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Communication of the Public Defender of Georgia Tsintsabadze group v. Georgia (Application No. 35403/06) Made under Rule 9(2) of the Rules of the Committee of Ministers for the Supervision of the Execution of Judgments and of the terms of Friendly Settlements

Introduction

1. The Public Defender of Georgia hereby submits to the Committee of Ministers (hereinafter the CM) the communication on the execution of judgments of the Tsintsabadze Group v. Georgia (Application No. 35403/06), pursuant to Rule 9(2) of the Rules of the Committee of Ministers for the Supervision of the Execution of Judgments and of the terms of Friendly Settlements.

2. This submission refers to the decision of CM adopted at the 1468th meeting in June, 2023 (CM/Del/Dec(2023)1468/H46-11) and provides information on the matters mentioned in the decision. The present communication also comments on/replies to the Action Plan dated 28/04/2023 (hereinafter the Action Plan) and the Action Plan dated 24/01/2024 (hereinafter the new Action Plan) submitted by the Government of Georgia and assesses the implementation of general measures by the Georgian Government in the course of the execution of the judgements of the Tsintsabadze Group.

Mandate of the Special Investigation Service and effectiveness of its investigations – paragraph 6 of the CM decision

3. The last decision of the CM called upon the authorities to update it on "further measures to ensure stronger independence and effectiveness of investigations, including by improving

the legislative framework" applicable to the Special Investigation Service (SIS).[1] In this connection, the Public Defender's Office (hereinafter the PDO) welcomes the amendment to the №423 Order of the Ministry of Internal Affairs on "approval of typical statute and internal rules of temporary detention isolators of the Ministry of Internal Affairs".[2] The amendment allowed the authorized employees of the SIS to enter temporary detention isolators without a permit. Nevertheless, the legislative framework of the SIS needs serious improvements. In particular, the Law of Georgia on Special Investigation Service has not been amended so far. Thus, the recommendations from the PDO's previous communication regarding inclusion of certain crimes in and exclusion of some crimes from the mandate/jurisdiction of the SIS have remained unfulfilled.[3] Similarly, the authorities have not fulfilled the PDO's recommendations regarding the following matters: 1) the review by the Prosecutor's Office of the SIS request regarding transfer of cases within a shortened timeframe and imposition of an obligation on a prosecutor to substantiate her/his decision (on the request); 2) decreasing the length of the timeframe for a review of a substantiated proposal by the SIS to carry out an investigative/procedural action and imposing an obligation on a prosecutor to substantiate her/his decision (on the proposal); 3) introduction of additional guarantees to ensure gathering, protecting and storing evidence in a timely manner and without hinderance and imposition of the obligation to justify refusal in case of incompliance with the SIS request.[4]

Classification of relevant criminal offences – paragraph 8 of the CM decision

4. In the previous communication submitted to the CM, the PDO mentioned a legislative shortcoming of the Criminal Code negatively affecting crime classification in practice. In particular, the definition of ill-treatment contained in the specific/concrete provisions (articles 144^1-144^3) covers (overlaps with) the criminal actions under more general provisions of subparagraphs "b" and "c" of paragraphs 3 of articles 332 and 333, article 335 and paragraph 2 of article 378.[5] The PDO argued for removal of the latter provisions without decriminalizing criminal actions contained therein in order to ensure a correct classification under only specific norms and to avoid improper penalties. Unfortunately, no amendments have been adopted to this end.

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[1] The decision of CM adopted at the 1468th meeting in June, 2023 (CM/Del/Dec(2023)1468/H46-11), paragraph 6.

[2] The amendment is available at: http://tinyurl.com/msk38wd4 [last accessed 28.12.2023].

[3] Communication from an NHRI (Public Defender of Georgia) (25/04/2023) in the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraph 18.

[4] Ibid.

[5] Communication from an NHRI (Public Defender of Georgia) (25/04/2023) in the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraph 11.

