



SURVEY OF EXISTING DETENTION MONITORING BODIES IN GEORGIA

I. Detention Monitoring under the Office of the Public Defender

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March 2008**

Prepared in the context of the EU funded project 'Prevention of Torture in Georgia'

The Project is funded by the European Union



ANALYSIS OF HUMAN RIGHTS MONITORING BODIES IN GEORGIA

I. Detention monitoring under the Office of the Public Defender

Introduction

The paper concerns the analysis of monitoring bodies set up at the Ombudsman's office involving office staff and civil society representatives. It was prepared in the context of an EU funded project on torture prevention which sought to assist the Georgian State in implementing the Optional Protocol to the UN Convention against Torture. The aim was to see how existing experience could inform the design of an effective future torture prevention mechanism for Georgia.

Background on the Office of the Public Defender

At the present time the office conducts monitoring in the following institutions:

- psychiatric hospitals
- homes for the elderly
- police stations
- military hauptwachts
- prisons

and also children's homes and temporary isolators of city courts. Therefore, many of the places of detention envisioned by OPCAT are visited by the Office.

The Public Defender's (Ombudsman's) Office was established in 1996, upon coming into force of the Organic Law of Georgia on "Public Defender". The law provides a range of rights. In accordance with the Article 3, "The Georgian Public Defender supervises the observance of human rights and freedoms throughout the territory of Georgia, reveals the facts of their violation, and facilitates the restoration of the violated rights". The Law is not yet sufficient to permit the Ombudsman to be designated as an NPM.

Psychiatric Institutions

Source of information:

Meetings with Nino Makhashvili, Director, Global Initiative in Psychiatry Tbilisi Office

Meetings with Archil Talakvadze, Representative of Ombudsman's Office, Member of Psychiatric Institutions Monitoring Council

Human Rights and Psychiatry, Special Report by the Ombudsman of Georgia, 2007

Special Report of Public Defender of Georgia, "For the Prevention of Torture" 2007

Assessing the Effectiveness of National Human Rights Institutions, by Richard Carver and Alexey Korotaev on behalf of the UNDP Regional Centre in Bratislava, October 2007

Background

Monitoring of psychiatric institutions commenced later in 2005. According to the Ombudsman's Office the need for monitoring arose due to the fact that the living conditions, in those establishments, were deplorable, treatment of patients was inhuman, there was a lack of transparency as well as public attention to these institutions¹.

A Public Council for Human Rights Monitoring in Psychiatric institutions was established by the initiative of the Ombudsman Sozar Subari in early 2006 and a Memorandum was signed with Lado Chipashvili, the Minister of Health, Labour and Social Security for monitoring psychiatric institutions under this ministry.

¹ Special report of the Georgian Public Defender "For the Prevention of Torture" 2007.

Composition of the Council

The Council consists of representatives from different public organisations such as Global Initiative in Psychiatry – Tbilisi (GIP), Mental Health Association, Human Rights Information and Documentation Centre (HRIDC), NDOBA, Centre for Psycho-Social and Medical Rehabilitation for Torture Victims (GCRT) and National Forensics Bureau. There are 18 persons involved in the Council. There is also Union for Equal Rights involved, advocating for rights of former patients. 12-15 monitors have been trained.

Members are from various professional backgrounds: psychologists, physicians, lawyers, nurses, social workers and psychiatrists. The Coordinator of the Council is Ms. Nino Makhashvili, Director of GIP Tbilisi Office.

Powers of the Council

The Council reports to the Ombudsman mainly and also shares findings with the Ministry of Healthcare. Council members are entitled to access psychiatric institutions any time, without hindrance and meet with patients as well as examine documentation. They have special proxy granted by the Ombudsman and have a right to do audio, video and photo recordings.

The Council communicates with the Ministry of Healthcare, also Health Committee of the Parliament. (Giorgobiani, Urushadze – Deputy Ministers of Healthcare). There was a presentation held on monitoring results for these Government agencies.

Target Institutions

There are 6 mental health institutions in the following locations: Quitiri, Khoni, Bediani, Batumi and 2 institutions in Tbilisi. Up until now the Monitoring Council has carried out monitoring visits to all psychiatric institutions, has examined in detail and documented the human rights situation in these establishments and developed relevant recommendations. Monitoring has been carried out on monthly basis.

In first half of 2007 monitoring of human rights in the mental health hospitals was financed by the Open Society – Georgia Foundation (OSGF).

