



გენერალურმა
პროკურატურამ მაკო
გომურს
სისხლის სამართლის
საქმის მასალები
სრულად არ გააცნო

Office of the General Prosecutor of Georgia did not give access to Mako Gomuri to fully get familiarized with the criminal case materials

The Prosecutor General's Office granted the victim of 20-21st June events Mako Gomuri appropriate status on November 11th, 2019. Afterward, GYLA's lawyers, who advocate for Mako Gomuri interests, requested access to criminal case materials. On November 21st, the Prosecutor's Office gave the lawyer and the victim incomplete access to criminal case materials, depriving the victim of the opportunity to examine and determine whether the documents in the case were relevant to her case.

Pursuant to Article 57.1 (h) of the Code of Criminal Procedure, a victim shall have the right to be informed on the progress of the investigation and review the materials of the criminal case, unless this contradicts the interests of the investigation.

Despite the fact that Mako Gomuri and GYLA's lawyers requested to have full access to the case materials, the Prosecutor's office granted them access to only two

volumes of the multi-volume case. The materials provided for the information included only the interview protocols of Mako and her family members, the interview protocol of the three participants of the rally, medical documentation, forensic findings, and certain video materials. According to the Prosecution's oral explanation, the materials in these two volumes were in connection with the injury inflicted on Mako Gomuri.

There was not even a single law enforcement officer's testimony in the given documents. The case file also lacked any information on the planning of rally dispersal, responsible persons and/or participating units and their staff, despite the fact that this type of information is essential and relevant to identifying those responsible.

According to the materials provided by the investigative bodies, the following is established:

- 1. In the framework of the investigation, the relevant commanders of the special task force of the Ministry of Internal Affairs and those responsible for policing were not interviewed and the above-mentioned evidence was not obtained with the purpose to conduct a thorough and comprehensive investigation, or**
- 2. Such type of evidence was obtained, but the injured party was not allowed to access this documentation.**

We believe that the injured party should have the right to access the full details of the criminal case. Restricting access to full materials deprives the victim of the opportunity to examine and determine whether a particular document is relevant to his/her case and essential to his/her case, which in turn violates his/her right guaranteed by the Code of Procedure. Although the GYLA lawyers had filed the complaint with the investigator, they were not allowed to scrutinize the full material.

We urge the General Prosecutor's Office of Georgia to:

- Give Mako Gomuri and her lawyers' possibility of full access to the criminal case materials;

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- Carry out the duties assigned to them and conduct a full and thorough investigation, especially given that more than five months have passed since the injury to Mako Gomuri.