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Country Policy and Information Note

Georgia: Sexual orientation and gender identity and expression

Version 2.0

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Executive summary

This Note does not cover the situation in the Russian-occupied regions of Abkhazia and South Ossetia.

In general, persons identifying as LGBTI are not subject to treatment by the state or non-state actors that is sufficiently serious, by its nature or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.

Whilst not explicitly mentioned, the Constitution protects the rights of LGBTI individuals in Georgia, protecting the community against discrimination and ensuring access to basic services, employment, property and healthcare. In practice, LGBTI persons report barriers in accessing basic services and discrimination on the basis of their sexual orientation and/or gender identity. There are no legal provisions for same-sex marriage or civil partnerships. Conversion therapy, although not officially banned, is not commonly practiced.

Widespread negative attitudes towards LGBTI persons prevail, particularly among far-right groups and the Georgian Orthodox Church. Occasionally, political officials' anti-LGBTI rhetoric has fuelled violence and discrimination against the LGBTI community, particularly at public events such as Pride, and constitute the majority of incidents committed against LGBTI persons. However, whilst societal attitudes remain generally negative, that they have improved recently, particularly among urban communities and the younger demographic. One study from 2020 highlighted that generally LGBTI persons were 'comfortable' living in Georgia.

There is no evidence to suggest that state actors actively target the LGBTI community. Nevertheless, the LGBTI community are generally mistrusting of law enforcement and inconsistent handling of cases which has led to underreporting of hate crimes. The state has been criticised for its failure to pursue perpetrators of violence against the LGBTI community, particularly those responsible for violence at public Pride events. However, official statistics show that hate crimes are being reported and are addressed by the criminal justice system, with 106 criminal investigations initiated on the basis of intolerance on the grounds of sexual orientation, gender identity, and expression (SOGIE) in 2021, of which there were 67 prosecutions and 20 convictions. In 2022, there were 76 investigations, 55 prosecutions and 40 convictions. In 2023 there were 50 investigations, 47 prosecutions and 19 convictions. The Ombudsman's office also actively investigates complaints made by LGBTI persons.

In urban areas, notably Tbilisi, LGBTI persons have a higher degree of freedom and ability to express their sexual orientation and/or gender identity. The presence of support groups and dedicated NGOs in Georgia continues to contribute positively to the advancement of LGBTI rights.

In general, the state is both willing and able to offer sufficient protection from non state actors, including 'rogue' state actors. In general, internal relocation is also likely to be reasonable and not unduly harsh, particularly to urban areas and large cities, such as Tbilisi. Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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Assessment

updated: 19 September 2024

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by state or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity or expression
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

This note provides an assessment of the general situation for gay men, lesbians, bisexuals, trans and intersex (LGBTI) persons, as well as those perceived as such. They are referred to collectively as 'LGBTI persons', although the experiences of each group may differ. **This Note does not cover the situation in the Russian-occupied regions of Abkhazia and South Ossetia.**

For general guidance on considering claims made by LGBTI persons, decision makers should refer to the Asylum Instructions, [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).
- 1.1.4 For guidance on interviewing generally see the Asylum Instruction on [Conducting asylum interviews](#).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Convention reason(s)

- 2.1.1 Actual or imputed particular social group (PSG).
- 2.1.2 LGBTI persons in Georgia form a PSG within the meaning of the Refugee Convention because they share an innate characteristic, or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it **and** have a distinct identity in Georgia because the group is perceived as being different by the surrounding society.
- 2.1.3 Although LGBTI persons in Georgia form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question is whether the person will face a real risk or has a well-founded fear of persecution on account of their membership of the group.
- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

3. Risk

3.1 Risk from the state

- 3.1.1 In general, LGBTI persons do not face treatment from state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.1.2 Consensual same-sex sexual activity is not criminalized for men or women. (See [Criminal Code](#)).
- 3.1.3 While the Constitution does not specifically list sexual orientation and gender identity among the prohibited grounds for discrimination, in 2014 the Constitutional Court ruled that protected grounds should be interpreted as including sexual orientation. While positive changes to law and policy have been introduced as part of the EU-accession process, sources claim that LGBTI persons remain overlooked and that the existing protections from discrimination are ineffective (See [Anti-discrimination](#) and [Policy framework](#)).
- 3.1.4 Prime Minister Irakli Gharibashvili and other public officials occasionally make anti-LGBTI statements, including claims about gay 'propaganda', as part of a wider anti-European and anti-liberal rhetoric tied in with the promotion of 'traditional' Georgian values, which appeals to far-right voters and can exacerbate marginalisation of LGBTI persons (see [State attitudes](#)).
- 3.1.5 There is no evidence to support that state actors systematically target LGBTI persons. The majority of reports of human rights violations against LGBTI persons relate to acts committed by non-state actors during public events such as Pride. For an assessment of the protection afforded by the state to members of the LGBTI community, see [Protection](#).
- 3.1.6 There is no provision in Georgian law for same sex marriages or civil partnerships. Conversion therapy is not banned but there is limited information on the use of conversion techniques in practice (See [Marriage and civil union](#) and [Conversion therapy](#)).
- 3.1.7 There is no clear legal framework covering gender recognition. However, in practice, persons who undergo surgery can change their gender on their birth certificate and other legal documents. A 2022 ruling by the European Court of Human Rights (ECtHR) found that Georgia had violated Article 8 of the European Convention on Human Rights (ECHR) by refusing legal gender recognition for 3 transmen who had not undergone sex reassignment surgery (See [Transgender rights](#)).

3.2 Risk from non-state, including 'rogue' state, actors

- 3.2.1 In general, LGBTI persons do not face treatment from non-state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.2.2 Societal attitudes towards LGBTI persons in Georgia are multifaceted, and

the state's lack of recognition of homophobia as an issue contributes to societal polarisation. Quantitative and qualitative research conducted in Georgia between 2016 and 2021 found that negative attitudes towards LGBTI persons are strong and widespread but that these negative perceptions have decreased. Research undertaken by the Women's Initiatives Support Group (WISG) indicated a positive shift in societal attitudes, with decreasing indices of homo/bi/transphobia and growing support for rights such as gay marriage and adoption. Disparities in attitudes persist, with certain demographics, like men, older persons and those living in non-urban areas exhibiting more negative views. LGBTI persons in more urban areas, such as Tbilisi, enjoy a higher degree of freedom in expressing their sexual orientation and gender identity (see [Societal attitudes](#) and [Freedom of movement](#)).