Mode of Work

The monitoring of psychiatric institutions started in 2006, and during one year all the institutions were visited at least twice. By the end of 2007, 14 main visits and 3-4 ad hoc visits were conducted. There are maximum 20 visits undertaken per year, and subsequently reports are drafted.

There are 5 experts involved in the work of the Council and plus monitors (about 5-7).

Resources for monitoring visits were provided from GIP's EU-funded project, which also enabled the Council members to work on methodology and develop questionnaires.

The Council members conduct debriefings before and after each visit. There are preliminary meetings held and questionnaires allocated.

The monitoring group informs the administration of the institution in advance of a possible visit, however without specifying the date.

In the course of monitoring and with respect to response to violations, council members give administrative explanations and recommendations, also training on human rights issues of patients with mental problems, as deemed needed.

In addition to conducting monitoring visits, the Council investigates concrete facts of violations and provides evaluations.

The information is gathered in Tbilisi and processed by experts using SPSS system (software for processing statistical information and cluster analysis).

On the basis of the materials, recommendations are developed and conclusions and tendencies formulated based on the comparison with findings from previous monitoring.

In the course of monitoring psychiatric institutions the monitoring teams of the Council have a right to use audio, video and photo recording.

Tools

The Council uses several different questionnaires to interview patients at mental health hospitals and their personnel. There are 4 main questionnaires targeting administrative staff, doctors, middle level personnel, and patients.

Questionnaires have been refined and structured (Close-type questions are being used). Before using questionnaires, patients are asked to sign a letter of informed consent. The letter explains that the monitoring is being conducted by the Council and the purpose of it is to detect human rights violations; explains that patient's participation is very important as it helps to better study problems in a mental health facility and to develop respective recommendations. It also notes that participation is voluntary and patients can refrain from answering any question. The letter also emphasizes that confidentiality will be exercised while filling out questionnaires and afterwards processing them, as well as explains about the inadmissibility of monitoring team members to depict patient's personality without his/her permission on any recording.

The tools are used to conduct interviews as well as in-depth focus group meetings.

In terms of target topics there are questionnaires of general monitoring, those only for users, 2 focused questionnaires concerning monitoring of 1) Cruel and inhuman treatment and 2) Hospitalisation.

As for guiding materials for monitoring, a special monitoring methodology manual has been developed "Human Rights Monitoring in Psychiatric Institutions and Social Aid Houses", within the framework of GIP's EU-funded project in 2007. Adapted materials from Polish Helsinki Foundation ('Human Rights Monitoring' 2002) as well as UN and HURIDOCS have been used to develop the manual. It outlines the concept as well as preparatory stages of monitoring, methods, reporting and publicity. Annexes included in the manual are visualised concept of monitoring human rights of individuals with mental disturbances in closed institutions as well as legislative bases for these rights and questionnaires and a letter of informed consent.

Issues for Monitoring by the Council in the Psychiatric institutions

- Infrastructure of facilities
- Sanitation and hygiene
- Food/nutrition
- Heating
- Security
- Bases for confinement in an institution
- Medical care
- Awareness of patients about their rights, illness, diagnosis, treatment
- Forced labour of patients
- Contact with the outside world
- Quality of Care for patients
- Competence of care personnel
- Treatment of patients with mental disturbances (cruel, inhuman treatment)
- Punishment practices
- Use of measures of constraint
- Complaints mechanisms
- Compliance of the existing legislation with international standards on psychiatry.

Training

The members of the Council have undergone several training courses:

- "Human and Patients' Rights – in the context of Psychiatric Clinics" – basic course; November 2005 – GIP Tbilisi and Georgian mental Health Association; 2-day course for monitors.

