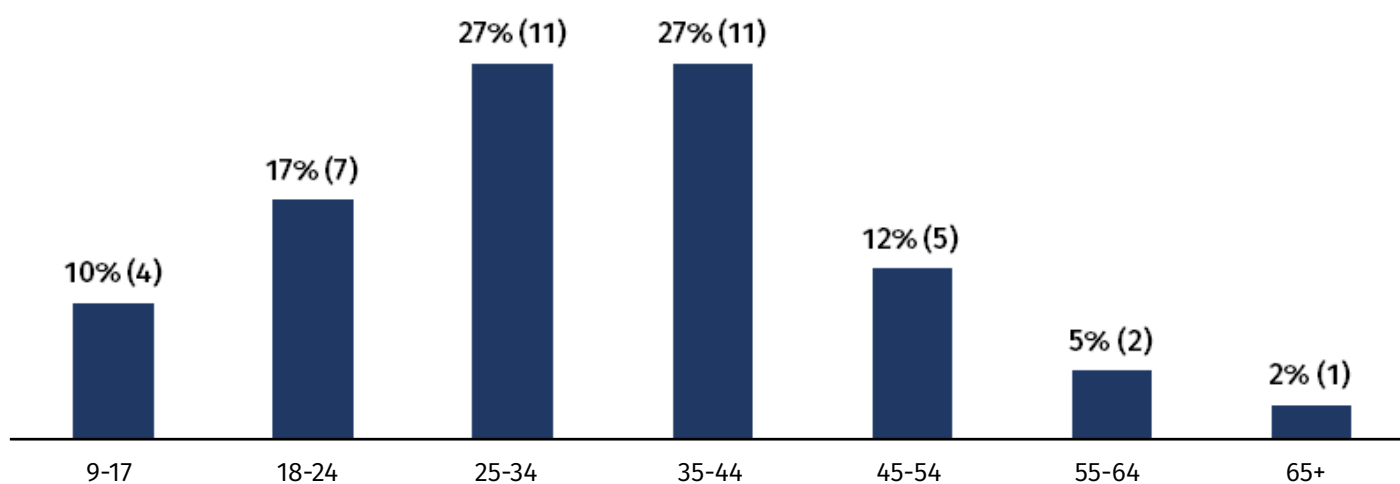
A total of **41 alleged** victims appear in the criminal cases investigated under the article 19, paragraph 1, subparagraph “c” of the law of Georgia on the Special Investigation Service. Among them **23** of alleged victims are – male and **18** are – female.

Gender of the alleged victims



10% of the alleged victims are juveniles, **90%** are adults.

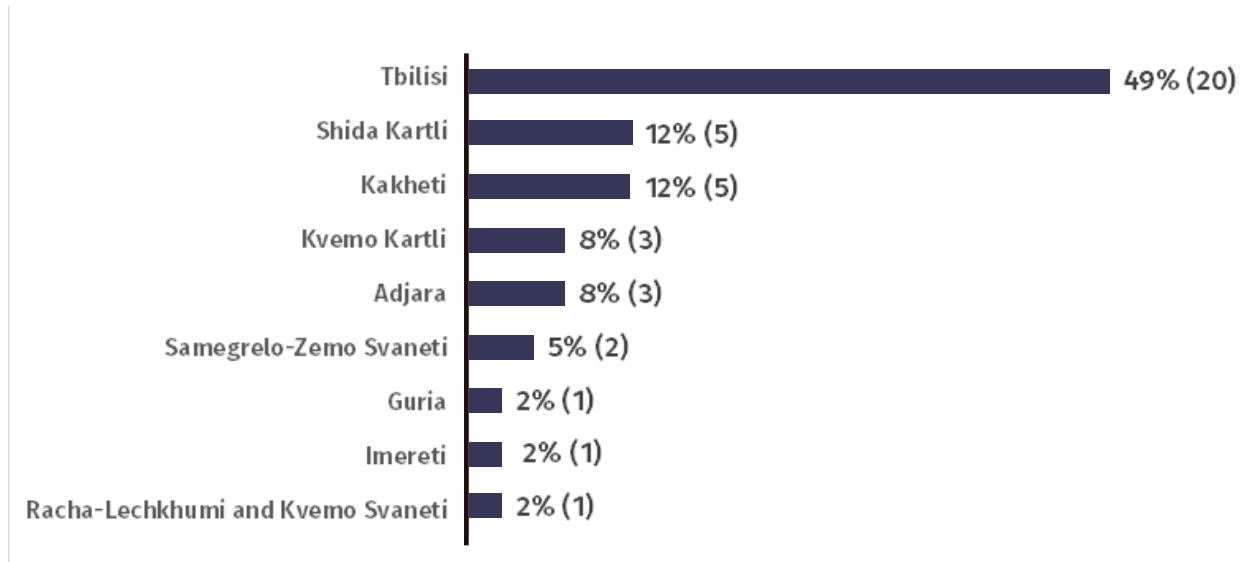
Age of the alleged victims



IV. CIRCUMSTANCES OF THE ALLEGED CRIMES

In **20** cases, the alleged victim referred to Tbilisi as a crime place, in **3** cases – Kvemo Kartli, in **1** case – Imereti, in **2** cases – Samegrelo-Zemo Svaneti, in **5** cases – Shida Kartli, in **3** cases – Adjara, in **5** cases – Kakheti, in **1** case – Guria and in **1** case – Racha-Lechkhumi and Kvemo Svaneti.

Geographical area of commission of alleged crime



V. CRIMINAL PROSECUTION

During the reporting period, the General Prosecutor's Office of Georgia launched criminal prosecution against **11** persons, who were charged under Article 19, Paragraph 1, Subparagraph "c" of the Law of Georgia on Special Investigation Service. Out of the above-mentioned **11** persons:

- 1 person was an inspector of the Border Police and the criminal prosecution against him was initiated under the article 126', paragraph 2, subparagraph "b" (2 episodes) of the Criminal Code of Georgia;

- 1 person was a criminal police officer (detective-investigator) and the criminal prosecution against him was initiated for cumulative crimes - under the articles 111-151, paragraph 2, subparagraph "d" (3 episodes) and the article 126', paragraph 1 of the Criminal Code of Georgia;
- 1 person was a patrol officer (patrol-inspector) and criminal prosecution against him was initiated for cumulative crimes - under the article 126', paragraph 2, subparagraph "b" and the article 126', paragraph 2, subparagraphs "a", "b" and "c" of the Criminal Code of Georgia;
- 1 person was a military officer (inspector) and criminal prosecution against him was initiated for cumulative crimes - under the article 151, paragraph 1 (2 episodes) and the article 120, paragraph 1 of the Criminal Code of Georgia;
- 1 person was a leading specialist of the Border Police and criminal prosecution against him was initiated for cumulative crimes - under the article 126', paragraph 2, subparagraph "b" (2 episodes) and the articles 11¹-151, paragraph 2, subparagraph "d" of the Criminal Code of Georgia.
- 1 person was a firefighter-rescuer of the emergency management service and criminal prosecution against him was initiated for cumulative crimes - under the article 1261, paragraph 2, subparagraph "b" (4 episodes), the article 126', paragraph 1 (3 episodes) and the articles 11¹-151, paragraph 2, subparagraph "d" of the Criminal Code of Georgia;
- 1 person was a patrol officer (patrol-inspector) and criminal prosecution against him was initiated for cumulative crimes - under the article 126, paragraph 1 (2 episodes) of the Criminal Code of Georgia;
- 1 person was an employee of the Border Police (border guard) and criminal prosecution against him was initiated for cumulative crimes - under the article 126', paragraph 2 subparagraph "b" and the articles 11¹-151, paragraph 2, subparagraph "d" (2 episodes) of the Criminal Code of Georgia.
- 1 person was an employee of the Security Police Department (Bodyguard) and criminal prosecution against him was initiated under the articles 11¹-151, paragraph 2, subparagraph "d" of the Criminal Code of Georgia;
- 1 person was an employee of the General Inspection of the Ministry of Internal Affairs (head of the Unit) and criminal prosecution against him was initiated under the article 126, paragraph 11, subparagraph "c" of the criminal Code of Georgia;
- 1 person was a patrol officer (patrol-inspector) and criminal prosecution against him was initiated for cumulative crimes - under the article 126, paragraph 1 (6 episodes) and the article 151, paragraph 1 of the Criminal Code of Georgia.