- 3.2.3 Whilst based on a relatively small sample, a study by the Human Rights Education and Monitoring Centre (EMC) based on 320 LGBTI participants in 2020 aged 18 to 29 found that 52% of respondents reported being victims of 'violence' at some point in their lives due to their sexual orientation or gender identity. However, 'violence' encompassed a wide range of behaviours, including both physical and psychological forms. Generally, the study showed that LGBTI people continue to face physical and psychological violence at home, in public and on online platforms. Specifically however, it showed a minority of 29.4% of respondents having experienced physical violence within the 2 years preceding the study and slightly less than half (48.4%) of respondents reported experiencing psychological violence in the form of verbal abuse, humiliation, ridicule, emotional manipulation and the restriction of gender expression. Despite these findings, the study also found that only 19% of respondents reported social isolation from friends and family (see [Societal treatment](#)).
- 3.2.4 The Constitution of Georgia outlines that all citizens have the right to property, employment, education and healthcare. Sources such as the Coalition for Equality noted that the LGBTI community face discrimination when accessing accommodation, healthcare and employment. However, whilst a minority of LGBTI respondents in the 2020 EMC study detailed their experiences of homelessness due to 'coming out' and leaving their family homes, the study overall showed that the majority of respondents (65.7%) had never faced homelessness. LGBTI persons can face discriminatory treatment when accessing healthcare, with the EMC highlighting a minority of respondents who had experienced instances of 'mocking attitudes', inappropriate questions, service refusal, insults, ignorance of specific needs and breaches of confidentiality. However, overall, 85.6% of respondents reported no experiences of discrimination in accessing healthcare. The study showed that employment opportunities appeared to be influenced by openness and expression of sexuality but highlighted that of the respondents, a majority of 68.8% were employed (see [Access to services](#)).
- 3.2.5 The 2020 EMC study found varying degrees of happiness and openness among LGBTI respondents, with transgender respondents reporting the lowest happiness levels and bisexual men reporting the highest. The same study found that the majority of respondents felt either 'very comfortable', 'comfortable' and 'partly comfortable, partly uncomfortable' living in Georgia

(see [Lived experience, visibility and 'coming out'](#)).

- 3.2.6 There is a higher visibility of LGBTI persons in urban areas such as Tbilisi, with many younger LGBTI persons moving to urban cities where they report feeling more able to express their identities and connect with the LGBTI community. There is a small 'underground' LGBTI scene in Tbilisi encompassing comedy, clubbing, art and social movements, and there are numerous support organisations working to empower and protect the rights of the LGBTI community across the country.
- 3.2.7 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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4. Protection

- 4.1.1 Most reports of human rights violations against LGBTI persons relate to the annual Pride festival held in Georgia's capital, Tbilisi. Far-right groups disrupted the festival in 2021, 2022 and 2023. Sources criticised the police's response to mob violence during the 2021 event. Whilst 3 individuals were arrested and charged, sources suggest that the punishments were lenient and that the authorities failed to investigate and prosecute the organisers of the demonstrations. In 2022 and 2023, the public parade was cancelled and replaced by 'closed-door' events. A police presence during the 2022 and 2023 festivals resulted in the arrest of some far-right demonstrators, although sources did not report any subsequent prosecutions (see [State Response to Pride events](#)).
- 4.1.2 Police reportedly sometimes use abusive terminology and aggression towards LGBTI persons when they have been called upon to protect them. LGBTI persons lack trust in the police, resulting in the underreporting of hate crime incidents. However, a reluctance to seek protection does not mean that protection is unavailable. Additionally, data on hate crimes indicates that LGBTI persons can, and do, report hate crime incidents to the police. Data is only available from October 2020, with 2 full years of data for 2021 and 2022, making it difficult to verify trends. In 2021, 106 criminal investigations were initiated on the basis of intolerance on the grounds of SOGIE, and there were 20 convictions. In 2022, there were 76 investigations and 40 convictions (see [Protection – LGBTI](#) and [Prosecutions and convictions](#)).
- 4.1.3 Whilst the Ombudsman's decisions have been criticised by LGBTI activists for their lack of reasoning and failure to always contain a proper analysis of all the circumstances of a case that may indicate discrimination, LGBTI persons can, and do, submit complaints to the Ombudsman if their rights have been violated. The Ombudsman investigated 11 SOGIE-related cases of alleged discrimination in 2021 and 17 cases in 2022, although the outcome of the cases and any redress provided to complainants is unknown. (see [The Public Defender \(Ombudsman\)](#)).
- 4.1.4 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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5. Internal relocation

- 5.1.1 In general, there are parts of Georgia where an LGBTI person would not have a well-founded fear of persecution/real risk of serious harm and would be reasonable for them to relocate to. This includes, but is not limited to, the capital city of Tbilisi. Each case must be considered on its facts.
- 5.1.2 Georgia is a small country with a population of approximately 3.6 million. Approximately 1 million people live in the capital of Tbilisi. There is a higher visibility of LGBTI individuals in urban areas such as Tbilisi, with many younger LGBTI individuals moving to urban cities where they report feeling more able to express their identities and connect with the LGBTI community (see [Freedom of movement](#)).
- 5.1.3 Internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location if the reason (or one of the reasons) is a fear of persecution. Each case must be considered on its facts.
- 5.1.4 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and [Sexual orientation in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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6. Certification

- 6.1.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before 20 September 2024. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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7. Legal framework