- “Patients’ Rights”; December 2005; organised by the Office of Public Defender in Georgia; trainers from Wallenberg Institute (Stockholm);
- “Users-led assessment of psychiatric services”; by Mr. Lars-Olof Ljungberg - Malmo University /Sweden/; November 30 – December 3, 2006; 25 monitors attended the training, among them – 7 ex-users (3 from Batumi); topics covered included - basic human rights of persons with mental disorders, monitoring as a method – how to apply it: principles and procedures; follow up with specific questionnaires; training included special sessions for ex-users.
- “Monitoring of Closed Psychiatric Hospitals”; by Polish Helsinki Foundation for Human Rights (HFHR); 24-31 January, 2007; 3 Polish trainers (a psychiatrist, among others) conducted comprehensive training for 25 monitors. Topics of the trainings were as follows: basic human rights of persons with mental disorders international instruments and mechanisms for protection of HR of PMD; national mechanisms and compliance with international conventions, monitoring methods – description, process, steps; preparing monitors – skills and knowledge required; monitoring visit – data collection, analysing data and reporting; NGOs role in lobbying and advocating; logistics (inc. budgeting) of monitoring;
- “Monitoring of Institutions for Children with Intellectual Disabilities” – conducted by Dr. Dainius Pūras (Vilnius University, Lithuania), the member of UN Child Rights Committee; February 25 – 29, 2008. Topics of the training were as follows: international instruments and mechanisms for protection of HR of children with mental and intellectual disabilities; monitoring as a method for such institutions– how to apply it: principles and procedure; how to lobby and advocate for improvement of life of children and community integration policy

The next training (not for the monitoring council members) will be conducted in summer 2008 by Polish Helsinki Foundation’s experts on “ Capacity building of Managers/administration of Psychiatric, Social care and Child Institutions” (special training sessions on HR, new law on psychiatry care and OPCAT will be organized).

Overall, there were 3 trainings organised by the Ombudsman’s Office under UNDP project and three by GIP. There is still a need for training focused on separate rights of patients (protection from torture, new amendments to relevant legislation).

Reporting

Reports produced as a result of monitoring visits are confidential at the initial stage, and are sent only to the psychiatric institution in question, and comments are requested from the administration.

Final reports of visits are then compiled and a general report is prepared to be presented to the Parliament by the Ombudsman. Reports concern both systemic issues and separate cases. General and ad hoc reports – ad hoc reports focus on specific rights.

Special informative leaflets are prepared where some explanations are given to administrations of institutions on issues of interest to them.

5 official reports have been issued by the Ombudsman’s Office and earlier NGOs used to do their own reports.

Impact

Findings of the monitoring in 2005, 2006, 2007: Recommendations provided by the Ombudsman’s office and the Council have resulted in some degree of impact. Specifically, improvements in living conditions ensued in some institutions: gas supply was restored, wards of patients were rehabilitated, and heating system put in order; sanitation and hygiene conditions were improved; also nutrition, care and treatment systems changed for the better; provision of medications improved; patients were enabled to shower more regularly; furniture was replaced.

Boxes of complaints were installed in the institutions; social workers were employed to work with the patients.

After the publication of monitoring findings by the Ombudsman's office, work was started on the new Law on Psychiatric Aid, which was adopted at the end of 2006 by parliament and became effective starting from January 2007. The new law reflected all the rights of patients with psychological disturbances provided by international standards.

Also state funding increased by 30% for the psychiatric institutions; medical personnel changed, internal regulations developed for individual institutions.

There are now efforts to elaborate mechanisms of internal complaints to be made available to the patients and also to develop alternative treatment mechanisms.

Public awareness was raised about the issue evidenced by the report developed by GCRT to overcome the initial stigma enhanced by inadequate attitude by media.

Exhibitions of the works of patients were organised by the Council and the Ombudsman's Office.

Funding

Funding for the activities of the Council is drawn from grants mainly. Additional and constant funding is necessary in order to make the visits more frequent.

Donors of funding for various activities of the Council are: Swiss Embassy, European Commission, and Open Society Georgia Foundation.

At the beginning of 2006, funding for a pilot project of monitoring mental health hospitals was provided by the Swiss Embassy. During September 2006 – September 2007 development of monitoring mechanism and several monitoring visits were funded by the European Commission (both of them being coalition projects and leading applicant – GIP Tbilisi office).

The Open Society Georgia Foundation (OSGF) funded the Public Defender's Office to carry out monitoring visits and public awareness campaign (January – June 2007).

In November 2007 a one-year project started under the EU/EC funding which would encompass monitoring of general and forensic treatment facilities, social care institutions as well as homes for children with mental disabilities. 6 such homes were put in a project proposal: Senaki, Signagi, Kaspi, 2 in Tbilisi, Bodbe.

Implications with regard to NPM

This seems to be a good example of constructive and effective cooperation between the Office of Public Defender and the civil society. The Public Council has certainly contributed additional human resources and expertise to the work of the Ombudsman's Office with regard to monitoring human rights and addressing problems in mental health institutions.

The grounds for the effectiveness and efficiency of the work of this body seem to lie in the commitment of the persons involved, their high professionalism and ability to work as a team. Also outside funding, for trainings and monitoring visits has helped to sustain the work. One of the factors also is the small number of institutions to be visited and sufficient number of persons involved in carrying out monitoring visits.

