

What happened on the night of June 20-21?

[See the 10 most frequently asked questions](#)

1. What do we know about the use of rubber bullets from the recordings of two-way radios?

- At 23:36 on June 20, the Minister of Internal Affairs ordered his deputies and other subordinates (including the Director of the Special Tasks Department) not to use rubber bullets during the dispersal of the rally. In contrast, the footage spread by TV channels show that the use of rubber bullets began soon, at 00:00. Nevertheless, at 00:16 on 21 June, the Director of the Special Tasks Department reported to the leadership that no guns were being used. According to the recordings of two-way radios, the order on non-use of rubber bullets was repeated at 00:36, but it has not been executed. At 02:34, the Director of the Special Tasks Department repeatedly asked for permission to use rubber bullets. The request was rejected again, the receipt of which was confirmed by the Director. Despite this, the TV footage show that the frequent firing of rubber bullets continued shortly after the above.

2. What do shooters say about the use of rubber bullets?

- The shooters of the Special Tasks Department of the Ministry of Internal Affairs indicate that they used non-lethal weapons according to the situation, as they had received general permission to be ready for any situation. They say that they individually made decisions to use rubber bullets, as a result of assessing specific dangers. The shooters also say that their commanders were nearby during the use of rubber bullets, although they did not order to stop using the bullets. During the dispersal of the rally, over a period of several hours - from about 00:00 to 04:30 am - **more than 100 employees of the Special Tasks Department and the Facilities Protection Department used 3 types of weapons, 5 types of bullets and shells. As the Minister of Internal Affairs told the media, about 800 rubber bullets had been fired.**

3. What was the role of the then Minister of Internal Affairs and the Deputies of the Minister of Internal Affairs and did they know about the use of rubber bullets?

- Giorgi Gakharia, Kakhaber Sabanadze and Vladimer Bortsvadze had been in the Parliament after 22:00 of 22 June. The Minister and his deputies say in their testimonies that tear gas and water cannons were used on the basis of their orders, but they did not order the use of rubber bullets. According to them, they learned about the use of rubber bullets soon after police officers started to

use them. However, they do not specify the exact time. The investigation has not established the means of providing the above information to the Minister and his deputies (personal verbal communication, two-way radio, cell phone, telecommunication, etc.).

4. Was the equipment used during the dispersal of the rally proportionate?

- The force used during the dispersal of the rally cannot be termed as proportionate due to the following circumstances/factors: (1) the use of non-lethal bullets in the absence of an order from the commanders; (2) a large number of bullets and gunmen (3) the area and duration (several hours) of the use of rubber bullets; (4) the number of injured protesters; (5) the lack of assaults by certain groups of citizens on individual police officers (which would justify the necessary repelling).

5. Were demonstrators warned about the expected use of force?

– The statutory obligation of warning demonstrators of the expected use of physical force and special equipment had not been fulfilled before the start of the dispersal of the rally. Therefore, the law enforcement officers did not give reasonable time to the demonstrators to comply with the law and leave the area.¹

It should be noted that there was no precondition for exempting the law enforcers from the above obligation,² as there was a practical opportunity for warning the demonstrators, both before and after the initial aggravation of the situation during the announcement of arbitrary intrusion into the Parliament.³

As for the warning of demonstrators by the public statement of the Ministry of Internal Affairs of Georgia before the dispersal, as well as the statements of the Minister of Internal Affairs of Georgia and the Tbilisi Mayor spread by the media,⁴ such measures do not ensure provision of full information to demonstrators and do not meet the standard of adequately warning demonstrators of the use of force before the use of such a measure. In particular, according to the OSCE Office for Democratic Institutions and Human Rights, before the use of force, demonstrators should be warned

¹ Law of Georgia on Police, Article 31, part 3.

² The police officer is exempted from the obligation of warning, when the delay may pose a threat to the life and/or health of the person and/or the police officer or may cause other serious consequences, or if such a warning is unjustified or impossible in the given situation.

³ Reports on the intrusion into the Parliament were spread at 20:08 and the situation was exacerbated for the first time at 20:50, when some of the demonstrators tried to break through the police cordon and approach the yard of the Parliament. However, the force was used about 3 hours after that incident. In addition, the demonstrators had stopped their violent activities for about 40 minutes from the first escalation of the situation before the use of force.

⁴ See the live broadcast of the Public Broadcaster (from 22:39 and 22:59), available on the website: <<https://bit.ly/2Uq3bEu>>

several times through appropriate sound amplifier devices; the warning should be clear, should be easily heard and should not be covered by other sounds; if necessary, the warning must be made from several locations so that all demonstrators can hear it.⁵

6. How many people were injured?

- Medical documents on the injuries of 273 people have been sent to the forensic examination bureau. The results received only relating to small part of them refer to injuries in various areas of the body, including the head and face area, as well as nasal fracture, closed head trauma, head and facial bone fractures. 2 people were diagnosed with severe, life-threatening damages. Representatives of the Public Defender's Office visited 116 persons detained under administrative rules after the dispersal of the rally, 25 of which referred to violence by police; 12 of them had injuries.

7. How many journalists were injured?

- According to the Charter of Journalistic Ethics, up to 40 representatives of the media were injured.⁶ According to several of them, the police officers fired rubber bullets at them by targeting them, even after they said that they were reporters.⁷ Nevertheless, none of the reporters has been granted the victim's status so far.

8. Why does the Public Defender request the launch of criminal proceedings against the then Director of the Special Tasks Department?

- The Director of the Special Tasks Department had been ordered not to use rubber bullets twice – by the Minister of Internal Affairs and the Deputies of the Minister of Internal Affairs. The Director additionally asked for permission on the use of rubber bullets, which was rejected again. Despite receiving negative orders three times (at 23:36, 00:36 and 02:34), the order was not fulfilled and the rubber bullets were actively used. Moreover, even after the start of the use of rubber bullets, the Director of the Special Tasks Department provided false information to the high officials at 00:16 on June 21, saying that no guns were being used.

⁵ OSCE/ODIHR Human Rights Handbook on Policing Assemblies, 2016, p. 133-134, available at: <https://bit.ly/2Jt2fc9>

⁶ Information is available on the website: <<https://bit.ly/2THI7tm>>

⁷ Information is available on the website: <<https://bit.ly/2UKtcPg>>

9. What investigative actions have been carried out?

- The Prosecutor's Office obtained⁸ video recordings, some of which have already been examined/watched.⁹ The investigation seized certain materials and documents¹⁰ from the Ministry of Internal Affairs. 625 people¹¹ were questioned. Examinations were scheduled.¹² Criminal proceedings were launched against 3 persons in the episodes separated from the case.¹³ 8 citizens were recognized as victims.¹⁴

10. What has not been established/carried out so far?¹⁵

- It is not clear what measures were taken by the then Minister of Internal Affairs or the Deputies of the Minister of Internal Affairs, or the persons responsible for the operation, to stop alleged abuse of power by police officers during the dispersal of the rally; no two-way radio recordings of all law enforcement officers involved in the management of the rally have been obtained; no cell phones have been seized; no examinations have been scheduled to obtain social media correspondence or telephone messages.

⁸ The answers are presented on the results of the examination of case materials by the Public Defender's Office as of February 3, 2020. On June 10, 17 and 18, 2020, the staff of the Office again examined certain part of the case materials.

⁹ See < <https://bit.ly/34esexG> > p. 10.

¹⁰ Ibid. p. 11.

¹¹ Ibid. p. 12-20.

¹² Ibid. p. 20.

¹³ Ibid. p. 26-30.

¹⁴ Ibid. p. 26-31.

¹⁵ Ibid. p. 31-44.