

To the President of Georgia  
To the Public Defender of Georgia  
To the Diplomatic Services accredited in Georgia  
To the representatives of International Organizations



## Appeal

### Georgian civil society organization 'Inclusive' attacked

On December 15 2009 at 7 pm the office of Inclusive Foundation, a well known Georgian LGBT organization, was raided by five armed men without uniform. The leaders of the organization together with about 15 community members of the "Women's Club" were present in the office. They were ordered not to leave the room and were told that only their chief was of interest to them. The head of the organization, Paata Sabelashvili was taken to a separate room. Then the men made a telephone call and at about 8 pm an additional group of armed men came in. According to witnesses, they did not wear police uniforms (several of them put on jackets with the police inscription only in the office), they did not provide a search warrant, did not inform about their identity or agency they represented and did not explain the purpose of their intrusion.

Witnesses point out that several men reminded them that two witnesses had to be present during the search taking place in another room. Cell phones were confiscated, everyone was moved to a separate room where several men guarded them. Women were locked up in the room for several hours, they were not allowed to contact their families, they were humiliated by being called "perverts", "sick persons", Satanists. They were laughed at and several men told them that their photos would be taken and disseminated to reveal their sexual orientation. One of the unidentified men tore down a poster in the office. One of the leaders of the organization, Eka Agdgomelashvili, together with Tinatin Japaridze were threatened that they would be killed if they did not stop demanding search warrants and other official documents. Some of the armed men responded that "we will only show papers to those to whom we need to show them."

Paata Sabelashvili, the leader of the organization, was arrested as a result of the raid. Soon after arrest he confessed to the possession of 8 grams of marijuana. However, because he made the confession before seeing his lawyer, without the presence of anyone except law enforcement officials, the validity and voluntary character of the confession is highly suspicious.

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One of the armed men, distinct with homophobic statements and his aggressive behavior towards staff members, introduced himself as an Operative Officer of the Constitutional Security Department of the Ministry of Interior Giorgi Gegechkori. However, on the pretrial measure hearing of Paata Sabelashvili he appeared as Investigator David Khidesheli. Another man, who later turned out to be the head of the police division, threatened Eka Agdgomelashvili with killing if she immediately would not stop pointing out that they were violating the law. He shouted : “I will kill you!” “I will tear you into pieces!” After one of the staff members said that he was exceeding his powers, he shouted: “Sue me, I don’t give a damn”, “I am myself the Law and the Judge!”

Armed men searched through all bags of staff members in the office. Some of the bags were searched in another room when the owners were not present. Only after that they were returned to their owners. Two women officers forcibly took girls (often in pairs) to the bathroom, stripped them naked and searched them. The girls were humiliated and called “sick” in the process. There was no search protocol composed as a result of the search. Having finished the search, one of the women officers exclaimed that having seen these women, she began to hate women’s body.

Staff members of the organization are under continuous surveillance up till now. Their homes, movement in the city and office are under constant surveillance by cars full of men without uniform. One such car is permanently stationed outside the entrance to the house of one of the staff members.

The raid on the Inclusive Foundation represents a logical continuation of the policy of repression of non-governmental organizations conducted by the Georgian government. It aims at marginalizing, intimidating and discrediting human rights defenders in Georgia. One should have in mind the recent attacks on Georgian civic organizations: public broadcaster of Georgia recently aired a coverage about the alleged attempts of extortion by the members of NGO ‘Human Rights Priority’; Rustavi 2 publicized a defamatory news report about applications submitted by the Georgian Young Lawyers Association to the European Court of Human Rights; Officers of the Ministry of Interior threatened and attempted an extortion from the journalist of newspaper “Batumelebi”. Officers publicly implicated in the incident have not yet been punished despite the assurances by the Ministry of Interior.

We are concerned that particular character of the organization will be manipulated for the purposes of artificially nurturing the aggression of radical fundamentalist groups. It is noteworthy, that the Georgian government has been abstaining from defending the rights of its citizens in such situations. It portrays itself abroad as a victim of the internal clashes of liberal and fundamentalist groups, while internally it appeases to traditionally minded electorate. Hence, we are alarmed

about the trend of purposeful discrediting and intimidation of the Georgian civil society leaders.

Therefore,

- 1) We protest the violation of basic rights, dignity, and identity of victims and demand that those persons, who performed the acts of verbal, psychological and physical violence against the members of the Inclusive Foundation be punished.
- 2) We demand the Georgian government to react to every similar incident as it is established by the law, conduct inquiries and punish those who perpetrate such acts
- 3) We appeal to international organizations and diplomatic services accredited in Tbilisi to thoroughly monitor the detention of Paata Sabelashvili and pressure the Georgian government for protection of his Constitutional rights. We ask for continuous monitoring of such incidents and for accountability of the Georgian government to defend the basic rights of its citizens.
- 4) Georgian media should follow the principle of the presumption of innocence of the individual and should refrain from publicizing unverified information.
- 5) Surveillance and intimidation of the members of the Inclusive Foundation should be immediately discontinued.
- 6) We appeal to the Public Defender of Georgia to investigate the instance of raid on the Inclusive Foundation and the arrest of its leader Paata Sabelashvili.

Inclusive - Foundation