If the Office of Public Defender is designated as a National Preventive Mechanism in Georgia, the cooperation with the Council could be retained and serve as a thematic mechanism covering psychiatric institutions. There is the needed expertise present, variety of professional backgrounds as well as commitment. However, increased funding and from the State budget will have to be allocated in order for the mechanism to be able to carry out effectively the preventive mandate envisaged by the OPCAT. Needless to say there will have to be independent and objective selection and recruitment criteria and processes for members. And the basis for drawing powers for members would be the authority of the Public Defender to delegate powers and immunities based on the relevant law.

Of course individual members of the Council might also serve as experts on, or consultants to, a mechanism covering all themes, but then they would need access to a large,

trained team in order to conduct a sufficient number of regular, expert, preventive visits all over the country, and to guarantee appropriate reporting and follow-up.

Homes for Elderly

Monitoring in these institutions is carried out solely by the Ombudsman's Office staff. The Office of the Public Defender has monitored all homes for the elderly throughout Georgia to study human rights situation in these institutions. A number of 7 homes were monitored. The purpose of the monitoring was to detect human rights violations, study the conditions concerning living, nutrition, security, medical service, care and rehabilitation and treatment, conduct analysis and prepare recommendations.

Monitoring team comprised only of the staff members of the Ombudsman's Office. 8 members were doing monitoring using a special monitoring instrument through personal interviews and focused group survey.

Specific issues for monitoring included: living conditions, sanitation and hygiene, heating and electricity wiring, furnishing; system of care for the elderly, personnel, medical care, provision of medications; right to information, possibility to use communication means (TV, telephone), internal complaints system; labour and remuneration; participation in family, public and economic life, decision-making process, income-generation activities.

Report was prepared on all homes, reflected in the Special Report of the Public Defender to Parliament highlighting many violations. Recommendations provided by the Public Defender's Office were fulfilled as reported by the administrations of homes for the elderly.

At the beginning of October 2007 there was a preparation by the monitoring team to conduct follow up monitoring visits - stage II.

Police Isolators

Based on Articles 18-19 of the Georgian Organic Law on Public Defender, the Ombudsman examines the situation with human rights in the places of detention (including police custody, pre-trial detention and other places of deprivation of liberty). Public Defender meets and interviews detainees, examines relevant documentation basis for custody detention. Besides, the Ombudsman his deputy as well as staff of the Office are entitled to access without hindrance any governmental body, agency and organisation, or institution including places of detention based on the authority granted by the Public Defender .

Therefore, one of the basic functions of the Public Defender's Office is to regularly examine treatment of persons in detention and to enhance protection from torture and other cruel, inhuman and degrading treatment or punishment; also provision of recommendations to relevant governmental bodies with the aim of improving conditions and treatment of detainees. Monitoring activity and visits help the Office to assess how the requirements of the national legislation as well as international standards in terms of human rights are met, particularly with regard to persons in detention. The Public Defender and his office then respond accordingly. The activities also serve the purpose of preventing violations of human rights.

One of the priorities of the Public Defender's office is control over the observance of human rights by police, disclosure of violations in police custody. Responding to violations occurs in the course of monitoring as well as based on complaints received from citizens. The Public Defender informs relevant bodies of the violations and provides recommendations based on Georgian legislation on what action needs to be taken.

The large-scale monitoring of police stations and temporary detention isolators started in December 2004 as a response to prevalent cases of torture and inhumane treatment of detainees. Monitoring visits were undertaken by the staff of the Ombudsman's Office together with national NGOs based on the memorandum with the Minister of Interior. NGOs were mandated by the Ombudsman based on the powers granted by the memorandum to also carry out visits to police cells any time and document violations. However, neither ombudsman's staff nor NGO

monitors had a right to use recording devices and mobile phones, which was an impediment in timely documentation.

During each visit special protocols were filled out recording injuries, types of violations detected, etc.

This monitoring practice along with the policy of the government to eradicate facts of torture and inhumane treatment led to the improvement of human rights in police detention.

The Public monitoring board for police comprised of civil society organisations had its own statute, which regulated its activities, membership, scope of action, etc. However, due some reasons it turned out to be quite short-lived. The activities of NGOs involved in the board lacked coordination between themselves and with the Office of Public Defender, as well as regularity and scope of action.

