



# AMNESTY INTERNATIONAL

## GEORGIA: APPEAL CASES

**9 April 2002<sup>1</sup>; AI Index: EUR 56/002/2002; public**

Further information on Appeal Case sheets EUR 56/007/2001 (2 April 2001), EUR 56/012/2001 (19 September 2001) and EUR 56/017/2001 (19 December 2001)

### **Death in custody of Mamuka Rizhamadze**

Mamuka Rizhamadze was found hanged in his cell in preliminary detention facilities in the city of Kutaisi on 31 May 2000. There were allegations that he did not commit suicide, but that his death was a result of torture by law enforcement personnel.

Mamuka Rizhamadze was detained by police on 24 May 2000 in the town of Tkibuli in the west of Georgia, and transferred the following day to Kutaisi, some 30 kilometres away from Tkibuli. One week later he was found hanged in his cell by a noose made from a blanket.

A post-mortem examination carried out by the state forensic service concluded that Mamuka Rizhamadze had committed suicide. Reportedly, the medical experts found that blue-green bruises on the upper eyelid of the right eye and his right shoulder blade, a scab on his nose, as well as traces of violence on the inner joint of his left knee and the surface of the left shin, had been inflicted three days prior to Mamuka Rizhamadze's death and had not been related to his death.

Maia Nikoleishvili, an independent forensic expert at the time, carried out a second post-mortem examination at the request of the family on 5 June. She found two wounds to Mamuka Rizhamadze's head, caused in her opinion while he was still alive and by a blunt heavy object. She concluded that these injuries were the cause of death. An examination of the skin on Mamuka Rizhamadze's neck also indicated to her that he was dead before the noose was applied. In the second half of the year 2000, Kutaisi procuracy is said to have set up a commission consisting of forensic experts to reconsider the case. Reportedly, the commission concluded that Mamuka Rizhamadze had committed suicide.

In December 2000, Elene Tevdoradze, Chair of the parliamentary Human Rights Committee, reportedly stated that she had received a letter from Mr Tavgeshivili (first name not known), a prisoner who claimed to have seen how Mamuka Rizhamadze died, and that he was subsequently forced to testify that the death was suicide. Mr Tavgeshivili reportedly wrote to Elene Tevdoradze, claiming "I can tell you how they killed him and how they hanged him", and stated that the police had threatened him, after which he agreed to become their 'agent'. She made these statements in an edition of the "60 minutes" program which featured the case of Mamuka Rizhamadze on the independent television channel Rustavi-2. Following the broadcast, the procurator of Kutaisi reportedly contacted Elene Tevdoradze and stated he would open a new investigation into the death of Mamuka Rizhamadze, including a fourth post mortem. However, according to Amnesty International's knowledge, the investigation into the case of Mamuka Rizhamadze was closed on 29 March 2001 and no further post mortem was carried out.

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<sup>1</sup> Please use this Appeal Case sheet as the basis for your letter-writing and outreach until further notice.

Maia Nikoleishvili told Amnesty International in April 2002 that the patch of skin, which indicated to her that Mamuka Rizhamadze had been dead before the noose was applied, had never been examined by the state forensic experts. The jar in which she conserved the skin following her post-mortem examination and which was subsequently sealed by Kutaisi procuracy, reportedly remained unopened.

In a letter of 16 November 2001, Nana Devdariani, the Public Defender of Georgia (ombudsperson), informed Amnesty International that she had applied to the Procurator General with the recommendation to reopen the investigation into allegations that Mamuka Rizhamadze died as a result of torture by law enforcement officers. According to Nana Devdariani, the conclusion of the post mortem conducted by independent forensic medical expert Maia Nikoleishvili in June 2000 had neither been proved nor disproved.

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## Recommended actions:

Please send politely worded letters in English, Russian, Georgian or your own language (*if you write in Russian it would be good to apologise for not writing in Georgian and explain that this is because you do not know the language*):

- expressing concern at allegations that Mamuka Rizhamadze, who was found dead in a preliminary detention facility in Kutaisi on 31 May 2000, did not commit suicide, but that he died as a result of torture by law enforcement personnel;
  - expressing concern at reports that the investigation into the torture allegations was not conducted thoroughly, including that the state forensic service did not examine a piece of evidence, a patch of skin of Mamuka Rizhamadze's neck, that allegedly indicated that he had died before the noose was applied. The skin was conserved in a jar following the independent medical expertise in June 2000 and subsequently sealed by Kutaisi procuracy. The jar reportedly remains unopened;
  - urging the authorities to reopen the investigation into the torture allegations and to ensure that it be conducted thoroughly and impartially with the results made public and anyone found responsible brought to justice;
  - stating that impunity for law enforcement officers who are responsible for torture and ill-treatment gives an inappropriate signal to society;
  - To stress your point remind the authorities of their obligations to prohibit torture and ill-treatment under international human rights treaties such as the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention for the Protection of Human Rights and Fundamental Freedoms.
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## Whom to write

<b>President of Georgia:</b>	<b>Procurator General:</b>	<b>Minister of Justice:</b>
Eduard Shevardnadze  Gruziya; 380034 g. Tbilisi; ul. Ingoroqva, d. 7; Offis Prezidenta Gruzii; Prezidentu Shevardnadze, E.A.; GEORGIA (CIS)  Fax: + 995 32 - 99 96 30 E-mail: <a href="mailto:office@presidpress.gov.ge">office@presidpress.gov.ge</a>	Nugzar Gabrichidze  Gruziya; 380033 g. Tbilisi; ul. Gorgasali, 24; Prokuratura Gruzii; Generalnomu prokuroru; Gabrichidze, N.; GEORGIA (CIS)  Fax: + 995 - 32 98 21 70	Roland GILIGASHVILI  Gruziya; g. Tbilisi; Rustaveli, 30; Ministerstvo yustitsii Gruzii; Ministru GILIGASHVILI R.; GEORGIA (CIS)

### Send copies of your letters to:

- the Chair of the parliamentary Committee for Human Rights in Georgia, Elene Tevdoradze:  
  
Gruziya; 380018 g. Tbilisi; pr. Rustaveli, 8; Komitet parlamenta Gruzii po pravam cheloveka, grazhdanskim petitsiyam i stroitelstvu grazhdanskogo obshchestva; Predsedatelyu TEVDORADZE E.; GEORGIA (CIS)
- the Human Rights Ombudsperson in Georgia, Nana Devdariani:  
  
Gruziya; 380034 g. Tbilisi; ul. Machabeli, 11; Narodnomu zashchitniku DEVDARIANI N.; GEORGIA (CIS)
- Procurator of the town of Kutaisi (name not known):  
  
Gruziya; g. Kutaisi; Gorodskaya Prokuratura; Prokuroru; GEORGIA (CIS)
- the Ambassador of Georgia to your country (if there is one)

**PLEASE SEND ANY REPLIES FROM THE GEORGIAN AUTHORITIES AS SOON AS POSSIBLE TO THE INTERNATIONAL SECRETARIAT OF AMNESTY INTERNATIONAL. (South Caucasus and Central Asia Research and Campaign Team; Amnesty International; 1 Easton Street; London WC1X 0DW; United Kingdom)**