VI. REQUESTED AND APPLIED MEASURES OF RESTRAINT

The General Prosecutor's Office of Georgia filed a motion to the court demanding that **6** out of the **11** defendants were charged with criminal charges and sentenced detention and in case of **5 persons** requested bail as a measure of restraint. **2** requested measures of restraint against **2** defendants were not approved and the court applied the bail as a measure of restraint instead of detention.

VII. TERMINATION OF INVESTIGATION

During the period March-May, 2022, the General Prosecutor's Office of Georgia terminated the investigation of **4** criminal cases. Investigations of the mentioned cases had been launched in the year of 2022.

The investigation of the mentioned **2 cases** was terminated due to the absence of the criminal act provided by the Criminal Code of Georgia, in 2 cases - due to the Prosecutor's refusal to charge the person according to the established procedure and rules provided by the Criminal Code of Georgia (Diversion was applied).

The terminated cases had been under the investigation based on the following articles:

- 1 criminal case - article 126¹, paragraph 1 of the Criminal code of Georgia;

- 1 criminal case - article 126, paragraph 1 of the Criminal Code of Georgia;
- 1 criminal case - article 126, paragraph 11, subparagraph “c” of the Criminal Code of Georgia;
- 1 criminal case – article 120, paragraph 11 and article 126, paragraph 1 of the Criminal Code of Georgia.

VIII. HATE CRIMES

Hate Crimes (Motive of discriminatory intolerance) was revealed into 4 criminal cases out of the 32 criminal cases launched in the period of March-May 2022. In all 4 criminal cases, the motive of the criminal act committed against the victim was gender-based intolerance. At this stage it is unknown whether in 1 of the criminal cases the motive was discriminatory intolerance.

In 3 criminal cases out of the 4 hate crimes, where the gender based intolerance was revealed, investigations is ongoing based on the following articles:

- 1 criminal case - article 126¹, paragraph 2, subparagraph “b”, of the Criminal Code of Georgia;
- 1 criminal case - article 126¹, paragraph 1 of the Criminal Code of Georgia;
- 1 criminal case - article 126, paragraph 1 and article 151, paragraph 1. The person was charged under the article 126, paragraph 1 (6 episodes) and the article 151, paragraph 1 of the Criminal Code of Georgia.

One criminal case had been submitted to the court for the hearing on the merits. The investigation into the mentioned case had been in progress under the article 126¹, paragraph 2, subparagraph “b” and the person was charged³⁶ under the same article (for 2 episodes) of the Criminal Code of Georgia.

³⁵ It is noteworthy that the motive of gender-based intolerance is also indicated in the indictment;

³⁶ It is noteworthy that the motive of gender-based intolerance is not indicated in the indictment;

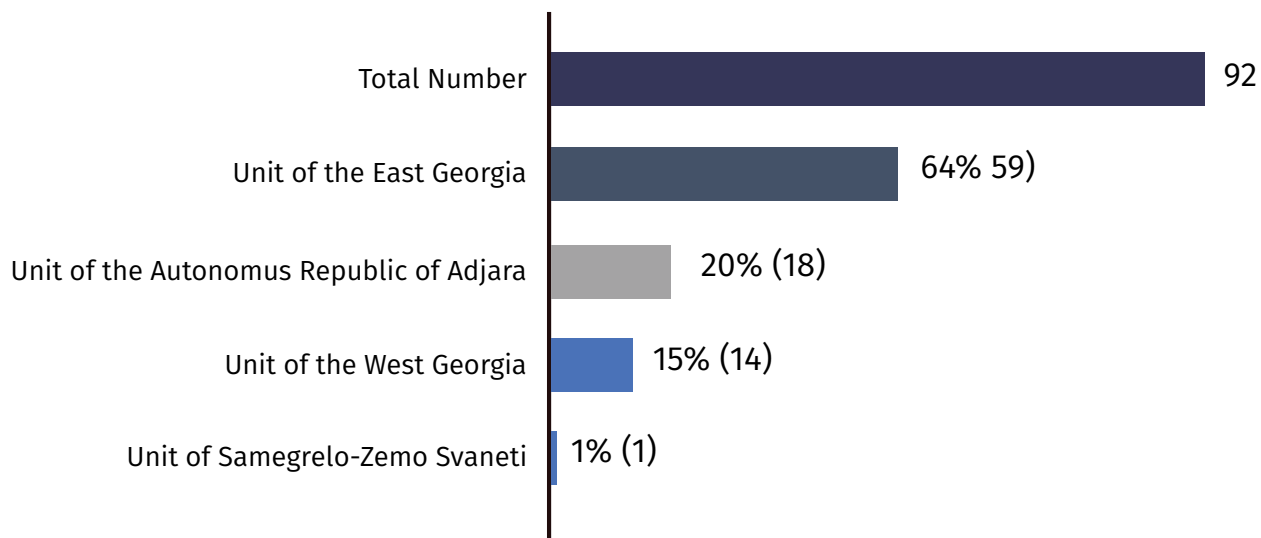
**„STATISTICS OF THE CRIMES DEFINED BY THE ARTICLE 19, PARAGRAPH 1,
SUBPARAGRAPH ‘D’ OF THE LAW OF GEORGIA
ON THE SPECIAL INVESTIGATION SERVICE³⁷**

I. RECEIVED REPORTS

During the period of March-May, 2022, the investigative department of the Service received total of **92** crime reports regarding the alleged crimes provided by the article 19, paragraph 1, subparagraph “d” of the Criminal Code of Georgia (namely, the crimes defined by the articles: 153-159, 162-163 and 164¹). Out of the received crime reports, **64% (59** crime reports) were reviewed by the unit of east Georgia, **20%(18** crime reports) by the unit of the Autonomous Republic of Adjara, **15% (14** crime reports) – by the unit of west Georgia, **1% (1** crime report) – by the unit of Samegrelo-Zemo Svaneti.

³⁷ The crimes defined by the articles 153-159, 162-163 and 164⁴ of the Criminal Code of Georgia;

Rate of the received crime reports

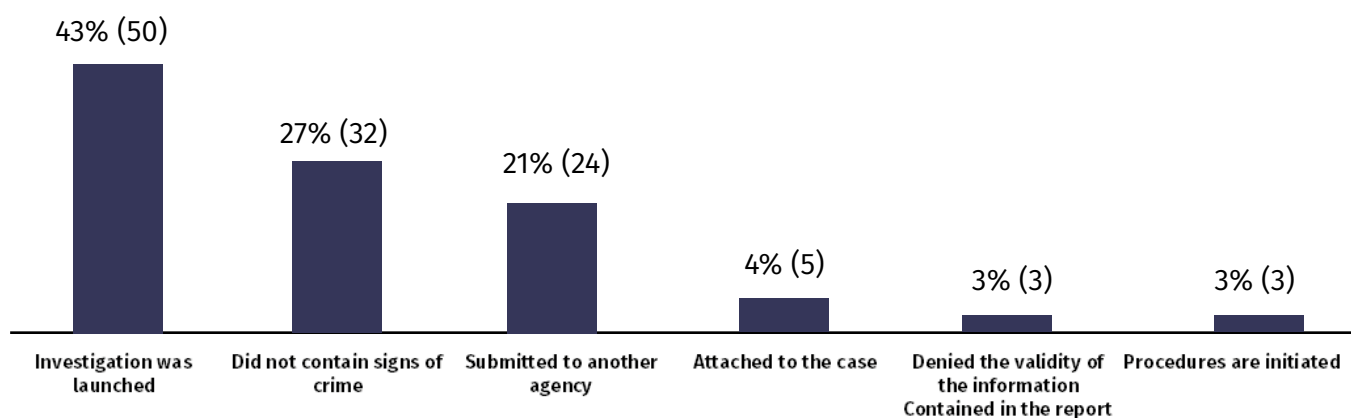


Response to the Received Crime Reports

92 crime reports received by the investigative department of the Service concerned **117** persons (in some cases, one report was against not only one but several persons).