In his report for 2004 the Public Defender noted that large-scale and regular monitoring of police cells requires significant financial and human resources and that the Ombudsman's Office has no possibility for continuing monitoring of such large scale. Therefore, he called for the expedition of the ratification of OPCAT, which envisaged setting up of an independent monitoring body with proper funding.

There is a monitoring group established under the Department for Investigation and Monitoring in the Ombudsman's Office mainly responsible for providing oversight over the observance by the police of human rights, also for detecting human rights violations in police cells and responding to them. The Group takes action on the violations of rights guaranteed not only under the national legislation, but by international standards as well. Particular attention is paid to the facts of inhumane and degrading treatment, the use of psychological and physical pressure by law-enforcement agencies, as well as violations of procedural norms. Actual physical examination of detainees as well as interviews with them is means to find out the information regarding the infringements. Monitoring group also examines relevant documentation in police stations concerning detainees. Documented violations are then sent to Prosecutor General's Office and Ministry of Interior for further investigation and response. The Office also checks statistics of detainees admitted to pre-trial prisons with physical injuries.

Monitoring also covers physical conditions in police stations, including state of facilities, sanitation, and nutrition for detainees, heating and ventilation, etc.

During the year 2005 frequency of monitoring visits varied in intensity. It is noted in the Report of the Public Defender for 2006 (I part) that varying intensity and frequency of monitoring throughout the year was due to insufficiency of the human and material resources of the Office. And that monitoring of police and prisons is carried out only by the Staff of the Public Defender's Office.

During January-June 2005, 802 visits were carried out by the monitoring group disclosing 1191 violations, and in July – December, 2005 – 961 visits detecting 1191 violations of human rights, 1763 visits overall not including visits carried out by regional offices (in total amounting to 2000 visits in 2005). (1658 violations)

In January – June, 2006 307 visits, and in July – December 549 visits disclosing 150 violations; total number of 856 visits were carried out in 2006 and 1454 detainees were interviewed/examined).

During January – June, 2007 – 408 visits were made to police stations and temporary isolators throughout Georgia meeting 371 detainees). In the second half of 2007 (July – December) 411 visits were made.

Military Hauptwachts (Disciplinary Isolators)

These isolators are used as custody units for those military servicemen who have committed disciplinary violations and have been sentenced by Court to administrative detention.

There are only 6 military hauptwachts under the Military police functioning at the present time located in Tbilisi, Vaziani, Senaki, Batumi, Akhaltsikhe and Gori.

Monitoring on active basis of these detention places started in December 2006 by the Monitoring Group of the Office of Public Defender and 6 visits were carried out. Main purpose of the monitoring visits was to identify to what extent Standard Minimum Rules for Treatment of Prisoners as well as European Prison Rules was observed by administrations of Hauptwachts. During monitoring material conditions of detention were examined as well in line with the provisions of the international standards. In the Annual Report of the Public Defender (Part II) it is noted that only 2 out of 6 haputwachts comply international standards in terms of material conditions, and in the rest conditions are unbearable, and inhuman and degrading.

During visits, detainees are interviewed and also relevant documentation is examined.

In 2006 as a result of monitoring recommendations were sent by the Ombudsman to Minister of Defence to address inhuman and degrading conditions in military detention isolators. Public presentation was held at the Public Defender's Office about findings of monitoring in military detention units as well as recommendations submitted to the Minister of Defence. Despite written assurances of Ministry of Defence as well as military police department officials about their intention to improve the conditions following the recommendations of the Ombudsman as well as to eradicate hindrances to access, still problems persisted. During their monitoring visits in 2007 Monitoring Group did not see any improvements in the conditions from last year and encountered obstacles with regard to accessing military detention units.

The same intensity and frequency of monitoring was maintained by the Monitoring Group throughout 2007 and in total 35 visits were carried out. Out of this, in 20 cases, access was denied to representatives of the Public Defender. Main reason for this was absence of superiors of hauptwachts administrations at the time of the monitoring group's visit, rendering the guards incapable of making decisions on their behalf, even though it is a violation of the provisions of Organic Law on Public Defender to provide unhindered access to Public Defender and individuals authorised by him. One of the problematic areas might be the fact that the Criminal Code (Article 352) envisions criminal responsibility for hindering access to Public Defender, and not for individuals authorised by him. In the Annual Report 2007 (Part II) it is noted that some of the officials who provided obstacles to authorised proxies of the Ombudsman in terms of accessing military hauptwachts, were imposed disciplinary liability.