7.1 Criminal Code

- 7.1.1 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) observed in its 2020 report 'State-Sponsored Homophobia 2020: Global Legislation Overview Update', that there are no laws in Georgia prohibiting same-sex sexual activity between consenting adults¹.
- 7.1.2 The ILGA report 2020, stated: 'The [Criminal Code](#) (2000) of Georgia removed the pre-existing sodomy provisions that were carried through from the Soviet Union period.'²
- 7.1.3 The ILGA report further stated: 'Article 53(3) of the Penal Code [Criminal Code] (2000), as amended in 2012, provides that the commission of a crime on the basis of sexual orientation constitutes an aggravating circumstance for all crimes under the Code.'³
- 7.1.4 The US State Department, 2023 Country Report on Human Rights Practices: Georgia (USSD HR Report 2023), 23 April 2024, noted: 'Consensual same-sex sexual conduct was not criminalized for men or women, and the age of consent was equal. There were no laws criminalizing cross-dressing or other sexual or gender-characteristic behaviors.'⁴

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7.2 Anti-discrimination

- 7.2.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported:

¹ ILGA, [State-Sponsored Homophobia 2020: Global Legislation...](#) (page 328), 15 December 2020

² ILGA, [State-Sponsored Homophobia 2020: Global Legislation...](#) (page 105), 15 December 2020

³ ILGA, [State-Sponsored Homophobia 2020: Global Legislation...](#) (page 246), 15 December 2020

⁴ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

‘Georgia has a well-developed anti-discrimination legal framework which covers discrimination based on sexual orientation, gender identity, and expression (SOGIE). The principle of equality is enshrined in Article 11 of the Georgian Constitution and although it does not specifically list sexual orientation and gender identity among the prohibited grounds for discrimination, the Constitutional Court of Georgia ruled in 2008 that the list of protected grounds is not exhaustive and in 2014 that protected grounds should be interpreted as including sexual orientation, among other grounds.’⁵

7.2.2 The USSD HR Report 2023 noted: The law did not explicitly recognize LGBTQI+ couples and their families nor grant them rights equal to rights of other persons.’⁶

7.2.3 The ILGA, in its report - Laws on Us: A Global Overview of Legal Progress and Backtracking on Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics, 30 May 2024, noted:

‘In November 2022, a far-right extremist group known as Alt-Info introduced a Bill to Amend the Law on Assemblies and Manifestations [...] (2022) into the Georgian Parliament, supported by the signatures of 25,000 citizens. The proposed legislation aimed to ban all public gatherings that “promote or popularise propaganda of sexual orientation” or involve “statements or calls that are against any religious movement”, among other concerning elements. In May 2023, an extension was granted to the Legal Affairs Committee to facilitate a thorough review of this draft law. Subsequently, Georgian media reported that the Party of European Socialists intended to introduce another draft law aimed at restricting “LGBT propaganda”.

‘In early March 2024, the Georgian Dream announced their intention of advancing a draft law to ban “LGBT propaganda”. In particular, this proposal would seek to counter “pseudo-liberal ideology” that promotes “non-traditional orientation” and the “introduction of gender-neutral terminology”. According to media reports, these plans were expressly endorsed by the Prime Minister of Georgia.

‘On March 25, the leader of the Georgian Dream parliamentary majority, Mamuka Mdinaradze, announced two draft constitutional laws to amend Article 30 of the Constitution to enshrine the “protection of family values and minors”. Mdinaradze also explained that in the very near future, the party would initiate more concrete amendments to legislation. These amendments are expected to encompass several dozen laws. In effect, upon explaining the tenets of the constitutional reform, he outlined a long list of measures that represent profound and severe regressions in legal protections related to sexual orientation and gender identity. These included banning the dissemination of information, gatherings, and education promoting same-sex relationships, non-heterosexual adoption, gender reassignment, or gender-neutral terminology in public or private institutions, among other regressive proposals, such as recognising only unions between “genetically male and female individuals”; restricting adoption or fostering to married couples or heterosexual individuals; prohibiting gender-affirming medical interventions

⁵ CoE-CommDH, [Commissioner's report on the visit to Georgia](#) (para 1.1.1), 15 July 2022

⁶ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

and outlawing legal gender recognition.⁷

7.2.4 For the 'Draft Constitutional Law of Georgia on Protecting Family Values and Minors', see [Venice Commission :: Council of Europe \(coe.int\)](https://www.coe.int/en/web/venice-commission/-/draft-constitutional-law-of-georgia-on-protecting-family-values-and-minors).

7.2.5 On 29 June 2024, Le Monde, a French general news media, reported:

'On Thursday, June 27, the Tbilisi parliament passed its first reading of a draft law on the "Protection of Family Values and Minors," as well as amendments to 18 laws designed to deprive sexual minorities of their rights. The legislative package was approved with 78 votes in favor and none against – the majority of opposition MPs did not attend the plenary session as they have been boycotting parliamentary work since the adoption of the law on foreign influence...

'The new law bans same-sex marriage, the adoption of children by non-heterosexuals and by "those who identify themselves as different from their sex," as well as gender reassignment surgery. It also bans public gatherings "aimed at promoting homosexual relations and the identification of a person with a different gender," the dissemination of information on the subject, likened to "LGBTQ+ propaganda," and any reference to or positive image of same-sex relations in the media, films and schools. Offenders will be fined up to 5,000 laris (around €1,660) [£1,400⁸], a colossal sum in this Caucasus country, where the average monthly wage is 1,300 laris.'⁹

7.2.6 On 17 September 2024, Al Jazeera English, a 24-hour English-language news channel operating under the Qatari state-owned Al Jazeera media network, reported:

'Georgian politicians have approved the third and final reading of a law on "family values and the protection of minors" that would impose sweeping curbs on LGBTQ rights. The bill, adopted on Tuesday, would provide a legal basis for authorities to outlaw Pride events and public displays of the LGBTQ rainbow flag, and to impose censorship of films and books. It also bans gender transition, adoption by gay and transgender people, and nullifies same-sex marriages performed abroad on Georgian territory.

