

DISCRIMINATION

WOMEN'S RIGHTS

Violence against women persisted. In July, the minister of women, children and social welfare stated that the Network against Gender-based Violence had recorded 251 cases of gender-based violence, 240 of these against women, over the last 12 months.

Women remained under-represented in public offices. According to UN Women, as of February 2021 only 8.6% of the parliament's seats were held by women.

LGBTI PEOPLE'S RIGHTS

LGBTI people still lived under the threat of oppressive laws, which created an unsafe environment. Section 144 of the Criminal Code provided for a 14-year prison sentence for anyone who has "carnal knowledge of any person against the order of nature [...] or permits any person to have carnal knowledge of him or her against the natural order." Section 147 criminalized an "act of gross indecency" between two people of the same sex with five years in prison. Section 144A created the crime of "aggravated homosexuality" for "serial offenders" and those living with HIV, punishable by life imprisonment.

TORTURE AND OTHER ILL-TREATMENT

The Prevention and Prohibition of Torture bill was still pending at the National Assembly. As such, at the end of the year there were no national laws defining torture and establishing it as an offence.

DEATH PENALTY

Despite the establishment of an official moratorium on executions, and the country's accession to the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, courts continued to hand down death sentences. On 14 July, the High Court in Banjul found Yankuba Touray, former junta member and ally of former president Yahya Jammeh, guilty of the murder of Ousman Koro Ceesay, former minister of finance. He was sentenced to death by hanging. Two other men – one in

July and one in October – were sentenced to death for murder.

GEORGIA

Georgia

Head of state: **Salome Zurbishvili**

Head of government: **Irakli Garibashvili**

Members of the opposition, media critical of the government and NGOs were attacked, intimidated and wiretapped amid an atmosphere of impunity. Concerns persisted over a lack of judicial independence, selective justice and politically motivated prosecution of government opponents. Construction of the controversial Namakhvani hydropower plant was halted following protests. Labour rights abuses and violations were widespread and amplified by Covid-19 related restrictions. Violations in the breakaway territories of Abkhazia and South Ossetia/Tskhinvali Region included restrictions on freedom of movement and torture and other ill-treatment.

BACKGROUND

The political crisis continued. In July, the ruling party withdrew from an April deal brokered by the EU to resolve a stand-off with the opposition. The deal had proposed electoral and judicial reforms and to address perceptions of politicized justice.

The ruling party won local elections in October amidst widespread reports of electoral irregularities. The opposition called for renewed protests from November against the election results and the arrest of Georgia's former president Mikheil Saakashvili.

The ruling party increasingly undermined the independence of the institutions ensuring human rights and government accountability. In December, parliament hastily disestablished the State Inspector's Service, which investigated police abuses, and passed amendments undermining judicial independence.

In September, the government backtracked on its commitment to end politicized

appointments to the judiciary, thereby forfeiting half of the EU's €150 million loan to help with the Covid-19 pandemic.

Covid-19 infections and related deaths spiked in August-September and November. Vaccination roll-out was slow as anti-vaccine attitudes remained strong, influenced by the Georgian Orthodox Church.

The breakaway regions of Abkhazia and South Ossetia/Tskhinvali Region remained under Russian occupation and overall control.

FREEDOM OF EXPRESSION AND ASSEMBLY

Members of the opposition, civic activists and journalists critical of the government were threatened and attacked. The authorities at times made statements condoning such violence, fostering the sense of impunity.

On 5 July, the planned Tbilisi Pride march was cancelled after police failed to protect the organizers from violent counter-protesters. The same day, a violent homophobic mob ransacked the building housing the Tbilisi Pride office and forced the organizers to flee. Around 50 journalists at the site were attacked and injured. One of those severely beaten, TV Pirveli's camera operator Lekso Lashkarava, was found dead in his house six days after the incident. The authorities denied responsibility, blaming the Pride organizers for effectively provoking the violence, and published extensive CCTV footage of Lekso Lashkarava's last day, insinuating that he might have procured drugs. The authorities failed to identify the organizers of the mass violence or ensure an effective investigation of the violent events by the year's end.

MASS SURVEILLANCE

On 12 September, thousands of files revealing widespread surveillance and wiretaps by the State Security Service of Georgia were leaked to the media and the internet, featuring details about the personal lives of journalists, civil activists, politicians, clerics and diplomats. An investigation into

the alleged illegal surveillance had produced no result by the year's end.