In his Annual Report 2007 (Part I) Public Defender has called for greater democratic and civil control over the military which would also fall under the IPAP with NATO. And Ombudsman also reminded of the provision in The Criminal Justice Reform Strategy Implementation Plan (2006) which envisions enhancing effectiveness of monitoring capacity of Public Defender's Office which also should cover monitoring of military units. Public Defender Subari called for more openness and transparency in the military units while respecting the strict discipline and subordination necessary for this system.

Military detention units remain to be problematic in terms of allowing unhindered access to Public Defender's representatives to carry out monitoring visits. And Public Defender's Office is the only body authorised to monitor units within the Defence System to examine human rights situation.

Penal Establishments

Monitoring of pre-trial detention places and penal establishments has been one of the focus areas for the Office of Public Defender. In all annual reports of the Ombudsman, section of considerable size is devoted to describing findings of monitoring in Georgian prisons, responding to acute problems in the system.

Conducting of monitoring in Georgian prisons was initiated by Mr. Subari, Public Defender of Georgia as a response to allegations of violations documented in complaints/applications of citizens. Monitoring is undertaken by staff members of the Ombudsman's Office as well as invited expert specialists. It needs to be noted that the staff of the Ombudsman's Office has no right to use audio, video and photo recording

Mode of work of the Ombudsman's Office with regard to penal system is not only responding to alleged violations and infringements of rights of inmates, but also undertaking proactive monitoring visits detecting and documenting both systemic issues and individual cases.

Monitoring explores conditions of imprisonment as well as treatment of prisoners by prison administrations and personnel.

Monitoring conditions of imprisonment includes: material state of prison facilities, infrastructure; overcrowding, hygiene and sanitation, bedding and clothing, nutrition, education and employment, allocation of prisoners, etc. Focus for monitoring also encompasses examining how procedures work: search, conveying of inmates, parole, etc. Important area of monitoring includes quality and management of medical service in prisons (emergency care, treatment of chronic diseases, etc). Comprehensive monitoring of medical care and health care services in prisons is undertaken in cooperation with invited medical experts, specialists.

Large area subject of separate scrutiny by Public Defender's Office is investigation into causes of deaths in prisons and adequacy of treatment preceding deaths, as well as that of medical forensic examination.

Documenting and describing cases of torture, and cruel, inhuman, degrading treatment or punishment, ill treatment and abuse of prisoners is subject of monitoring.

Vulnerable prisoners, emergency situations (hunger strikes, suicides, riot, deaths in prison custody, unrest, disturbances) are paid particular attention.

Monitoring strategy includes undertaking follow-up visits to assess whether the situation has improved after the previous visit and whether recommendations have been observed.

Monitoring tools of Public Defender's monitoring team are based on international standards (medical standards, European Prison Rules, UN Standard Minimum Rules for the Treatment of Prisoners, CPT recommendations for Georgia, CPT General Report, etc).

Existing situation in prisons is assessed against national legislation as well as international standards, and recommendations follow accordingly also using world best practices.

Statistics are obtained from Ministry of Justice and Ministry of Interior on number of persons admitted to pre-trial detention places with injuries.

Individual consultations for prisoners (legal, social, psychological, etc) are carried out. During the second half of 2007, 160 visits were made and 913 prisoners seen.

Implications of Ombudsman's Office staff monitoring with regard to NPM

If it is to carry out preventive visits in line with the requirements of OPCAT, the Ombudsman's Office needs to have considerably more human (and indeed other) resources internally and also to have the financial and statutory possibility to invite outside experts who will benefit from sufficient immunities. Despite the fact that the Office of Public Defender has shown itself capable of carrying out a considerable number of visits to places of detention: police stations, the high number of temporary detention isolators, as well as penal establishments and military *hauptwachts*, still the Ombudsman himself refers to the insufficiency of human and material resources to make more regular visits and follow up visits, which would serve the prevention purpose more completely. There are issues about the ability to cover the additional areas of possible detention implied under OPCAT. The monitoring team consists of 10 individuals, 4 of them carrying out visits to establishments in Tbilisi and East Georgia and 6 in West Georgia. This problem will have to be addressed if the Ombudsman's Office is designated as the NPM for Georgia. In terms of attracting additional human resources, it would seem that suitably qualified and motivated civil society members could be effectively involved in monitoring and visiting persons in detention provided relevant training and working statutes are ensured, and at least expenses.