

**Information provided by the  
Ministry of Justice of GEORGIA to the  
UN High Commissioner for Human Rights under  
Resolution 73/304, adopted by General Assembly on 28 June  
2019**

- Elimination of ill-treatment within the penitentiary system by way of deploying a consistent and multifaceted approach is a top priority for the Ministry of Justice of Georgia. This particularly includes ensuring the balance between the protection of human rights and the establishment of a safe and secure environment within penitentiary system.

The use of special means (*such as handcuffs, straitjackets and etc.*) within the penitentiary establishments is regulated by the Code of Imprisonment of Georgia, which provides a close-ended list of the measures that can be used for security purposes and the bases for the use of the particular measure. Under Article 57<sup>1</sup> of the Code of Imprisonment of Georgia the use of the following special means is permissible in the cases prescribed by the law: a) handcuffs; b) a straitjacket; c) a restraining chair; d) a restraining bed; e) a baton; f) tear gas; g) pepper gas; h) a non-lethal weapon; i) an acoustic device; j) a flash-bang device of a psychological effect; k) a water cannon; l) a police dog.

According to the Article 57<sup>1</sup> of the Code of Imprisonment of Georgia special means are to be used in extreme cases where the use of other means is ineffective. The use of special remedies shall be proportionate to the danger posed and shall, in order to achieve lawful ends, cause less harm to the recipient of the mentioned measure. Special measure may be employed only by authorized personnel of Special Penitentiary Service, who have undergone special training program.

Rigorous and comprehensive legal framework ensuring the principle of proportionality prevents the use of special means for the purposes of torture, inhuman or degrading treatment or punishment.

- Capital punishment is abolished in Georgia since 1997. Hence, no tools used for the capital punishment are available in the penitentiary establishments of Georgia.
- While the national legal framework regulating the use of special means in the penitentiary institutions is in line with the international standards, the Ministry of Justice of Georgia and the Special Penitentiary Service welcomes the initiative of establishing a common international standards for the import, export and transfer of goods used to torture or other cruel, inhuman or degrading treatment or punishment.