5. The legislative flaw described above has a negative impact on national case law, according to the PDO's study of 131 judgments and rulings delivered by national courts in 2013-2019 on crimes under articles 144^1-144^3 and subparagraphs "b" and "c" of paragraphs 3 of articles 332 and 333 in 68 criminal cases.[6] In 50 out of these 68 cases, charges were brought against 140 state representatives/officials.[7] In 22 of these 50 cases, the charges were brought under the general provisions (paragraphs 3 of articles 332 and 333) while the charges were brought solely under the specific norms (articles 144^1-144^3) in 18 cases and under both the specific and general provisions in 10 cases.[8]

6. The PDO's examination of judgments indicates that acts amounting to ill-treatment were wrongly classified as crimes under paragraphs 3 of articles 332 and 333 instead of the aforementioned specific provisions.[9] These acts were, for example, physical assault committed by a policeman against an election observer and firing from a firearm by a policeman in the direction of asphalt during a verbal argument with a citizen.[10] These cases should have been at least classified as a degrading treatment. Another illustration of an incorrect crime classification is a case in which an employee of a penitentiary facility, together with other employees, urged a prisoner to stay in the changing room, ordered him to confess and, after his refusal, hit his nose with a handheld radio and beat his head, body and limbs excessively for 10 minutes, cursing and humiliating him.[11] This crime was incorrectly classified under the general provision of official misconduct instead of article 144^3.[12]

Detection and documentation of cases of ill-treatment – paragraph 9 of the CM decision

7. The last CM decision encouraged the authorities "to ensure that a health-care professional has an obligation to notify the Special Investigation Service (SIS) about any suspicion of ill-treatment even if there is no consent of a prisoner to undergo medical examination".[13] Unfortunately, there have been no changes made to the regulation governing this issue, namely the N633 Order of the Ministry of Justice on "approval of the rule of recording the

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[6] The Special Report of the Public Defender of Georgia, Practical Analysis of Qualification of Ill-treatment under General and Special Provisions, 2023, pages 4-5, available at: http://tinyurl.com/5ydwfwsj [last accessed 28.12.2023].
[7] Ibid, page 19.
[8] Ibid, pages 20-21.
[9] Ibid, pages 22-24.
[10] Ibid, page 22.
[11] Ibid, page 22.
[12] Ibid, page 22.
[13] The decision of CM adopted at the 1468th meeting in June, 2023 (CM/Del/Dec(2023)1468/H46-11), paragraph 9.

accused's/convicts' injuries resulting from probable torture or other cruel, inhumane or degrading treatment in penitentiary establishments".[14] Thus, a prisoner's informed consent to a medical examination is still a precondition for notifying the SIS. As the aforesaid order has not been amended, the government has also not fulfilled the recommendation from the PDO's previous communication to oblige a doctor to offer medical examination to a prisoner again, within 24 hours, if injuries to visible parts of a prisoner's body are not visible and the prisoner refuses medical examination when being transferred from, returned or admitted to a penitentiary establishment.

8. The Action Plan reads that certain restrictions and limits are not applicable to telephone conversations with the SIS.[15] Since the Action plan mentions the topic of telephone conversations, the PDO would like to point out obstacles to making telephone calls in penitentiary establishments. In particular, the monitoring by the NPM revealed a lack of confidential environment for having telephone conversations in closed and special risk penitentiary establishments.[16] The infrastructure of these facilities fails to ensure sound isolation.[17] Moreover, during the NPM's visits, the prisoners noted that their conversations were heard by establishment employees.[18] It is also concerning that making telephone calls with the PDO has been hindered by the practice of reprisals directed against realization of the right to appeal. In particular, the NPM's visit to N6 penitentiary establishment revealed that the administration of the establishment informally punished prisoners for contacting the PDO.[19]

9. It is also noteworthy that the new Action Plan describes the Penitentiary Code adopted by the Parliament of Georgia.[20] The new Action Plan states that "that new Penitentiary Code takes into account the recommendations of the CPT, as well as the PDO".[21] It is indeed true that some of the PDO's recommendations have been reflected in the Penitentiary Code and such positive developments are welcome.[22] Nevertheless, the Penitentiary Code has not incorporated the PDO's position on certain important matters. In particular, it fails to

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[14] The order is available at: http://tinyurl.com/3j6vhzut [last accessed 28.12.2023].
[15] The Action Plan (28/04/2023) - Communication from Georgia concerning the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraph 381.
[16] The 2022 Report of the National Preventive Mechanism, 2023, page 85, available at: http://tinyurl.com/5x2yfba7 [last accessed 28.12.2023].
[17] Ibid, page 85.
[18] Ibid, page 85.
[19] Ibid, page 90.
[20] Action Plan (24/01/2024) - Communication from Georgia concerning the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraphs 362-363.
[21] Ibid, paragraph 363.
[22] Public Defender's Statement on New Penal Code, available at: http://tinyurl.com/ycxybw6z [last accessed 26.01.2024].