Out of the received crime reports, the investigation was launched regarding **43% (50** persons), among them **27% (32** persons) did not contain signs of crime, **21% (24** persons) was submitted to the other agency, in **3% (3** persons) the alleged victim denied the validity of the information provided and in relation to **3% (3** persons) investigation in on-going.

Response to the received crime reports (by the number of alleged victims)



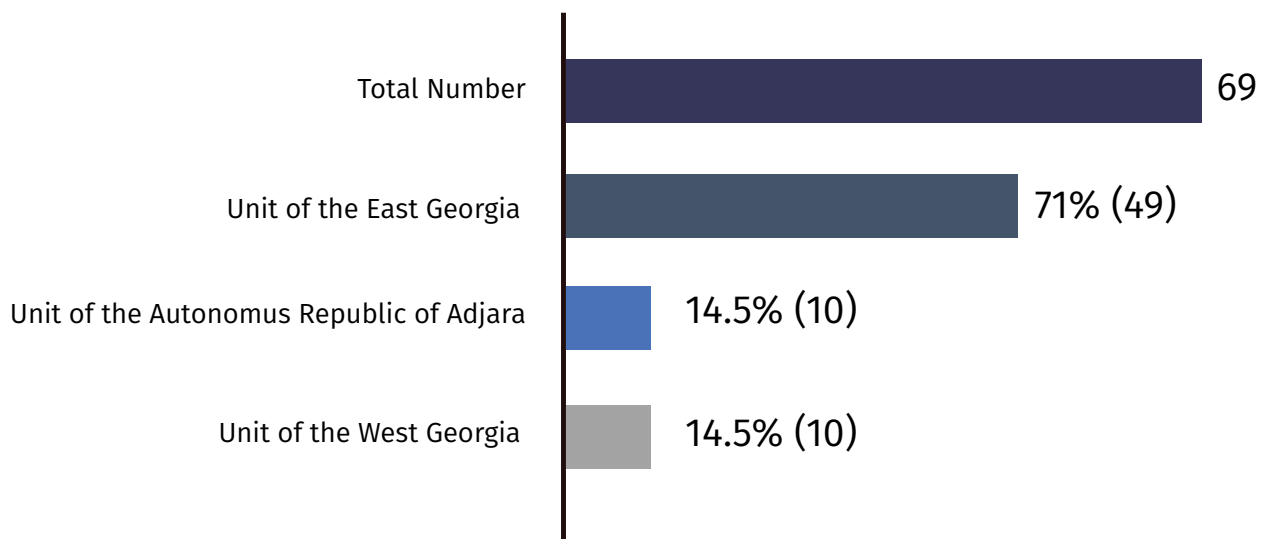
II. INITIATION OF INVESTIGATION

In 6 months of 2022, the investigative department of the Service launched investigation into **69** criminal cases concerning the commission of a crime provided by the article 19, paragraph 1, subparagraph “d” of the law of Georgia on the Special Investigation Service. Out of the **69** criminal cases, the investigation into **58** criminal cases was initiated based on the received crime reports³⁸, **10** criminal cases had been transferred to the Service from the Ministry of Internal Affairs based on investigative subordination and investigation in **1** criminal case was launched on the basis of decision on separation of criminal case.

³⁸ In 1 criminal case out of the mentioned 58 criminal cases, the investigation was launched based on the information disseminated by the media;

Out of the **69** criminal cases, **49** cases are investigated by the unit of east Georgia, **10** criminal cases – by the unit of west Georgia, **10** criminal cases – by the unit of the Autonomous Republic of Adjara.

Investigation initiation rate



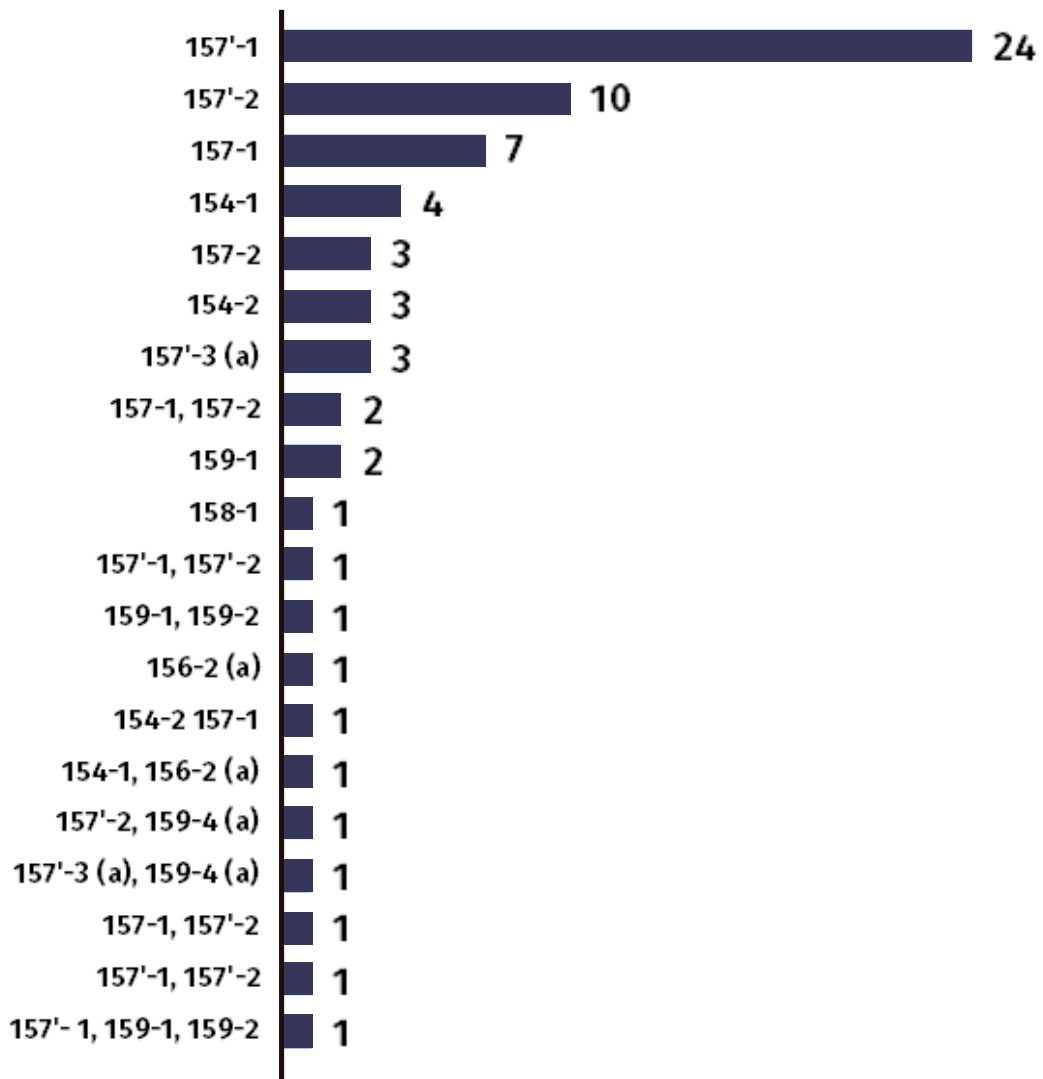
Based on the investigative jurisdiction, out of the above-mentioned **10** criminal cases, **2** criminal cases were submitted to the Service on the same day of launching the investigation, **4** criminal cases – within **2** days, 1 criminal case - within **3** days, **1** criminal case - within **5** days, **1** criminal case – within 8 days, 1 criminal case – within about **2** months.

Legal Qualification of Crimes

The investigation into the vast majority of cases was launched under the article 157¹ of the Criminal Code of Georgia.

