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Human Rights Hub

IRAKLI TSULAIA STORY

Irakli Tsulaia, a journalist, has been charged with failing to comply with the lawful directives of a police officer. Mr. Tsulaia was arrested on November 29, 2024, in front of the Kashueti Church while participating in a protest against the ruling party's alleged anti-Western policies and disputed electoral practices. It is noteworthy that Mr. Tsulaia had arrived at the rally mere minutes prior to his arrest. After parking his car, he proceeded from a parallel street near Kashueti onto Rustaveli Avenue, at which point approximately ten members of the special forces unit confronted him. He was subjected to physical assault before being taken into custody.

Irakli Tsulaia was subjected to severe physical assault by riot police before, during, and after his arrest, resulting in multiple injuries to his face and body. The officers struck him repeatedly on his arms and legs, causing him to collapse to the ground. Despite this, the physical abuse continued even after he had fallen. While Mr. Tsulaia was being brutally assaulted, his brother, Levan Tsulaia, who witnessed the incident, pleaded with the riot police to cease their violent actions. Regrettably, Levan Tsulaia was also subjected to physical abuse by the officers and subsequently taken into custody.

“I was detained in the area between the Blue Gallery and the school number one. A group of special forces officers was stationed there. I stood before them and said, ‘This is my school. The Russians burned it down by the hands of Georgians, and now you are aiding in doing the same to the Georgian people. Please, do not let this happen.’ Immediately after making this statement, I was detained. Approximately ten members of the special forces assaulted me, and then my brother as well. They placed us in a bus and continued to beat us there. They struck our hands, feet, faces, and bodies,”
recounted Irakli Tsulaia.

It is noteworthy that, in addition to the physical assault, the police officers confiscated Irakli Tsulaia's personal belongings, including his smartphone and wallet, which contained all of his identification documents.

Irakli Tsulaia did not resist the police, and the entire incident was recorded by nearby video cameras.

He was initially detained by special forces officers, who subsequently transferred him to patrol police officers. The latter transported him to the detention center.

Following his transfer to the patrol police, Irakli Tsulaia was placed in a temporary detention center, where he remained for 48 hours. During this time he suffered numerous injuries to his face and body. In addition to these physical injuries, Irakli has a pre-existing heart condition. Despite his urgent request to be taken to a hospital, no response was provided. His deteriorating condition necessitated immediate medical attention due to the inhuman treatment he endured. Upon his release from the detention center, he independently sought medical care at a hospital.

Irakli shared the following statement on social media on December 1:

“My brother and I spent 48 hours in a temporary isolation room. They did not take me to the hospital. Today, I waited in court all day for a hearing, but it was postponed until 3 a.m., it seems they intend to amend the charges and apply a more severe article. The hearing would be held on Tuesday.”

Five days after his detention, when Irakli Tsulaia appeared in court, he still bore visible injuries inflicted by the special forces. His case was adjudicated in the City Court by Judge Zviad Tsekvava. The court found Irakli Tsulaia guilty of the charges brought against him and imposed a fine of 3,000 GEL.

The court's decision was based solely on the false testimony of two police officers. However, video evidence demonstrates that the officers in question were not present at the scene of the arrest. Instead, the footage clearly shows that Irakli Tsulaia was detained and abused by masked special forces officers. Despite this, the judge refused to permit Irakli's lawyer to present the video evidence or any other supporting material in his defense.

“The Ministry of Internal Affairs submitted video footage that did not even depict my client. It consisted solely of general scenes, which the court admitted into evidence. However, the court refused to allow the video footage I submitted, which accurately captured the events at the exact time of my client’s arrest. The court showed no interest in reviewing this critical evidence. The footage presented by the Ministry of Internal Affairs was recorded at 12:00, whereas my client was arrested at 03:15. Numerous significant events occurred during the intervening hours. This selective admission of evidence constitutes a violation of the principles of equality and adversarial proceedings, clearly demonstrating the judge’s bias,” stated Irakli’s human rights defender, Giorgi Tabatadze.

After the charges were filed in court, Irakli Tsulaia also submitted formal appeals to the Special Investigation Service and the Public Defender’s Office.

“We do not know who these individuals are; they cannot be identified. I have also provided testimony to the representative of the Public Defender’s Office, and today I plan to visit the Special Investigation Service. However, I hold no hope for a fair outcome, as both institutions are under the control of the authorities. In this country, when the system is compromised, there is no authority or institution where justice can truly be sought,” stated the victim.

The Special Investigation Service has commenced an investigation into the incident pursuant to Article 333, Part 3, Subparagraph “b” of the Criminal Code of Georgia, which addresses the abuse of official authority committed with violence. Additionally, it has been recommended that the conduct of the police officers involved be assessed under the provisions pertaining to torture, as well as degrading or inhuman treatment.

Notwithstanding the fact that Irakli Tsulaia has been interrogated by the Special Investigation Service and that substantial evidence of violence exists within the case file, the law enforcement officers responsible for the alleged misconduct have neither been identified nor subjected to disciplinary or legal measures. Furthermore, the Special Investigation Service has, to date, refrained from granting Irakli Tsulaia the procedural status of a victim.