UNFAIR TRIALS

Concerns grew regarding government influence over the judiciary, the use of selective justice and the politically motivated prosecution of political opponents and critical media.

Two cartographers detained on questionable charges of "violating the country's territorial integrity" in October 2020 were released on bail on 28 January, but the criminal case against them remained open.

On 23 February, police arrested opposition party chair and parliamentarian Nika Melia for purported incitement of violence during 2019 anti-government protests. He was released on 10 May after the EU posted his bail, seeking to ease government-opposition tensions.

The trial continued of the director and co-founder of the pro-opposition TV channel Mtavari on unfounded charges of abuse of power and embezzlement. Giorgi Rurua, one of the channel's main shareholders, was pardoned and released in April from a four-year sentence imposed in 2020.

On 1 October, Georgia's former president Mikheil Saakashvili was arrested on his return from exile to serve a six-year sentence passed in his absence. Following a five-week hunger strike, he was forcibly transferred to a prison hospital without adequate healthcare facilities where he faced threats and insults from other inmates and degrading treatment by the prison authorities. On 20 November he was transferred to a military hospital in a critical condition, but transferred back to prison on 30 December. His doctors reported that his health had been seriously damaged as a result of ill-treatment. An investigation by the State Inspector's Service into the allegations was halted after the institution was disestablished. Mikheil Saakashvili's request for a retrial was denied.

In November, the EU ambassador criticized the Georgian authorities' "setbacks in the area of the judiciary and rule of law", including politicized, "non-transparent and

non-competitive” appointments of judges to the Supreme Court and the High Council of Justice, and the failure to adopt promised constitutional amendments on the process of appointing the Prosecutor General.

ENVIRONMENTAL DEGRADATION

In September, following year-long protests, construction of the controversial Namakhvani hydropower plant in western Georgia was cancelled. Throughout the year, protesters challenging the construction of the plant over environmental safety concerns were on several occasions detained by the police and prevented from assembling near the construction site.

WORKERS' RIGHTS

Labour rights abuses and violations were widespread as companies laid off employees without due process and reduced or refused to pay wages, including those of essential workers, due to restrictions related to the Covid-19 pandemic.

In March, dozens of employees of a regional food delivery company had their employment contracts terminated in retaliation for collective protests over wage cuts and worsening working conditions. In August, Tbilisi municipal rubbish collectors reported receiving threats and wage cuts in retaliation for holding a three-day strike demanding better working conditions.

ABKHAZIA AND SOUTH OSSETIA/TSKHINVALI REGION

TORTURE AND OTHER ILL-TREATMENT

There remained no effective investigation into the death of Inal Dzhabiev from the breakaway South Ossetia/Tskhinvali Region, who died in custody in Tskhinvali after being severely beaten following detention in August 2020.

Anri Ateiba, from the breakaway Abkhazia region, died on 14 September after he was found unconscious in the temporary detention centre in Gagra on 12 August. The investigation into his death remained pending.

The health of Irakli Bebuta, an ethnic Georgian resident of Gali serving nine years' imprisonment for burning the Abkhaz flag, reportedly deteriorated due to chronic diseases and lack of adequate healthcare in detention.

FREEDOM OF MOVEMENT

The de facto authorities in Abkhazia and South Ossetia/Tskhinvali Region continued to detain civilians and restrict movement in and out of government-controlled territory, including through additional pandemic-related quarantine restrictions, which impacted a range of human rights including economic and social.

GERMANY

Federal Republic of Germany

Head of state: **Frank-Walter Steinmeier**

Head of government: **Olaf Scholz (replaced Angela Merkel in December)**

The number of hate crimes increased, but the authorities failed to develop a comprehensive strategy against violence rooted in discrimination. The law to protect children born with variations of sex characteristics came into force. A law on freedom of assembly in North Rhine-Westphalia disproportionately restricted the right to freedom of peaceful assembly. Authorities promised humanitarian visas to the most vulnerable Afghans and their families. Amendments to the intelligence law allowed authorities to install surveillance technology to monitor encrypted communication. Germany opposed a proposed waiver to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) aimed at increasing international distribution of Covid-19 vaccines. In a landmark court ruling, the Federal Climate Protection Act was found partially unconstitutional.