Qualification of crimes determined at the outset of the launching investigation

(Criminal Code of Georgia)



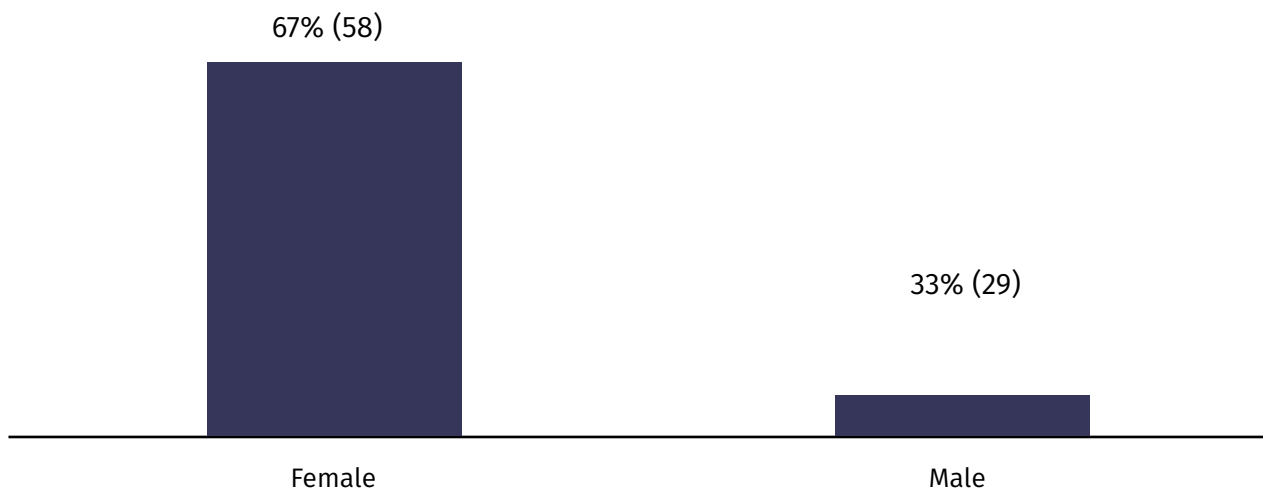
Out of the 69 criminal cases, legal qualification of 7 cases were changed:

- In 1 criminal case the prosecutor specified the qualification determined by the Service under the article 154, paragraph 2 of the Criminal Code of Georgia and the investigation was resumed under the article 154, paragraph 1, article 154, paragraph 2, the article 156, paragraph 2, subparagraph "a" and the article 255, paragraph 2 of the Criminal Code of Georgia.
- In 1 criminal case, the prosecutor specified the qualification determined by the Service under the article 154, paragraph 2 of the Criminal Code of Georgia and the investigation was resumed under the article 118, paragraph 1, article 154, paragraph 2 and article 156, paragraph 2, subparagraph "a" of the Criminal Code of Georgia
- ;
- In 2 criminal cases, the prosecutor specified the qualification determined by the Service under the article 157, paragraph 1 and the investigation was resumed under the article 157¹, paragraph 1 of the Criminal Code of Georgia
- In 1 criminal case, the prosecutor specified the qualification determined by the Service under the article 154, paragraph 2 and article 157, paragraph 1 and the investigation was resumed under the article 154, paragraph 2 and article 157¹ of the Criminal Code of Georgia;
- In 1 criminal case, the prosecutor specified the qualification determined by the Service under the article 157, paragraph 1 of the Criminal Code of Georgia and the investigation was resumed under the article 150, paragraph 1 and the article 157¹, paragraph 1 of the Criminal Code of Georgia;
- In 1 criminal case, the prosecutor specified the qualification determined by the Service under the article 154, paragraph 1 of the Criminal Code of Georgia and the investigation was resumed under the article 156, paragraph 2, subparagraph "a" of the Criminal Code of Georgia.

III. ALLEGED VICTIMS

In the period of March-August, 2022, a total of 87 alleged victims appear in criminal cases investigated under the article 19, paragraph 1, subparagraph “d” of the law of Georgia on the Special Investigation Service. Out of the 87 alleged victims³⁹, 58 are female⁴⁰, 29 are male.

Gender of the alleged victims

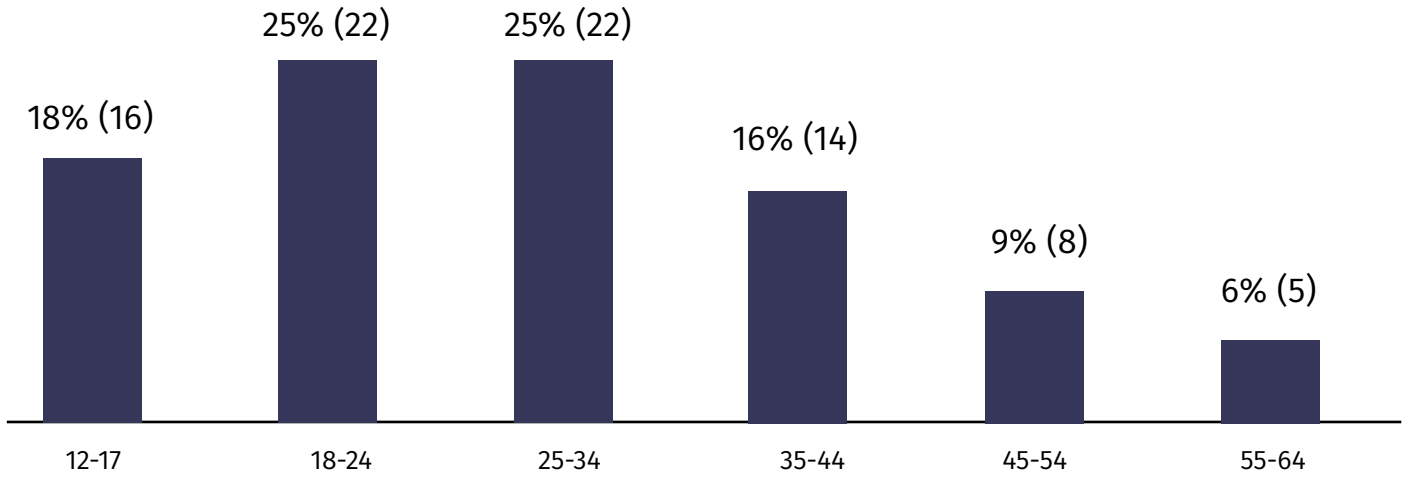


Out of the alleged **87** victims, **18% (16 persons)** are juvenile, while **82% (71 persons)** – are adult.

³⁹ The identity and number of the victims is unknown in 1 criminal case;

⁴⁰ INCLUDING 2 TRANSGENDER WOMEN;

