

## STATEMENT

### **by international observers representing the Civic Solidarity Platform at the trial of suspects in the murder of Vitali Safarov**

Tbilisi, Georgia, May 10, 2019

On May 10, 2019, the representatives of the Civic Solidarity Platform (CSP) Alexandra Novitchkova (Public Alternative Foundation, Ukraine) and Svitlana Valko (Truth Hounds, Ukraine) were to attend the fourth court hearing on the case of suspects in the murder of Georgian human rights defender Vitali Safarov. The trial was held in Tbilisi city court.

Two suspects, Giorgi Cokhadze, 23, and Avtandil Kandelakishvili, 20, alleged members of a neo-Nazi group, are accused of premeditated group murder on the basis of racial, religious, national, and ethnic hate, in accordance with Article 109.2.4 of the Georgian Criminal Code. If convicted, the accused face a sentence of 13 to 17 years in prison. The accused did not admit guilt.

This is the first case in the history of Georgia when the murder case is qualified as a hate crime group murder. That is why the court hearings attract great attention of the press and citizens with active civic position.

The court hearing was scheduled for 15:00 in a small room for 24 places. Since the amount of people who wanted to access the court was almost twice as much, the attendees got jammed at the entrance. Only 34 persons were able to enter the court room - among them were three journalists. A journalist from the local office of "Radio Free Europe/Radio Liberty" was rejected the entrance since there were no available seats left, although the press was able to stand at the first court hearing. The court hearing started with a 15-minute delay. After the opening of the hearing the judge announced that the court session is to be rescheduled for 14<sup>th</sup> of May at 11:00 due to the absence of the only defence lawyer of the one of the accused. Moreover, the judge added that in the case of his repeated absence she would remove this lawyer from the process and his defendant would be granted with a state defence lawyer. After the announcement of the rescheduling, the judge adjourned the hearing.

We would like to remind you that in accordance with the Criminal Procedure Code of Georgia the limit for holding suspects in pre-trial detention is nine months. Despite the fact that the court hearings are appointed with short time intervals, the monitors are still expressing concerns whether the court will be able to process all the evidence for the case, forensic conclusions and witnesses' statements or not. If the court does not rule on the case in the remaining period, the accused would have to be released and could be able to either escape or influence the witnesses' testimonies, which are very important for the process, or both. The absence of one of the defence lawyers at today's hearing only supports our previous assumptions on the strategy of delaying the court hearings by the defence lawyers.

The monitors express their expectation that the court would be able to keep the balance between the speed of the case consideration and the possibility for the following hearings to be held in larger court rooms so that the all, that are interested, would be able to be present at the hearings on the case of Vitaly Safarov hate crime murder.

The next court sessions are scheduled at the following dates and times: 14 May at 11:00, 17 May at 13:00, 20 May at 11:00, 23 May at 11:00, 28 May at 11:00, and 31 May at 11:00. The CSP will continue monitoring the trial.

*The Civic Solidarity Platform is a network of independent civic groups from across the OSCE region, bringing together non-governmental organizations, activists and experts committed to improving the situation with human rights, rule of law, and democratic institutions in Europe, Eurasia and North America. Its aim is to serve as a conduit through which civic activists can build alliances, strengthen mutual support and solidarity, and improve their influence on national and international human rights policy. For more information, please visit <http://civicsolidarity.org>*