'In a vote boycotted by the opposition, politicians from the ruling Georgian Dream voted 84 to 0 to approve the bill along with related amendments to a number of other laws. Leaders of the governing Georgian Dream party say it is needed to safeguard "traditional moral standards" in Georgia, whose deeply conservative Orthodox Church is highly influential.'¹⁰

7.2.7 On 17 September 2024, The Office of the United Nations High Commissioner for Human Rights (OHCHR) reported:

'The newly adopted law on "family values and protection of minors" in Georgia contains provisions that present risks to a wide range of human rights. These include the rights to equality, non-discrimination, education, health, freedom of expression, peaceful assembly and association, as well as privacy, liberty and security.

⁷ ILGA, [Laws on Us: A Global Overview of Legal Progress and ...](#) (page 88), 30 May 2024

⁸ Xe.com, [5,000 GEL to GBP - Convert Georgian Lari to British Pounds](#), 19 September 2024

⁹ Le Monde, [Georgia's LGBTQ+ community is the government's new scapegoat: 'It's ...](#), 29 June 2024

¹⁰ Al Jazeera, [Georgia's parliament approves law curbing LGBTQ rights](#), 17 September 2024

‘The text imposes discriminatory restrictions on education, public discussion and gatherings related to sexual orientation and gender identity. It also contains vague formulations and perpetuates negative stereotypes about LGBTIQ+ people by, for example, creating a false equivalence between consensual same-sex relationships and incest. The law prohibits the legal recognition of same-sex couples and of transgender people. It also hinders their access to healthcare and negatively affects efforts to fight HIV/AIDS in Georgia.’¹¹

- 7.2.8 The BBC, reporting on 19 September 2024, noted: ‘The ruling party said the "Protection of Family Values and Minors" bill was designed to protect a majority of Georgians seeking protection from "LGBT propaganda". But local LGBT rights campaigners said the government had used homophobic and transphobic language and ideas in promoting the bill.’¹²

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7.3 Marriage and civil union

- 7.3.1 There is no provision in Georgian law for same sex marriages or civil partnerships¹³.
- 7.3.2 Article 30 of the Constitution was amended in 2018 from marriage defined as ‘based upon the equality of rights and the free will of spouses’¹⁴ to define marriage as ‘a union of a woman and a man for the purpose of founding a family’.¹⁵

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7.4 Transgender rights

- 7.4.1 On 25 March 2021, a transwoman’s gender was legally recognised for the first time after the applicant submitted a certificate from a medical institution as proof of a surgical operation of gender reassignment¹⁶.
- 7.4.2 In April 2022, the Public Defenders (Ombudsman) Office (PDO), Georgia’s national human rights organisation, stated that ‘the issue of Legal Gender Recognition is not judicially regulated, and the general procedures for considering this process are also obscure.’¹⁷
- 7.4.3 The 2022 PDO report explained that the only regulatory statute that can be used for legal gender recognition is the ‘Law on Civil Status Acts’ as ‘gender reassignment is one of the grounds for amending the civil status acts, according to Article 78 of the law’. Although the law doesn’t define ‘gender reassignment’ or define any procedures associated with it¹⁸.
- 7.4.4 In April 2023, based on various sources, the Eurasian Coalition for Health, Rights, Gender and Sexual Diversity (ECOM), a Georgian [Non-Governmental Organisation] NGO campaigning for LGBT rights, noted that

¹¹ OHCHR, [Georgia: call to rescind new anti-LGBTIQ+ law](#), 17 September 2024

¹² BBC, [Trans woman killed in Georgia day after anti-LGBT law passed](#), 19 September 2024

¹³ ILGA, [State-Sponsored Homophobia 2020: Global Legislation...](#) (page 328), 15 December 2020

¹⁴ Constitution Net, [The Constitution of Georgia, 1995 \(as Amended to 2004\)](#), Article 36

¹⁵ Legislative Herald of Georgia, [Constitution of Georgia ...](#), 29 June 2020

¹⁶ WISG, [First time in Georgia trans person's gender has been legally recognised](#), 31 March 2021

¹⁷ PDO, [The Rights of LGBT+ People in Georgia](#), (page 17), 29 April 2022

¹⁸ PDO, [The Rights of LGBT+ People in Georgia](#), (page 18), 29 April 2022

due to Georgian legislation not taking into account the needs of transpersons, there are a number of legal barriers for those who seek to change gender on their birth records and official documents¹⁹.

- 7.4.5 Human Rights Watch (HRW), in its World Report 2024 – Georgia, 12 January 2024, noted: ‘In December 2022, the European Court of Human Rights [ruled](#) against Georgia for failing to allow transgender individuals to change the gender marker on their official documents without undergoing medical sex reassignment procedures.’²⁰
- 7.4.6 In December 2022 the ECtHR ruled on the case of [A.D and others v. Georgia](#). The applicants were three transmen who argued that they had been unable to obtain legal recognition of their gender because they had not undergone sex reassignment surgery. The ruling stated:
- ‘The Court found that in particular that, despite the fact that the right to have one’s sex changed in civil status records had existed in Georgia since 1998, there had not apparently been one single case of successful legal gender recognition. The imprecision of the current domestic legislation undermined the availability of legal gender recognition in practice, and the lack of a clear legal framework left the domestic authorities with excessive discretionary powers, which could lead to arbitrary decisions in the examination of applications. Such a situation was fundamentally at odds with the respondent State’s duty to provide quick, transparent and accessible procedures for legal gender recognition.’²¹
- 7.4.7 The USSD 2023 HR Report noted: ‘There was no law explicitly governing legal gender recognition; however, established practice required bodily modification surgeries before individuals could petition to change their birth certificates and other legal documents. The law did not provide options for transgender individuals who did not – for medical, financial, or any other reasons – wish to undergo surgery to register their gender.’²²

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7.5 Conversion therapy

- 7.5.1 The USSD 2023 HR Report noted: ‘So-called conversion therapy practices were not banned. According to Tbilisi Pride, there were several cases of parents taking children to a psychiatrist in an attempt to change the sexual orientation or gender identity or expression of the child.’²³
- 7.5.2 CPIT found no other sources relating to conversion therapy in Georgia (See [Bibliography](#)).