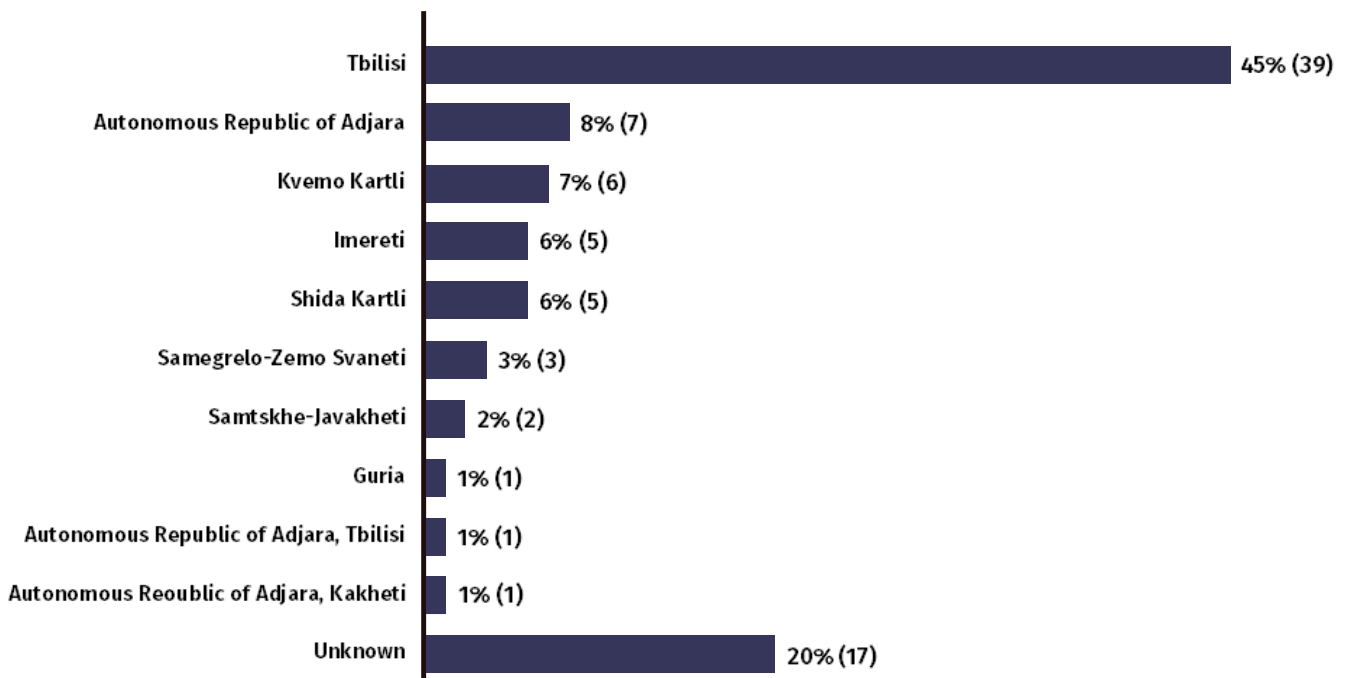
Age of the alleged victims



IV CIRCUMSTANCES OF THE ALLEGED CRIMES

The vast majority of the alleged victims indicated Tbilisi as a place of commission of a crime.

Geographical area of commission of alleged crime



V. CRIMINAL PROSECUTION

During the reporting period, the General Prosecutor's Office of Georgia launched criminal prosecution against 17 persons under the crimes defined by the article 19, paragraph 1, subparagraph "d" of the law of Georgia on the Special Investigation Service, committed by representatives of law enforcement agencies. Out of the 17 mentioned persons:

- The investigation against 8 persons (citizens) was launched under the article 157¹, paragraph 1 of the Criminal Code of Georgia.
- The investigation against 3 persons (citizens) was launched under the article 156, paragraph 2, subparagraph "a" of the Criminal Code of Georgia;
- The investigation against 2 persons (citizens) was launched under the article 157¹, paragraph 1 and the article 157¹, paragraph 2 of the Criminal Code of Georgia;
- The investigation against 2 persons (citizens) was launched under the article 154, paragraph 1 and the article 156, paragraph 2, subparagraph "a" of the criminal code of Georgia.
- The investigation against 1 person (citizen) was launched under the article 154, paragraph 2 and the article 156, paragraph 2, subparagraph "a" of the Criminal Code of Georgia;
- The investigation against 1 person (citizen) was launched under the article 151, paragraph 1 and the article 154, paragraph 1 of the Criminal Code of Georgia.

VI. REQUESTED AND APPLIED MEASURES OF RESTRAINT

The General Prosecutor's Office of Georgia filed the motion to the court demanding that 15 out of the 17 defendants were charged with criminal charges (2 persons already had a relative restraining order in another criminal case and only the date of preliminary court hearing was determined). As a measure of restraint, in case of 13 persons The General Prosecutor's Office of Georgia requested for detention and in case of 2 persons - bail. The court did not approved detention as a preventive measure against 7 defendants out of the 13 and applied bail instead.

VII. TERMINATION OF INVESTIGATION

During the reporting period, the General Prosecutor's Office of Georgia terminated investigation in 1 criminal case due to the absence of criminal act provided by the Criminal Code of Georgia. The investigation into the mentioned case had been launched in 2022, under the article 1571, paragraph 1 of the Criminal Code of Georgia.

VIII. HATE CRIMES

Motive of discriminatory intolerance was not revealed against 63 alleged victims out of the 87. Motive of discrimination was revealed in 1 criminal case against 10 alleged victims (persecution on the basis of religion), it is unknown whether the motive of discriminatory intolerance exists against 14 alleged victims.

7

SUBSTANTIATED PROPOSALS TO THE GENERAL PROSECUTOR'S OFFICE OF GEORGIA



7. SUBSTANTIATED PROPOSALS TO THE GENERAL PROSECUTOR'S OFFICE OF GEORGIA

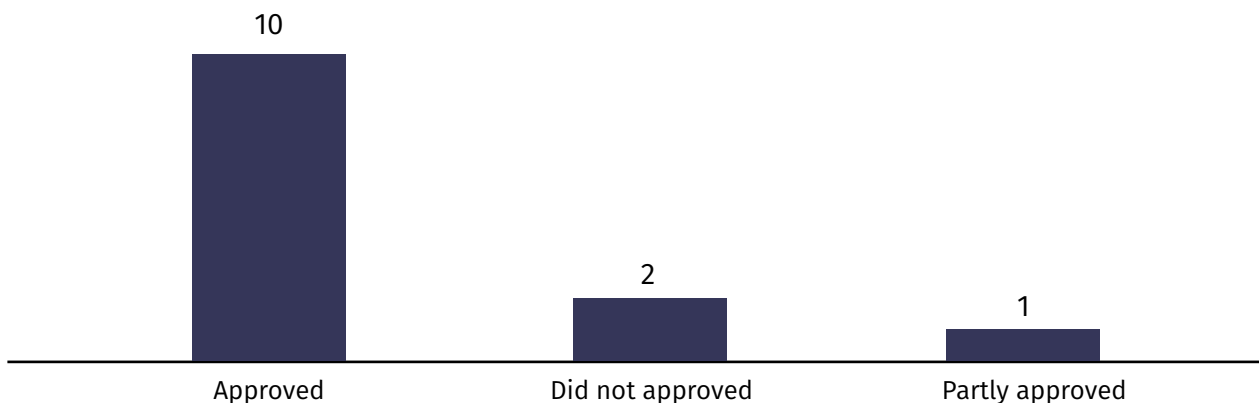
During the period of March-May, 2022, the Deputy Head of the Service submitted 13 substantiated proposals to the General Prosecutor's Office of Georgia in accordance with the article 19 of the law of Georgia on the Special Investigation Service. Out of the 13 proposals 8 concerned the expediency of conducting investigative activities, while 5 concerned the expediency of launching criminal prosecution.

Content of the substantiated proposals



Out of the 13 proposals 10 were fully approved, 2 were not approved (1 substantiated proposal concerned the expediency of conducting investigative activities and the other 1 – the expediency of launching criminal prosecution), and 1 proposal, concerning the expediency of conducting investigative activities, was partially approved.

Rate of the approval of the substantiated proposals



8

NOTIFICATIONS RECEIVED FROM THE OFFICE OF THE PUBLIC DEFENDER OF GEORGIA



8. NOTIFICATIONS RECEIVED FROM THE OFFICE OF THE PUBLIC DEFENDER OF GEORGIA

During the period of March 01-August 31, 2022, the Service received 153 requests from the Office of the Public Defender of Georgia. The requests concerned the cases under the investigation of the Service. 4 of the received requests was related to familiarization with the case materials, 149 – requesting the information.

All of the 4 requests concerning familiarization with criminal case materials were fully approved, as for the 149 requests, the Service responded to them in a timely manner and provided the requested information completely.

