COMMITTEE OF MINISTERS
COMITÉ DES MINISTRES

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

1531st meeting, 10-12 June 2025 (DH)

H46-18 Tsintsabadze group v. Georgia (Application No. 35403/06)

Supervision of the execution of the European Court's judgments

Reference document
CM/Notes/1531/H46-18

Decisions

The Deputies

1. recalled that these cases concern deaths, torture and other forms of ill-treatment and ineffective investigations into these actions, mostly imputable to law enforcement and prison officials;

As regards individual measures

2. noted with regret that no further individual measures are possible in the *Gablishvili and Others* case and decided to close the supervision by adopting Final Resolution CM/ResDH(2025)136;

3. firmly underlining the need for speedy and thorough action to avoid any loss of evidence and prescriptions, strongly urged once again the authorities to take all the outstanding measures promptly and diligently, and to complete pending investigations and trials in a timely manner; repeatedly called upon them to submit consolidated information on all investigations, including on the steps taken or foreseen to overcome obstacles encountered with a view to achieving concrete results;

4. called upon the authorities to ensure that the Special Investigation Service (SIS) speedily re-examines the case files in the *Hakobyan* case in order to decide on the possible re-investigation; as regards the *Machalikashvili and Others* case, invited the authorities to provide information on the further possible measures to address the findings of the European Court as to deficiency of investigation, fully and in a convincing manner, including through an independent prosecutorial and judicial review;

As regards general measures

5. expressed grave concern over the reports by the Council of Europe Commissioner for Human Rights, the Public Defender of Georgia and NGOs, highlighting wide scale ill-treatment and excessive use of force by law enforcement in the context of 2024-2025 demonstrations; underlining the importance of effective investigation and dissuasive sanctioning in eradicating impunity for torture and ill-treatment, strongly urged the authorities to comply with their obligation to conduct investigations independently, thoroughly and promptly; called upon them to provide information on the concrete outcomes of these investigations, as well as the information on the practice of suspension of state agents under investigations;

6. recalling the importance of the establishment of the SIS, as an independent investigative mechanism, previously welcomed by the Committee, noted with regret the legislative package envisaging its abolition, passed recently in the second reading; urged the authorities to refrain from its final adoption and called upon them to proceed with the outstanding measures for ensuring the independence and effectiveness of this body;

7. urged the authorities to put in place robust safeguards against excessive use of force and ill-treatment by state agents; called upon them to introduce an obligation for law enforcement officers to wear distinctive insignia and to increase the scale and effectiveness of video/audio recording of their interaction with individuals; invited the authorities to provide information about the practice of documenting the planning and conduct phases of special operations;

8. regretted persistent deficiencies in granting of procedural status to victims and urged once again the authorities to take concrete measures to address this systemic problem; invited them to inform the Committee about the guarantees to prevent delays in access to classified information by victims during investigations;

9. called upon the authorities to analyse thoroughly and consider improving the legislative and policy framework governing classification of ill-treatment offences and encouraged them to use the Council of Europe expertise to this end;

10. underlining the important role played by the civil society in preventing torture and other forms of ill-treatment and recalling their role in monitoring compliance with the Convention and the Court’s judgments, called upon the authorities to ensure fully enabling environment for their effective operation, including in the framework of the execution of these judgments;

11. decided to resume consideration of this group at their DH meeting in March 2026, at the latest.