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8. State attitudes

- 8.1.1 In July 2021, OC Media, a regional online news service, reported comments made by Prime Minister Irakli Gharibashvili in the aftermath of violence

¹⁹ ECOM, [Analysis of Georgian Legislation for 2022 ...](#), (page 10), 14 April 2023

²⁰ HRW, [World Report 2024 – Georgia](#), 12 January 2024

²¹ ECtHR, [Judgement A.D. and Others v. Georgia...](#), 1 Dec 2022

²² USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

²³ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

around the 2021 Tbilisi Pride parade:

“When 95% of the population are against conducting a propagandist parade, we should obey this”, he [Gharibashvili] added.

‘He also claimed, without evidence, that the violence of recent days was an unsuccessful conspiracy against the state planned and carried out by “anti-state anti-church forces”...

‘Adding to the conspiratorial claims, Gharibashvili also said that the Shame Movement, a liberal anti-government group, was also managed by “Saakashvili’s organisations” [a reference to a pro-European opposition party] and that he had questions about whether [sic] Saakashvili and “his radical group” were controlling the queer community as well.’²⁴

8.1.2 The Commissioner for Human Rights of the Council of Europe (CoE) 2022 report stated:

‘The Commissioner was informed of several instances of hate speech and manifestations of intolerance in the public sphere, and she was particularly struck by the manifestations of intolerance displayed by high-level officials, as well as by religious and community leaders. Certain media outlets, notably those associated with the above-mentioned ultra-conservative and far-right movements, have also reportedly engaged in hate speech or have contributed to its dissemination. The Commissioner learned that while hate speech against LGBTI people used to intensify at election time in the past, it has now become part of everyday discourse. This is in part due to ultra-conservative and far-right groups placing increasing claims on the public space, increasing their access not only to privately owned, but also to public broadcaster media.’²⁵

8.1.3 The Commissioner for Human Rights of the CoE 2022 report added ‘...the Commissioner considers that some public statements made by certain politicians and government officials during the events of July 2021 served only to exacerbate this problem and to provide some legitimacy for attempts by ultra-conservative groups to prevent LGBTI people from expressing themselves in the public space.’²⁶ (See [State response to Pride events](#))

8.1.4 The Institute for War and Peace Reporting (IWPR), an online news magazine which partners with local journalists and rights advocates noted in an article dated 23 February 2022: ‘LGBTI activists in Georgia are warning of the growing political power of homophobic, far-right groups, with fears that the government may choose to court such forces rather than oppose them.’²⁷

8.1.5 An April 2022 PDO report assessed:

‘Hate speech propagated by politicians and public officials is particularly problematic in Georgia, where it has a significant negative impact on social acceptance and the scope of violence against the LGBT+ community. In recent years, politicians’ hate speech and their use of derogatory language toward the LGBT+ community have had dire consequences for society,

²⁴ OC Media, [Gharibashvili doubles down with homophobia and conspiracy theories](#), 12 July 2021

²⁵ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

²⁶ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.1), 15 July 2022

²⁷ IWPR, [Georgia: LGBTI Activists Fear Far-Right Alliances](#), 23 February 2022

legitimizing violence and increasing violence against the LGBT+ community. While politicians' hate speech does not contain an incitement to public violence, it aims to prioritize and dominate the will of the majority at the expense of minorities' oppression; indirectly, it establishes a solid foundation for reinforcing violence and perpetuating negative attitudes toward the LGBT+ community.'²⁸

8.1.6 In an April 2023 report, covering 2022, the PDO commented:

'Statements by politicians that could incite discrimination based on sexual orientation and gender identity were problematic in the reporting period... Iago Khvichia, a member of the Girchi political party, and Shalva Natelashvili, Chairman of the Labour Party, also spoke about the LGBT+ community in a negative context. The head of the government of the Autonomous Republic of Adjara, Tornike Rizhvadze, used a homophobic and discriminatory term when assessing the wave of protests in support of the European integration in the country and noted: "I don't think it is the will of the Georgian people or the dream of our ancestors to hand over power to the shadow cabinet of "liberasts"'.²⁹

8.1.7 In May 2023, a joint statement was issued by the United Nations system in Georgia, the Delegation of the European Union to Georgia, the Embassies to Georgia of Austria, Belgium, Bulgaria, Canada, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Israel, Italy, Latvia, Lithuania, the Netherlands, New Zealand, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom and the United States, the European Investment Bank's Regional Representation for the South Caucasus, and the Head of the EU Monitoring Mission in Georgia, which noted that:

'... Newly adopted national policy documents, such as the National Human Rights Strategy 2022-2030, the State Concept of Georgia on Gender Equality and the national development strategy Vision 2030 do not include measures to strengthen protection and inclusion of LGBTQI+ persons. Stigmatization, discriminatory language and hate speech by some public officials, politicians, media and religious figures incite further harassment against LGBTQI+ persons and threaten their lives. Instigators and many perpetrators of open acts of violence against LGBTQI+ individuals in recent years, including during Pride Week in July 2021, have not been brought to justice, thus further limiting the opportunity for LGBTQI+ persons to exercise their right to peaceful assembly.'³⁰

8.1.8 In June 2023, OC Media reported:

'In recent months, senior figures in the ruling Georgian Dream party have increased and intensified their homophobic rhetoric...

'Georgia's Prime Minister, ruling party chair, and parliamentary faction chair have all made pointed homophobic statements in recent months, warning against queer "propaganda" and accusing young people of having "messed-

²⁸ PDO, [The Rights of LGBT+ People in Georgia](#), (page 15), 29 April 2022

²⁹ PDO, [2022 Special Report on Combating ...](#), (page 17), 11 April 2023

³⁰ UN Georgia and others, [Take a stand for human rights for all: stop discrimination ...](#), 17 May 2023

up orientations”.

‘The number and frequency of these statements has increased since March, causing some activists to raise concerns that the government is intending to jeopardise Tbilisi Pride Week, which is set to take place in the first week of July. Others, however, believe that this is part of a broader pre-election strategy by the ruling party...

‘Speaking at a Conservative Political Action Committee (CPAC) conference in Hungary in April, [Prime Minister] Gharibashvili repeatedly emphasised the importance of “preserving traditional values” and the inadmissibility of “violence by the minority against the majority”.