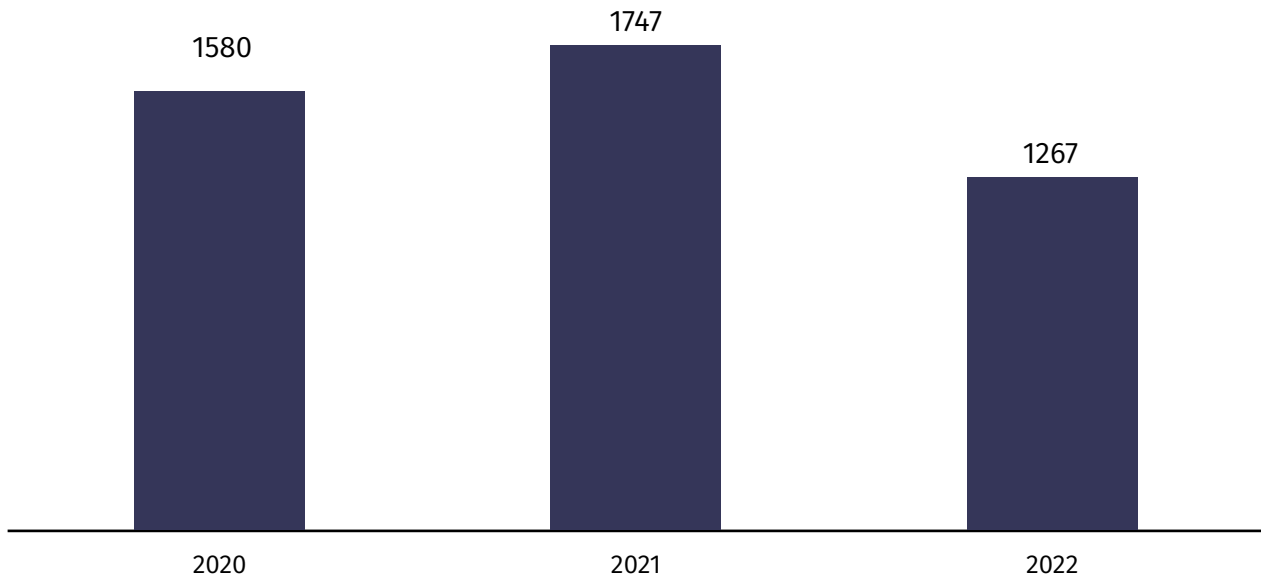
9

COMPARATIVE ANALYSIS



9. COMPARATIVE ANALYSIS⁴¹

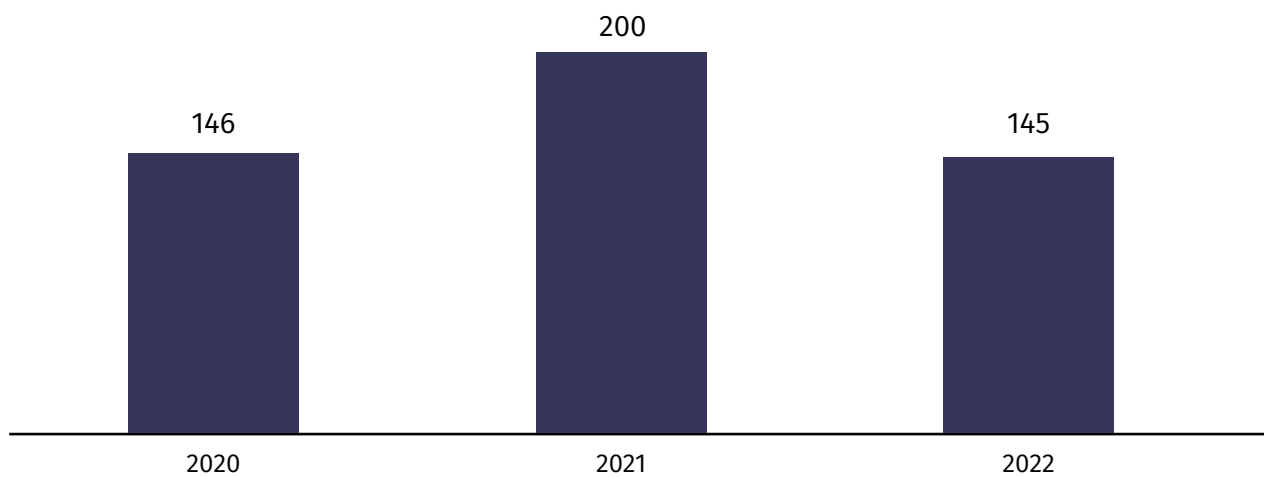
Number of the received reports (March-August)



⁴¹ The Comparison is made regarding the activities of the State Inspector's Service and the Special Investigation Service in the same reporting period, based on the results concerning the cases investigated under the article 19, paragraph 1, subparagraphs "a" and "b" of the Law of Georgia on the Special Investigation Service.

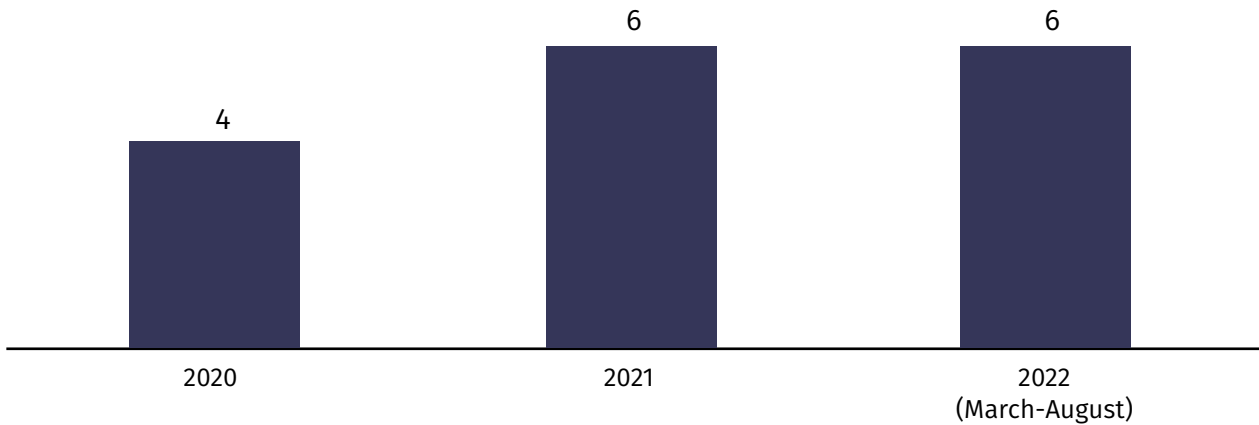
The investigation department of the State Inspector’s Service received 1580 crime reports in the period of March-August, 2020, in the same period of 2021 - 1747 crime reports, while in the period of March-August of 2022 the investigation department of the Special Investigation Service received – 1267 notifications.⁴²

Investigation initiation rate (March-May Period)



⁴² Crimes committed by the representatives of law enforcement agencies, officials or a persons equal to them, prescribed under the articles 144¹ – 144³, article 332, paragraph 3, subparagraphs “b” and “c”, article 333, paragraph 3, subparagraphs “b” and “c”, article 335 and/or article 378, paragraph 2 of the Criminal Code of Georgia;

Rate of the criminal prosecution



The investigation department of the State Inspector's Service launched investigations in 146 criminal cases in the period of March-August of 2020, in the same period of 2021- in 200 criminal cases, while in the period of March-May, 2022 the investigation department of the Special Investigation Service launched the investigation in 145 criminal cases.⁴³

⁴³ Crimes committed by the representatives of law enforcement agencies, officials or the person equal to them, prescribed under the articles 144¹-144³, article 332, paragraph 3 subparagraphs "b" and "c", article 333, paragraph 3, subparagraphs "b" and "c", article 335 and article 378, paragraph 2 of the Criminal Code of Georgia;

In 2020 General Prosecutor's Office of Georgia launched criminal prosecution against 4 persons in criminal cases under the investigation of the investigative department of the State Inspector's Service, among which in the period of March-August, indictment was issued against 3 persons in 3 criminal cases.