determine types of disciplinary violations by prisoners (a less serious violation, a serious violation and a particularly serious violation) and corresponding sanctions (the gradation in severity of sanctions), to permit the restriction on the accused's contact with the outside world only on the basis of a court decision and to provide for the imposition of this type of restriction as a disciplinary penalty only if the contact with the outside world relates to a crime.[23] Moreover, the time period required to pass in order to apply to the court for the conditional release of life-sentenced prisoners has not been shortened, the number of visits and phone calls allowed for convicts placed in high-risk and closed facilities and the number of short and long visits allowed for life-sentenced prisoners have not increased.[24] In contrast to the previous regulation, the new Penitentiary Code limits the right of a convict placed in a special risk institution to temporarily leave the institution in case of death of his/her close relative.[25] It is also concerning that the new code has retained prosecutors'/investigators' power to restrict the defendants' right to telephone conversations, including communication with a lawyer.[26]

Video/audio recording of interaction between the law enforcement agents and individuals - paragraph 9 of the CM decision

10. The last CM decision encouraged the authorities to "increase the scale and effectiveness of video/audio recording of interaction between the law enforcement agents and individuals".[27] Unfortunately, the problems previously identified by the PDO on the legislative level and in practice have remained the same.[28] Moreover, the PDO's last communication mentioned that the number of video cameras in most police facilities visited by NPM in 2022 significantly decreased.[29] Unfortunately, the number of video cameras further decreased in 2023 in comparison with 2022.

Amnesty laws or decisions on pardons - paragraph 10 of the CM decision

11. The last CM decision called upon the authorities "to ensure that the obligation to prevent impunity for serious human rights violations committed by an agent of the State is given due

[23] Ibid.
[24] Ibid.
[25] Ibid.
[26] Ibid.
[27] The decision of CM adopted at the 1468th meeting in June, 2023 (CM/Del/Dec(2023)1468/H46-11), paragraph 9.
[28] Communication from an NHRI (Public Defender of Georgia) (25/04/2023) in the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraphs 12-13.
[29] Ibid, paragraph 12.

consideration in any amnesty laws or decisions on pardons".[30] In this connection, it is concerning that Constitution of Georgia grants the President the exclusive power to pardon convicted persons, including those found guilty of ill-treatment.[31] Such a regulation contradicts the ECHR standard according to which the granting of pardon should not be permissible in cases of crimes constituting treatment prohibited under article 3 of the ECHR.[32]

Documenting an arrest

12. The Action Plan mentions rules regarding documentation of arrests.[33] The PDO would like to describe the flaws in documenting arrests observed by the NPM. Firstly, both criminal and administrative arrest record forms need to be updated.[34] The administrative arrest record form needs an addition of new fields to include the information on the time of drawing up an arrest record, circumstances of the arrest, whether an arrested person resisted or not, whether and what type of force was used.[35] Moreover, police employees ought to be trained on filling out arrest records and regular supervision of filling out should be introduced. This is needed considering the fact that the NPM representatives examined arrest records with no or incomplete information on injuries sustained by arrested individuals although the injuries were noted by a doctor of the temporary isolation isolator.[36] Furthermore, journals kept in police facilities/units to record arrested individuals need to be updated. These journals are so outdated that they are at variance with terminology of the current legislation.[37] Documentation by using these journals fails to provide complete information about arrested persons.[38] In 16 police facilities/units visited, the NPM observed significant shortcomings in filling out the journals, such as the absence of indication of the time and date of taking an arrested person to a temporary detention isolator or the time of release.[39]

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[30] The decision of CM adopted at the 1468th meeting in June, 2023 (CM/Del/Dec(2023)1468/H46-11), paragraph 10.

[31] The Special Report of the Public Defender of Georgia, Practical Analysis of Qualification of Ill-treatment under General and Special Provisions, 2023, page 44.

[32] CASE OF ABDÜLSAMET YAMAN v. TURKEY, Application no. 32446/96, paragraph 55; CASE OF PULFER v. ALBANIA, Application no. 31959/13, paragraph 83.

[33] The Action Plan (28/04/2023) - Communication from Georgia concerning the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraphs 393, 395.

[34] The 2022 Report of the National Preventive Mechanism, 2023, page 159.

[35] Ibid, page 159.

[36] Ibid, page 159.

[37] Ibid, page 161.

[38] Ibid, page 161.