‘A few days later, in his Independence Day speech, the prime minister claimed that “evil forces” were trying to destroy traditional values and “make lies a reality”, while not specifying what those “forces” were...

‘...Mariam Kvaratskhelia, one of Tbilisi Pride’s co-directors, told *OC Media* that she saw the trend as part of of [sic] a broader electoral strategy and not solely connected to Pride Week.

“‘We believe that the ruling party [...] has chosen homophobic politics as a pre-election strategy to secure the votes of up to 15–20% [who are] radical conservatives in the upcoming 2024 elections”, said Kvaratskhelia.’³¹

- 8.1.9 Politico’s July 2023 article on Georgia’s EU ambitions and its contradictory attitude to LGBT rights highlighted that Prime Minister Garibashvili’s speech to Parliament on 30 June [2023] ‘proposed to open discussions in the parliament about regulating “gay propaganda” by law...If the government decides to green light the “gay propaganda” law proposed by the government, it will be a potential blow not only to Georgia’s queer community but to the whole country’s European ambitions. President Zourabichvili has already pledged to veto the bill if it sees daylight.’³²
- 8.1.10 Civil Georgia, a local news organisation, noted in a July 2023 article that: ‘The legislative proposal to “ban LGBT propaganda” was launched as a public initiative by the Conservative Movement/Alt-Info in December 2022 and was formally registered as the legislative proposal in May 2023. The passing of such a law was also included among the demands of the ultra-conservative gathering in May. The spokesperson of the Georgian Dream assured then that his party “was not planning to pass such a proposal.”’³³
- 8.1.11 In the sources consulted, CPIT found no further update on the ‘LGBT propaganda’ proposal (see [Bibliography](#)).
- 8.1.12 The USSD 2023 HR Report noted: ‘The PDO stated that high-ranking officials, politicians, and public figures rarely made statements in support of equality.’³⁴

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³¹ OC, [Georgian Dream ramps up homophobic rhetoric as Pride Week approaches](#), 27 June 2023

³² Politico, [Georgia's crackdown on queer rights contradicts its EU ambitions](#), 15 July 2023

³³ Civil Georgia, [Patriarchate of Georgia urges legislative action against “LGBT ...”](#), 2 July 2023

³⁴ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

9. State treatment

9.1 Policy framework

- 9.1.1 In 2018, the United Nations Independent Expert on Violence and Discrimination based on Sexual Orientation and Gender Identity, Country visit to Georgia, published an 'End of Mission statement'. For their review of Georgia's legal and institutional reforms to prevent and punish violence and discrimination based on SOGI, see: [mandate-united-nations-independent-expert-violence-and-discrimination](#)
- 9.1.2 The PDO 2022 LGBT+ report noted 'Georgian legislation and policies have significantly changed in recent years, allowing for the legal recognition of the LGBT+ community. Georgia's commitment to international organizations to eliminate discrimination on the basis of sexual orientation and gender identity was one of the reasons for improving the legal environment. Georgia was required by the Association Agreement with the European Union to adopt legislation prohibiting all forms of discrimination, including sexual orientation and gender identity, among other protected grounds of discrimination.'³⁵
- 9.1.3 The PDO 2022 LGBT+ report reported that these efforts were 'largely constrained by international organizations' obligations, including ensuring the implementation of the Association Agreement between Georgia and the European Union, rather than by policies designed to address genuine needs.'³⁶
- 9.1.4 The PDO 2022 LGBT+ report stated: 'Since 2014, Government Plans have included some activities aimed at ending discrimination based on sexual orientation and gender identity, though their implementation status has frequently been purely formal.'³⁷
- 9.1.5 The PDO 2022 special report noted 'that state policy documents developed for the protection of human rights, the National Human Rights Strategy and the State Concept on Gender Equality, not only are ineffective in terms of protection of LGBT+ people, but they do not mention this group at all.'³⁸
- 9.1.6 The Human Rights Center (Georgia), in its report - State of Human Rights in Georgia, 2023, published in 2024, noted:
- 'The legal situation of LGBT+ persons has not improved even in 2023. Although Georgia has a law on the elimination of all forms of discrimination, the community representatives continued to be victims of discrimination, violence and stigma, as appropriate steps were not taken to enforce existing legislation and eliminate discriminatory practices.
- 'On March 23, 2023, the Parliament approved the National Strategy of Human Rights of Georgia for 2022- 2030. Despite the fact that the strategy includes a paragraph on the reflection of the constitutional guarantees of equality and the rights of various vulnerable groups are separated into separate subsections, the rights of LGBTQI+ persons are not even

³⁵ PDO, [The Rights of LGBT+ People in Georgia](#), (page 12), 29 April 2022

³⁶ PDO, [The Rights of LGBT+ People in Georgia](#), (page 7), 29 April 2022

³⁷ PDO, [The Rights of LGBT+ People in Georgia](#), (page 12), 29 April 2022

³⁸ PDO, [2022 Special Report on Combating ...](#), (page 15), 11 April 2023

mentioned in it. The neglect of this group and the absence of their rights from the strategy were criticized by non-governmental organizations, according to which the authorities do not want to recognize the equality of the LGBT+ community at the political level.³⁹

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9.2 Protection - general

9.2.1 The USSD 2022 Country Reports on Human Rights Practices: Georgia, 20 March 2023 noted:

‘The Ministry of Internal Affairs and the State Security Service have primary responsibility for law enforcement and the maintenance of public order. The ministry is the primary law enforcement organization and includes the national police force, the border security force, and the Coast Guard. The State Security Service is the internal intelligence service responsible for counterintelligence, counterterrorism, and anticorruption efforts. There were indications that at times government officials did not maintain exclusive control of domestic security forces. There were credible reports that members of the security forces committed some abuses... The government took steps to investigate some officials for human rights abuses, but impunity remained a problem.’⁴⁰

9.2.2 The PDO 2022 special report highlighted:

‘The policy for combating crime has substantially improved in recent years in Georgia. Significant steps have been taken by state agencies to increase the quality of response to crimes, as well as to produce a joint statistics for the law enforcement agencies and courts, but like the previous year’s reporting period, the ineffective investigation of alleged hate crimes remains a challenge. Law enforcement agencies still do not meet the standards of effectiveness or timeliness. Confidence in law enforcement agencies is low among vulnerable groups, and it is being further decreased by the weak response or lack of response to incidents.’⁴¹ (see [Violence and hate crimes](#) and [State response to Pride events](#)).