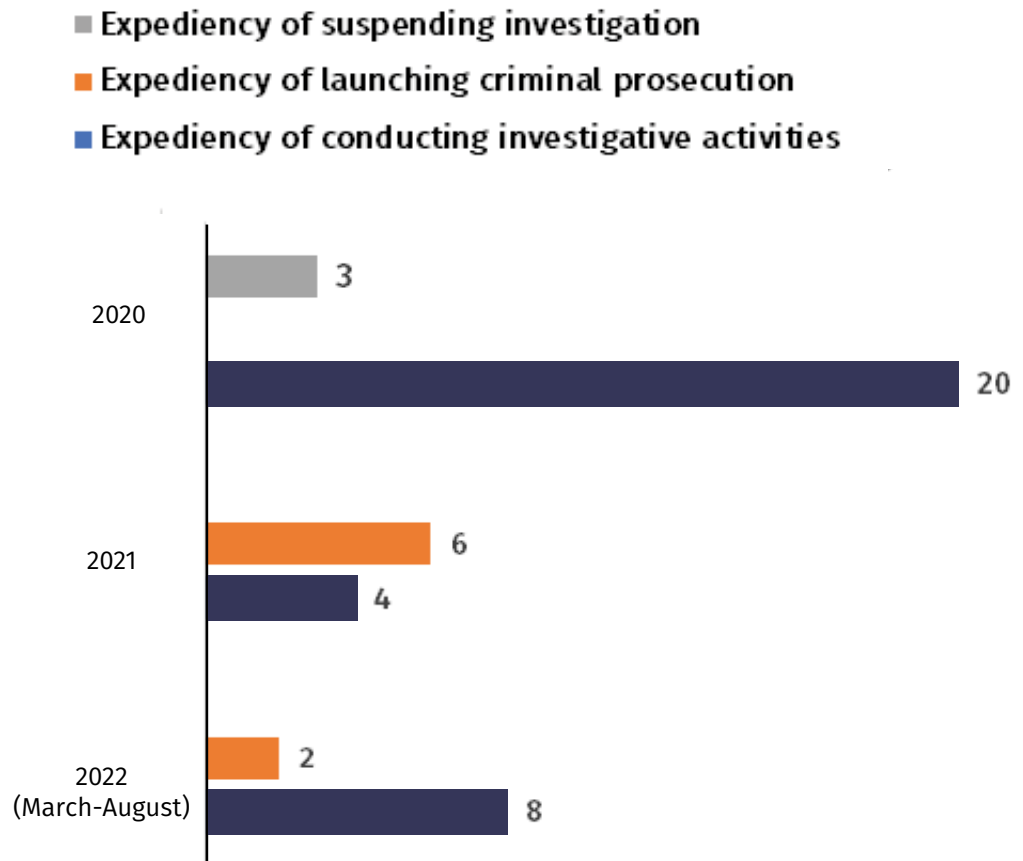
In 2021, The General Prosecutor's Office of Georgia launched criminal prosecution against 6 persons in criminal cases under the investigation of the investigative department of the State Inspector's Service, among which in the period of March-August, indictment was issued against 5 persons in 4 criminal cases.

In the period of March-August, 2022, The General Prosecutor's Office of Georgia launched criminal prosecution against 6 persons in criminal cases under the investigation of the investigative department of the Special Investigation Service.⁴⁴

⁴⁴ Crimes committed by the representatives of law enforcement agencies, officials or a person equal to them, prescribed under the articles 144¹-144³, article 332, paragraph 3, subparagraphs "b" and "c", article 333, paragraph 3, subparagraphs "b" and "c", article 335 and article 378, paragraph 2 of the Criminal Code of Georgia;

Substantiated Proposals

Content of the substantiated proposals

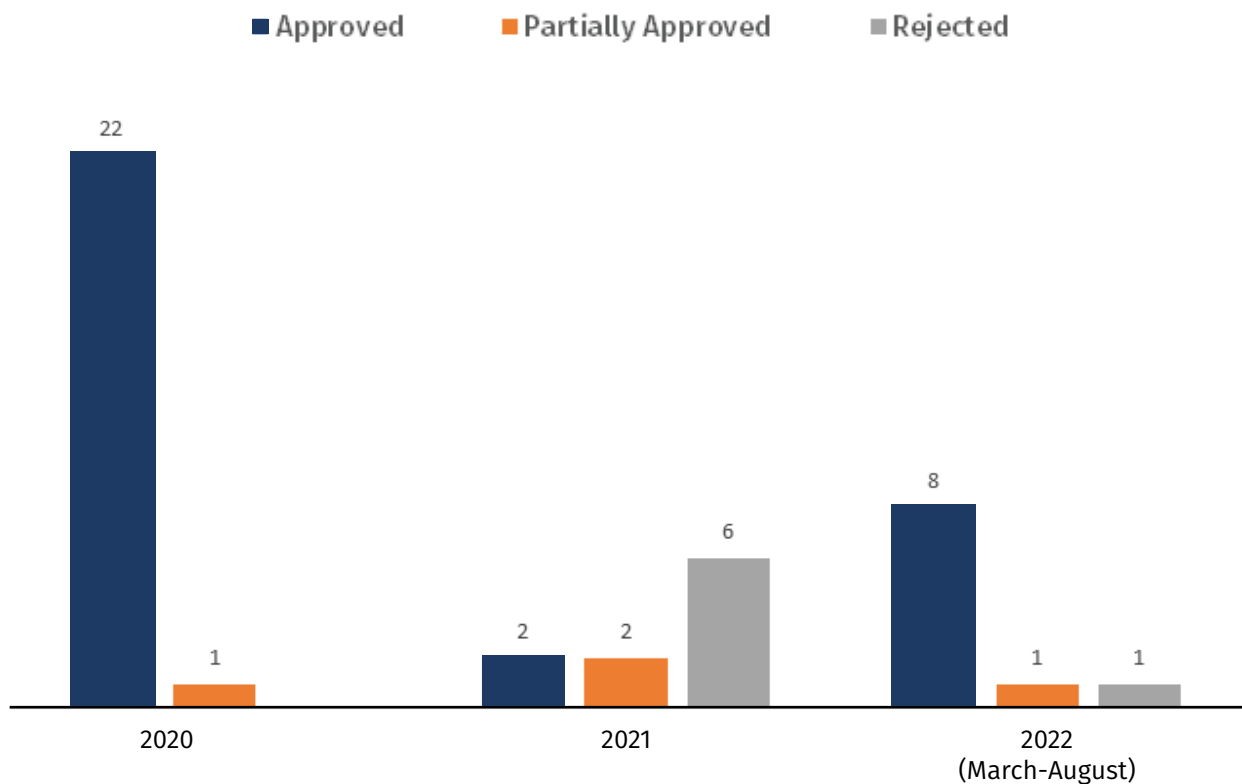


In 2022, the State Inspector's Service submitted 23 substantiated proposals to the General Prosecutor's Office of Georgia, out of which 20 proposals concerned the expediency of conducting investigative activities, while 3 proposals concerned the expediency of suspending the investigation.

In 2021, the State Inspector's Service submitted 10 substantiated proposals to the General Prosecutor's Office of Georgia, out of which 4 concerned the expediency of conducting investigative activities, while 6 concerned the expediency of launching criminal prosecution.

During the period of March-August, 2022, the Deputy Head of the Service submitted 10 substantiated proposals to the General Prosecutor’s Office of Georgia, out of which 8 concerned the expediency of conducting investigative activities, while 2 proposals concerned the expediency of launching criminal prosecution.⁴⁵

Indicator of the approval of the substantiated proposals



⁴⁵ Crimes committed by the representatives of law enforcement agencies, officials or a person equal to them, prescribed under the articles 144¹-144³, article 332, paragraph 3, subparagraphs “b” and “c”, article 333, paragraph 3, subparagraphs “b” and “c”, article 335 and article 378, paragraph 2 of the Criminal Code of Georgia;

In 2020, The State Inspector’s Service submitted 23 substantiated proposals to the General Prosecutor’s Office of Georgia. Out of the 23 proposals, 22 were fully approved, while 1 was partially approved.⁴⁶

In 2021, The State Inspector’s Service submitted 10 substantiated proposals to the General Prosecutor’s Office of Georgia. Out of the 10 proposals, 2 were fully approved, 2 were partially approved,⁴⁷ while 6 proposals were rejected.⁴⁸

During the period of March-August, 2022, the Deputy Head of the Service submitted 10 substantiated proposals to the General Prosecutor’s Office of Georgia⁴⁹. Out of the 10 proposals, 8 were fully approved, 1 was rejected⁵⁰, while 1 was partially approved⁵¹.

⁴⁶Proposals concerned the expediency of conducting investigative activities;

⁴⁷Proposals concerned the expediency of conducting investigative activities.