[39] Ibid, page 162.

13. As for other shortcomings in practice, the NPM's talks with lawyers revealed a tendency of indicating incorrect time as the moment of arrest in records of arrest.[40] In particular, individuals had been arrested before the time indicated in arrest records.[41] Such cases are worrisome because an individual is placed under police control for a period longer than indicated in the record and may not be able to enjoy procedural guarantees during this period. The PDO also studied cases from 2022 in which persons were not arrested at the moment of entering a police facility and were arrested later but it had been pre-determined that they would be arrested after being taken to and interviewed in the police facility.[42] Citizens were mainly brought to police facilities by the police itself in such cases which were confirmed by lawyers as well as records kept in police facilities visited by the Special Preventive Group of the PDO.[43] Such cases pose a threat of ill-treatment as the person to be arrested cannot use procedural guarantees before his/her official arrest, although he/she is under police control and his/her liberty is already de facto and illegally restricted before an official arrest. Furthermore, the police might also place under its control a person invited for an interview in a police facility in accordance with article 21 of the Law of Georgia on Police.[44] In such cases, arriving and leaving the police facility is formally voluntary. No record/documentation about arrival in and exit from the police facility is kept although such a document could prove that a person was actually in the facility.[45] If the police use pressure, violence or exceed powers against individuals invited for an interview in the police facility, these individuals have no procedural guarantees against ill-treatment.[46] According to information provided by lawyers in 2022, the liberty of movement of such "voluntarily" invited individuals was restricted in some cases which the PDO considers to be a de facto, illegal detention.[47]

The use of handcuffs

14. The Action Plan describes rules applicable to the use of special means,[48] which include handcuffs. In its annual (2021 and 2022) reports, the NPM noted cases of handcuffing prisoners with mental health problems when they inflicted self-harm in de-escalation rooms

[40] Ibid, page 160.
[41] Ibid, page 160.
[42] Ibid, pages 160-161.
[43] Ibid, page 161.
[44] Ibid, page 160.
[45] Ibid, page 160.
[46] Ibid, page 160.
[47] Ibid, page 160.
[48] The Action Plan (28/04/2023) - Communication from Georgia concerning the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraphs 399-411.

and solitary confinement cells.[49] Furthermore, prisoners from the N2 penitentiary establishment occasionally indicated that the establishment employees used disproportionate force and handcuffed them roughly and tightly during placement in de-escalation rooms.[50]

Informal hierarchy in penitentiary establishments

15. The NPM monitoring indicates that the informal hierarchy of prisoners is still an unresolved problem. Privileged prisoners with a high-ranking status in the hierarchy of the so-called criminal world can exert influence on other inmates and, therefore, the prison administrations use them to settle relations/conflictual situations, for instance, in case of hunger strikes or expressing complaints. A clear illustration of the informal prison hierarchy is the practice of extortion of money (from prisoners and/or their families) for the illegal prisoners' fund ("obshchak"). The PDO began to study one of the cases of this practice in the N14 penitentiary establishment after media reports of 7th October, 2023. The PDO was informed by the MIA that an investigation had been launched into this case in May, 2023. Despite this investigation, the practice of gathering "obshchak" continued, according to the NPM monitoring conducted in the N14 penitentiary establishment in October, 2023. Similarly, the information obtained by the NPM during its visit to the N2 penitentiary establishment in October 2023 reveals that privileged prisoners extorted money from other inmates and controlled their behavior until May, 2023, when they were transferred to another establishment to eliminate their informal influence, according to unofficial information available to the PDO. This information was also corroborated by other prisoners who stated during the NPM visit that there were no more privileged inmates in the aforesaid establishment. In addition, the existence of the informal prison hierarchy is also visible from the visit of representatives of the NPM and the UN Subcommittee on Prevention of Torture in the N15 penitentiary establishment. Concrete prisoners always followed the representatives to listen to their conversations with other inmates and to deter the latter, through their presence, from talking about problems in the establishment. The informal participation of privileged prisoners in the prison governance was also confirmed by inmates from other establishments who spent some time in the N15 establishment.

Placement in de-escalation rooms

16. The PDO's previous communication described the practice of placement of prisoners in de-escalation rooms and assessed it as a form of ill-treatment.[51] Unfortunately, this practice

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[49] The 2021 Report of the National Preventive Mechanism, 2022, page 45, available at: http://tinyurl.com/mrhuc5mn [last accessed 28.12.2023]; The 2022 Report of the National Preventive Mechanism, 2023, pages 51-52.