9.2.3 The Global Organised Crime Index (GOCI), in its 2023 Georgia profile noted:

‘There are special units within the Georgian central criminal police department to tackle organized crime, especially human trafficking and drug-related offences. Georgia’s state security service is tasked with fighting terrorism and organized crime. The prosecutor’s office conducts its operative, administrative and investigative responsibilities in an effective and independent manner. Even though local policing agencies lack the necessary investigative and digital forensic skills and capacities, especially outside the main cities, police corruption lower down the hierarchy is not a major issue due to anti-corruption reforms. Civilian authorities have effective control over the security forces and over internal mechanisms to investigate corruption. However, as with the judicial system, law enforcement bodies suffer from political interference and therefore lack independence.

³⁹ HRC, [State of Human Rights in Georgia, 2023](#) (pages 27,28), 2024

⁴⁰ USSD, [HR report 2022: Georgia](#) (Executive Summary), 20 March 2023

⁴¹ PDO, [2022 Special Report on Combating ...](#), (page 21), 11 April 2023

Furthermore, law enforcement agencies (including special units) are often understaffed and lack the ability and experience to effectively respond to organized crime threats.⁴²

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9.3 Protection – LGBTI

9.3.1 In 2020 the Human Rights Education and Monitoring Center (EMC) stated:

‘The Human Rights Department (currently the Human Rights Monitoring and Investigation Quality Monitoring Department) was established within the Ministry of Internal Affairs of Georgia in 2018. Its mandate, among other things, extends to monitoring the quality of investigations into hate crimes based on sexual orientation and gender identity. The launch of this department has brought significant changes in terms of crime detection and prosecution, including statistical data collection and introduction of certain aspects of prevention policy. In particular, the department has helped train police and investigators to provide an effective response to these types of crimes.’⁴³

9.3.2 In 2020 the EMC published the results of quantitative research which aimed ‘to explore social vulnerability, economic situation and experience of violence of the LGBTQ community in Georgia’. Questionnaires were administered face-to-face to members of the LGBTQ community between September and December 2019, with valid responses received from 320 persons⁴⁴. The survey was conducted in collaboration with LGBTQ community organisations, which resulted in the majority (87%) of respondents falling into the age group 18 to 29⁴⁵. EMC commented, ‘due to the nature of the [sample] selection, the present study may not accurately describe the needs and attitudes of LGBTQ people who are not familiar with the community organizations.’⁴⁶

9.3.3 It is important to note that victim perception is not the only indicator of the effectiveness of a state response to violence. However, respondents were asked about their experience of reporting incidents of physical violence or threats of physical violence to the police. EMC found ‘...30.4% [28 persons] of the respondents who spoke about their experience of violence in the last 2 years, appealed to the police for a response...’⁴⁷ EMC asked the 28 persons who reported incidents to rate the police response:

- 57% of respondents rated the police response negatively
- 18% of respondents rated the police response as partly positive and partly negative
- 25% assessed the police response positively⁴⁸

9.3.4 In July 2022, following a visit to Georgia, the Commissioner for Human

⁴² GOCI, [Organised Crime Index Profile: Georgia, 2023](#), no date

⁴³ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.59), 2020

⁴⁴ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.39 and p.41), 2020

⁴⁵ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.41 and), 2020

⁴⁶ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.41), 2020

⁴⁷ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.79), 2020

⁴⁸ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.79), 2020

Rights of the Council of Europe reported:

‘There is a persistent failure to address violent attacks led by ultra-conservative and far-right groups against participants at events held in the context of the yearly International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT) and Pride Marches. Since 2012, these events have been repeatedly interrupted by these groups or cancelled by organisers due to violent attacks and/or serious threats of violence coming from these groups. The fact that the authorities fail to ensure safety and protection in this context only exacerbates these attacks.’⁴⁹

9.3.5 The same report noted that:

‘This spiral of violence and impunity against LGBTI people has also been reflected in important judgments of the European Court of Human Rights against Georgia. In particular, in its 2015 judgment in the case of *Identoba and Others v. Georgia*, the Court found that the domestic authorities did not ensure that the Pride March organised in May 2012 could take place peacefully by failing to sufficiently contain homophobic and violent counter-demonstrators, thereby falling short of their positive obligations under Article 11 (freedom of assembly and association) taken in conjunction with Article 14 (prohibition of discrimination) of the European Convention on Human Rights. The Court also established a violation of Article 3 (prohibition of torture and ill-treatment)...

‘Events in many ways similar to those in 2012 and 2013 also occurred in 2019 and 2021... The failure by the authorities to punish those who were inciting hatred and calling for violence against the LGBTI activists and supporters involved in the organisation of the 2019 Pride March reportedly contributed to a perception of impunity and resulted in vicious attacks and other acts of violence carried out by ultra-conservative and far-right groups in July 2021. 55 people, including 53 journalists and camera operators working for various media outlets who gathered to cover the events, were injured. One of them was found dead several days later, reportedly due to unrelated causes. While the police arrested and charged 27 persons for their participation in these acts in the aftermath of these events, the Commissioner understands that the organisers of these acts were never prosecuted.’⁵⁰

9.3.6 The PDO 2021 annual report noted that ‘It should be noted that part of the crimes committed on the grounds of alleged hatred against LGBT+ people are usually related to physical and verbal abuse, beatings, assaults and death threats. The applicants also point out that, in a number of cases, law enforcement officials called to the scene used abusive terminology themselves and expressed aggression towards them on homophobic grounds instead of defusing the conflict.’⁵¹

9.3.7 ECOM, Equality Movement and Tbilisi Pride 2022 ‘alternative report’ provided as commentary for the 135th Session of Human Rights Committee Review of the third periodic report by Georgia noted:

⁴⁹ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

⁵⁰ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

⁵¹ PDO, [Report of the Public Defender of Georgia...](#), (page 111), 2021

‘While private persons commit the majority of violations, the State stays inactive and does not fulfil its positive obligations. Even when the victim has contacted the authorities and a formal investigation has begun, the fact that, in most cases, presenting evidence is controversial, gives rise to a fear of retaliation, and that there is a lack of trust in law enforcement bodies, witnesses and victims fear testifying. In most cases witnesses are pressured or otherwise abused during the process of interrogation, thus the attendance of a lawyer is very important at the initial stage. The problems hindering the access of victims to justice also include obstacles in representing their interests on the part of human rights defenders and LGBT+ activists, and the unwillingness of the authorities to cooperate with civil society organizations.