⁴⁸Proposals concerned the expediency of launching criminal investigation;

⁴⁹Crimes committed by the representatives of law enforcement agencies, officials or a persons equal to them, prescribed under the article 144¹-144³, article 332, paragraph 3, subparagraphs “b” and “c”, article 333, paragraph 3, subparagraphs “b” and “c”, article 335 and article 378, paragraph 2 of the Criminal Code of Georgia;

⁵⁰ Proposal concerned the expediency of conducting investigative activities;

⁵¹ Proposal concerned the expediency of conducting investigative activities;

10

**FAMILIARIZATION WITH THE
CASE MATERIALS**



10. FAMILIARIZATION WITH THE CASE MATERIALS

As already mentioned, based on the order of the Head of the Service, guideline documented on the familiarization with the criminal case materials for the victims of torture and ill-treatment has been enacted as of July 27, 2022. On the basis of the document, during the period of July 27-August 31:

- ◆ 31 out of 40 alleged victims were provided with information about the progress of the investigation and the rights to access criminal case materials;
- ◆ 9 victims were not provided with the information concerning the right to access information and familiarize themselves with the criminal case materials⁵²;
- ◆ 8 victims requested information and demanded familiarization with the criminal case materials and their request was fully approved.

11

PLANS FOR THE NEAREST FUTURE

⁵² For various objective reasons, the victim refused to be interviewed and did not appear before the investigative body;

11.1.

ESTABLISHMENT OF THE CRIME PREVENTION COUNCIL

In order to prevent official misconduct, the Service plans to establish a **Special Council for the Prevention of Official Misconduct** in the next quarter, in which representatives of the law enforcement agencies will participate and where the Service will present the specific shortcomings identified during the investigation and will offer ways to solve them, on the basis of which the Council will be empowered to develop recommendations and monitor their proper implementation. Reduction of specific crimes, which fall under the investigation jurisdiction of the Service; Reduction of the number of potential victims; Resource-saving of the Service and avoiding damage to the reputation of a law enforcement bodies as a result of an official misconduct, will be largely depended on the efficient functioning of the Special Council. This type of cooperation certainly needs to be refined, developed and put into a permanent working format so that the cooperation covered not only the post-crime period, but also to become an effective mechanism for crime prevention purposes. As already mentioned, the Special Council will be empowered to develop relevant proposals and plans, which will result in the better guarantees of human rights protection and increase the effectiveness of the investigation.

11.2.

ESTABLISHMENT OF THE ADDITIONAL GUARANTEES FOR HUMAN RIGHTS PROTECTION

In the next quarter, the Service plans to start working to create additional guarantees for the protection of human rights and to ensure the effective use **of special protection measures**.

Investigations of cases of ill-treatment indicate that there is a high likelihood that a potential victim who has been allegedly subjected to excessive force used by a state official, might feel vulnerable and might fear that he/she will be subjected to ill-treatment again. The Service, on the other hand, might get the perception that the law enforcement officer, who has exceeded the force towards the citizen, may try to influence a potential victim by using his/her authority and position (influence, agents, acquaintances, official resources), which may excessively hinder the process of cooperation between the Service and the victim and therefore influence on the successful completion of the investigation.

The Service is obliged to use all the mechanisms provided by the law to ensure the protection of the rights of a potential victim and to guarantee an effective investigation.

Therefore, to meet the mentioned objective one of the possible relevant mechanism could be the use of a special protection measures, which allows the potential victim to feel safe. Hence, it is of high importance that in all cases, where the victim believes that he/she has been mistreated by a law enforcement officer, the investigator fills the special risk assessment questionnaire and where the grounds for the use of a special protection measures will be indicated, a written proposal will be sent to the prosecutor, who will issue a decision on the use of a special protection measure. It is noteworthy, that the Service is already working to develop the appropriate questionnaire and methodology needed for the implementation of the mentioned mechanism in practice.

11.3.

INTRODUCTION OF UNIFIED INVESTIGATION POLICY

The Service plans to launch a unified investigative policy in the next quarter, which can be implemented through the development of several internal guidance documents. Given the existing practices and challenges, the document should cover issues such as: unified approaches to launching an investigation; recommendations for determining the correct qualification of the action, which is the competence of the prosecutor at the moment, but after the enactment of the new draft law (on the separation of the powers between the prosecutor and investigator), this function will be given to the investigator, therefore, it will become the responsibility of the investigative body to analyze crimes under the investigation subordination and to determine concrete qualification aspects in accordance with the best practices of the courts. The guidance documents must also reflect the standards of victim recognition, which also requires an analysis of investigative practices and the case law of internal and international (including European Court of Human Rights) courts. The guidelines should also include the standards for initiating a prosecution, as far as the investigator will be the one to decide whether evidence gathered in the case provides basis for the initiation of criminal prosecution or not.

11.4.

ESTABLISHMENT OF THE DONOR ORGANIZATIONS COORDINATION MECHANISM

In order to strengthen continuous feedback, reporting and cooperation with the International and Donor Organizations, the Service plans to establish a coordination mechanism, which will hold the meetings twice a year. The existence of such a mechanism will facilitate the effective coordination of donor organizations and the correct distribution of their efforts and resources to address issues determined by the strategy of the institution. At the meetings, the Service will present the strategic goals, priority tasks and identified needs, which will enable the representatives of the donor organizations to effectively plan future projects and the ways of cooperation.

11.5.

INCREASED ACCOUNTABILITY AND TRANSPARENCY

- ◆ Development of 3 years strategy and action plan for further advancement of the Service occupies the first place in the list of the plans to be implemented in the nearest future. Working on the policy document has already been started. The document will be approved by the end of this year following the wide-ranging discussion and engagement from the side of interested parties. The list of needs identified in the process of working on the document will be presented at the very first meeting of the donor organizations coordination mechanism;
- ◆ Within the framework of the European Union-funded project “Support to the Public Administration Reform in Georgia”⁵³, the Service plans to develop documents on integrity policy. Within the frames of the project, it is planned to prepare a risk assessment report, to strengthen the organization’s capabilities and develop a relevant action plan;

⁵³ <https://eu4georgia.eu/ka/projects/eu-project-page/?id--332;>

- ◆ It is planned to develop a communication and educational strategy action plan in terms of raising the public awareness about the activities of the Service, as well as to introduce mechanisms for evaluating Service activities by the society and other interested parties. The action plan of the communication strategy will include measures that will promote the correct perceptions of the public regarding the functions and activities of the Service and will increase the trust towards the institution;
- ◆ In order to increase the awareness of state bodies and civil sector, the Service plans to conduct face-to-face informational meetings, as well as, seminars, public lectures, online conferences and other educational campaigns, including in the regions of Kvemo and Shida Kartli, Mtskheta-Mtianeti, Samtskhe-Javakheti, Racha-Lechkhumi and Guria.

11.6.

OTHER ACTIVITIES

- The Service plans to:

a) expand the functions of the General Inspection and to authorize to investigate the crimes committed by the employees of the Service, in order to avoid the possible risk of investigating the negligent or intentional crimes committed by the employees of the institution by the investigative bodies, whose employees may be subject of investigation by the Service itself. In that case, there would be a potential danger that the investigation of an alleged crime committed by an employee of the Service may not be conducted objectively and the concerned agency or its employees may be driven by their own interest to punish an employee of the institution or manipulate the Service. This potential risk will be avoided if the General Inspection the Service will be authorized to investigate the above-mentioned crimes;

b) Effective, prompt and independent investigation of torture, ill-treatment and violent crimes committed by the representative of law enforcement agencies, officials or persons equal to them is one of the most important prerequisites for the development of the country and protection of human rights. Based on the “2017-2020 Agenda of the Association between Georgia and the European Union”, the country undertook responsibility to carry out effective reforms to fight against torture and ill-treatment through the proper fulfillment of international obligations. The mission of the independent investigative Service is to improve the human rights situation in the country, to create appropriate guarantees for the protection of victims of torture and ill-treatment, to provide a legal response to these types of crimes through prompt and independent investigation, to incite a perception in society that citizens are protected from the use of excessive, disproportionate and illegal force by law enforcement officers. Informing victims about the progress of the investigation and their involvement ensures an effective investigation and elevates trust of the citizens as regards to the outcomes of investigation. Accordingly, in order to ensure the effective communication between the Service and the victims, as well as, protection of human rights, the Service plans to establish and expand in regions a new structural unit in this respect.

Reporting Period: 6 months
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