[50] The 2022 Report of the National Preventive Mechanism, 2023, page 271.

[51] Communication from an NHRI (Public Defender of Georgia) (25/04/2023) in the case of TSINTSABADZE v.

has remained. Prisoners are still placed in de-escalation rooms without any legal ground or for longer periods than the time limit prescribed by law. The PDO has even examined a case in which a prisoner placed in a de-escalation room was allegedly not given food for several days. This particular prisoner connected such a hostile attitude of prison employees to his ethnicity and religion. The PDO referred this case to the SIS and the investigation is ongoing.

17. Unfortunately, the rules regarding placement of prisoners in de-escalation rooms are still flawed in spite of the changes made to the internal regulations of penitentiary establishments in April, 2023. These amendments fail to address the shortcomings identified by the PDO. In particular, the maximum duration of placement in a de-escalation room is still 72 hours in contravention of the CPT's position and PDO's recommendations to not to place prisoners in such spaces for more than 24 hours.[52] Moreover, the internal regulations still do not include the obligation to justify the necessity of the placement in de-escalation rooms and solitary confinement cells as last resort measures and to use other, less restrictive means. Although the aforementioned changes introduce an involvement of a multidisciplinary group in placement in de-escalation rooms, this group is not obliged to determine and then eliminate the causes leading to a prisoner's placement in a de-escalation room. It is also problematic that the aforesaid changes only concern the placement in de-escalation rooms and do not cover the placement in solitary confinement cells.

The 2024-2026 Action Plan for Protection of Human Rights

18. The new Action Plan mentions that the Administration of the Government of Georgia approved the 2024-2026 Action Plan for Protection of Human Rights.[53] In this regard, the PDO would like to emphasize that the 2024-2026 Action Plan overlooks most of the crucial activities suggested by the PDO during its drafting process. In particular, the PDO recommended that the document envisage amending the Organic Law on "Public Defender of Georgia" to grant the PDO access to files/materials of investigations into cases of ill-treatment and/or murder before the end of investigations, preparing an action plan on overcoming the criminal sub-culture in penitentiary establishments and legally obliging law enforcement officials to use body cameras during special operations. The PDO also suggested

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Georgia (Application No. 35403/06), paragraph 16.

[52] Report to the Georgian Government on the visit to Georgia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 21 September 2018, CPT/Inf (2019) 16, Strasbourg, 10 May 2019, § 101, available at: https://rm.coe.int/1680945eca [last accessed: 26.12.2023]; The 2022 Report of the Public Defender of Georgia on the Situation of Protection of Human Rights and Freedoms in Georgia, page 28, available at: http://tinyurl.com/3ky5fd6r [last accessed 28.12.2023].

[53] Action Plan (24/01/2024) - Communication from Georgia concerning the case of TSINTSABADZE v. Georgia (Application No. 35403/06), paragraph 340.

a reform of the Prosecutor's Office of Georgia in order to provide for the participation of the Prosecutorial Council in determination of jurisdiction and division of competencies of structural units within the Prosecutor's Office and in preparation of guiding principles based on the criminal law policy and of normative acts regulating systemic matters concerning the Prosecutor's Office. Moreover, the PDO also proposed to extend the SIS mandate to certain crimes committed by the Minister of Internal Affairs, the Prosecutor General and the Head of the State Security Service. Unfortunately, neither of these recommendations were reflected in the 2024-2026 Action Plan.

Recommendations

19. In order to effectively execute the Tsintsabadze Group cases, the PDO reiterates some of its recommendations to the Government of Georgia from its previous communication and submits new recommendations as well. In particular, the PDO calls on the Government of Georgia to:

- Build an appropriate infrastructure to ensure that telephone conversations can take place in a confidential environment in closed and special risk penitentiary establishments.

- Amend the N625 Order, dated 15 August 2014, of the Ministry of Internal Affairs so that the administrative arrest record form includes new fields to record information on the time of drawing up an arrest record, circumstances of the arrest, whether the arrested person resisted or not, whether and what type of force was used.

- Ensure by keeping a registry that every person taken to police departments, divisions and units and their status, time of arrival and time of exit are recorded.

