



FRIEDRICH NAUMANN
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Human Rights Hub

LUKA GHVINIASHVILI STORY

Luka Ghviniashvili, a citizen of both Georgia and France, is a professional photographer. He has been charged with petty hooliganism, failure to comply with a lawful order of a police officer, and insulting a police officer. Law enforcement authorities detained Mr. Ghviniashvili on two separate occasions. His first detention occurred on April 30 while he was photographing special forces personnel positioned in a single row on Rustaveli Avenue during a protest against the so-called “Russian law.” This act allegedly provoked law enforcement officers, resulting in his forceful arrest. During the arrest, he was thrown onto the tarmac road and subjected to physical assault, primarily directed at his face. In addition to physical violence, he was also subjected to verbal abuse. The mistreatment ceased only after journalists arrived at the scene with cameras. Following this, Mr. Ghviniashvili was escorted into a cordon formed by special forces officers and forcibly walked approximately 100 meters before being placed in a police vehicle. During this process, law enforcement officers forced him to strike his own head with his hands and subjected him to further physical and verbal abuse. Upon being placed in the police vehicle, he was transported to a temporary detention facility, where he remained in custody for 48 hours before being released.

Regarding Luka Ghviniashvili's second arrest, it took place on December 12. Before this, he had reportedly been followed for several days by civilians dressed in civilian clothing. On December 12, Mr. Ghviniashvili was in the company of a friend. As he was leaving, he was getting into his own vehicle when individuals dressed in civilian clothing emerged from a non-police vehicle and began approaching him, instructing him to stop. These individuals did not identify themselves as law enforcement officers. Fearing that he was at risk of physical harm, Mr. Ghviniashvili ran toward a police vehicle parked nearby and requested assistance from the officers inside. At that moment, the individuals pursuing him approached and identified themselves as police officers before placing him under arrest using physical force. During the arrest, one of the officers displayed a firearm and warned Mr. Ghviniashvili that if he did not remain calm, the gun would “turn out to be his.”

On both April 30 and December 12, Mr. Ghviniashvili's arrest was reportedly linked to his journalistic activities. As a photographer collaborating with various media outlets, he has been actively engaged in documenting events. At present, he has signed a contract with a foreign media organization and is covering ongoing developments in the country. This professional engagement is cited as the reason for the surveillance and monitoring he has been subjected to.

On April 30, Mr. Ghviniashvili sustained injuries to his head, face, and body, including a concussion. He received medical attention only from the medical personnel at the temporary detention facility. Full medical treatment was provided at a clinic only after his release from detention.

In connection with his arrest on April 30, Mr. Ghviniashvili was charged under Articles 166 and 173, Part 1 of the Code of Administrative Offences. Judge Koba Chagunava adjudicated his case. Two police officers testified in the case, though neither was the officer who had actually detained him. No neutral evidence was presented to substantiate the alleged offense. Nevertheless, the judge found Mr. Ghviniashvili guilty based solely on the police officers' testimony and imposed a fine of 2,300 GEL.

Regarding his arrest on December 12, Mr. Ghviniashvili was charged under Part 2 of Article 173 of the Code of Administrative Offences. Judge Manuchar Tsatsua adjudicated his case. Two police officers testified in the case; however, as in the April proceedings, neither was the officer who had actually detained him. Despite the absence of neutral evidence, the judge found Mr. Ghviniashvili guilty based solely on the police officers' testimony and sentenced him to seven days of imprisonment.

According to available information, the Special Investigation Service has initiated an investigation into the April 30 incident based on a possible abuse of official authority, an offense under Article 333 of the Criminal Code. The Special Investigation Service has questioned Mr. Ghviniashvili about the case. Additionally, the actions of the police officers may also qualify as degrading and inhuman treatment, an offense under Article 144³ of the Criminal Code.

The Special Investigation Service has granted Mr. Ghviniashvili the status of a victim in the case. Although Mr. Ghviniashvili is able to identify the two unmasked police officers responsible for the crime against him, the Special Investigation Service has yet to identify, recognize, or arrest any of the officers involved, nor have any been held criminally liable.

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