- Introduce a standardized electronic file record keeping/documentation of information about arrested persons in police facilities. Such a record keeping/documentation should record in a detailed and synchronized manner every action carried out concerning the arrested person, including arrest, entry into and exit from the police facility, body examination, the arrested person's request to contact a lawyer/doctor/family member and fulfillment of this request, exact time of and reasons for release or transfer of the arrested person and exact information on where the accuses was during the period of detention.

- Determine 24 hours as the maximum duration of placement of prisoners in de-escalation rooms in penitentiary establishments.

- Ensure through systemic monitoring/supervision by the Monitoring Department of the Special Penitentiary Service that the practice of lengthy placement and handcuffing of

prisoners with mental health problems in de-escalation and solitary confinement cells is studied and reactive measures are undertaken to prevent ill-treatment of prisoners.

- Amend the Criminal Code of Georgia to comprehensively criminalize treatment/actions prohibited by article 3 of the ECHR only under specific provisions (articles 144^1-144^3) of the Criminal Code. Thus, actions currently criminalized under subparagraphs "b" and "c" of paragraphs 3 of articles 332 and 333, article 335 and paragraph 2 of article 378 must be criminalized only under the specific provisions. Thus, subparagraphs "b" and "c" of paragraphs 3 of articles 332 and 333, article 335 and paragraph 2 of article 378 must be removed from the Criminal Code without decriminalizing criminal actions contained therein.

- Amend the Order N633 of the Minister of Justice of Georgia of November 30, 2020 to determine that a prisoner's consent to medical examinations is not a precondition for notifying the Special Investigation Service if a doctor suspects violence when a prisoner is being transferred from, returned or admitted to a penitentiary establishment.

- Amend the Order N633 of the Minister of Justice of Georgia of November 30, 2020 to oblige a doctor to offer medical examination to a prisoner again, within 24 hours, if injuries to visible parts of a prisoner's body are not visible and the prisoner refuses medical examination when being transferred from, returned or admitted to a penitentiary establishment.

- Adopt legislative amendments to include crimes committed by the Prosecutor General, the Minister of Internal Affairs and the Head of State Security Service within the mandate of the Special Investigation Service.

- Adopt legislative changes to extend the mandate of Special Investigation Service to cover certain crimes committed by prosecutors (crimes under articles 108, 109, 111, 113-118, 120-124, 126, 126^1, 137-139, 143-144, 150-151^1 under the Criminal Code)

- Adopt legislative amendments to include in the remit/jurisdiction of the Special Investigation Service only those crimes which correspond to its main mandate (remove crimes under articles 153-159 and 162-163, 164^4 from its remit/jurisdiction).

- Change the law to provide/introduce:

o review by the Prosecutor's Office of the SIS request regarding transfer of cases within a shortened timeframe and a prosecutor's obligation to substantiate her/his decision (on the request);
o decrease of length of the timeframe for review of a substantiated proposal by the SIS to carry out an investigative/procedural action and a prosecutor's obligation to substantiate her/his decision (on the proposal);
o additional guarantees to ensure gathering, protecting and storing evidence in a timely manner and without hinderance and the obligation to justify refusal in case of incompliance with the SIS request;

- Amend the Organic Law on "Public Defender of Georgia" to grant the PDO access to files/materials of investigations into cases of ill-treatment and/or murder before the end of investigations.

- Introduce a legal obligation of law enforcement officials to use body cameras during special operations.

- Reform the Prosecutor's Office of Georgia in order to provide for the participation of the Prosecutorial Council in determination of jurisdiction and division of competencies of structural units within the Prosecutor's Office and in preparation of guiding principles based on the criminal law policy and of normative acts regulating systemic matters concerning the Prosecutor's Office.

- Amend the new Penitentiary Code to:
    - determine types of disciplinary violations by prisoners (a less serious violation, a serious violation and a particularly serious violation) and corresponding sanctions (the gradation in severity of sanctions);
    - provide for the imposition of the restriction on contact with the outside world (as a disciplinary penalty) only if the contact with the outside world relates to a crime;
    - shorten the time period required to pass in order to apply to the court for the conditional release of life-sentenced prisoners;
    - increase the number of visits and phone calls allowed for convicts placed in high-risk and closed facilities;
    - increase the number of short and long visits allowed for life-sentenced prisoners;
    - abolish the restriction on the right of a convict placed in a special risk institution to temporarily leave the institution in case of death of his/her close relative;
    - The accused should have the right to communicate with a lawyer, whether the accused's communication with the outside world is restricted based on a prosecutor's/investigator's decree or not.