‘Conducting investigation in a timely manner has remained problematic. Investigations initiated by investigative authorities are usually protracted without an outcome for years... It is also necessary to highlight the problem of the adequacy and proportionality of punishments, there are examples when attackers get off with a small fine.’⁵²

- 9.3.8 Tbilisi Pride 2022 shadow report for the 6th Periodic Report of Georgia noted that with regard to lesbians, bisexual women and transwomen:

‘The incidence of SOGI [Sexual Orientation and Gender Identity]-based hate crimes remains alarming, but only in very few cases this results in prosecution and/or conviction of the perpetrators. Secondary victimization often occurs as the police lack sensitivity towards hate crime victims, especially to those who are subject to hate crimes because of their SOGI status. Consequently, most hate crime incidents remain unreported as hate crime victims do not trust law enforcement authorities. Regretfully, while investigating and prosecuting incidents of hate, authorities tend to ignore bias as a motive for aggravation (Article 531 of the Criminal Code of Georgia).’⁵³ The source provided no statistics on the incidence of SOGI hate crimes.

- 9.3.9 The Commissioner for Human Rights of the CoE 2022 report stated:

‘Violence against LGBTI people, their supporters, and the defenders of their rights has been a long-standing issue of concern in Georgia which is compounded by a failure to hold perpetrators to account, in particular the organisers of acts of violence. This persisting impunity reinforces biased and hateful attitudes within certain segments of Georgian society. Impunity has also contributed to the unprecedented rise of well-organised and well-funded ultra-conservative and far-right groups with anti-LGBTI, anti-gender, and anti-minorities agendas whose members have participated in violent acts.’⁵⁴

- 9.3.10 Georgia applied for European Union (EU) membership on 3 March 2022 with the European Council stating it would grant Georgia EU candidate country status if it fulfilled certain obligations. One of the obligations stated ‘More needs to be done to protect the rights of lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ) persons in Georgia, particularly in light of the

⁵² ECOM, Equality Movement, Tbilisi Pride, [Human Rights Violations ...](#), May 2022

⁵³ Tbilisi Pride, [Human Rights Violations against ...](#), 15 August 2022

⁵⁴ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

July 2021 [Tbilisi Pride] events.⁵⁵

9.3.11 A 2024 statement by the Commissioner for Human Rights of the Council of Europe, noted: 'Having noted once again that LGBTI people continue to be the target of hate crimes and pervasive discrimination in Georgia, as well as the regular occurrence of LGBTI people being denied their right to peaceful assembly, I have repeatedly called on the Georgian authorities to commit to a zero-tolerance policy and practice towards all forms of discrimination, and incitement to discrimination and violence, against LGBTI people.'⁵⁶

9.3.12 The PDO, in its report - Combating and preventing discrimination and the situation of equality, 2024, noted:

'The crimes committed against LGBT+ persons, based on alleged intolerance, again involved physical and verbal abuse, beatings and threats to kill. In one of the cases studied by the Public Defender, a transgender woman refused to cooperate with the law enforcement agency in the future on the grounds that when providing information regarding the incident, the investigator made offensive and transphobic statements towards her. In this regard, the Ministry of Internal Affairs informed the Office that the General Inspection Service had studied the specified issue, but the fact of disciplinary misconduct had not been found. An investigation of the violence against the applicant was initiated under the article of violence (126.1 of the Civil Code). No victim status has been granted to the applicant.

'In another case, applicants explained that the law enforcement officers who arrived at the scene of the incident did not seize the video recording saved in the applicant's mobile phone, which showed the attack and the identity of the attackers, as evidence. The video also showed how the patrol police officer was trying to remove the attackers. However, the applicants were informed that the attackers had fled and could not be identified. In connection with this case, the Public Defender's Office was informed by the investigative bodies that the investigation into the physical violence was ongoing. Based on the court ruling, in order to identify the persons who committed the alleged crime, the video material was seized from the mobile phone of the applicant, although no specific person has yet been identified, nor has the criminal prosecution been initiated. The applicants were granted victim status. The motive of intolerance has not been identified in any of these cases.'⁵⁷

9.3.13 The USSD HR Report 2023 noted:

'There were instances of violence and harassment by state and nonstate actors against LGBTQI+ persons and those reporting such abuse. Occasionally, police or other government agents failed to adequately respond to instances of violence or harassment against LGBTQI+ individuals. ... The law made prejudice based on a person's sexual orientation or gender identity an aggravating factor for all crimes. According to NGOs, however, the government rarely enforced the law. The Human Rights Department of the Ministry of Internal Affairs trained officers on hate

⁵⁵ EC, [Commission Opinion on Georgia's ...](#), 17 June 2022

⁵⁶ CoE, [Georgia: political manipulation and harassment of LGBTI people and ...](#), 27 March 2024

⁵⁷ PDO, [Combating and preventing discrimination and the situation of equality](#) (pages 20,21), 2024

crimes.⁵⁸

- 9.3.14 Freedom House (FH), in its report - Freedom in the World 2024 – Georgia, 25 April 2024, noted: ‘LGBT+ people face societal discrimination and have been targets of serious violence. Transgender people receive little protection, and prosecutors rarely designate crimes against transgender people or other minorities as hate crimes, despite evidence supporting such designations.’⁵⁹

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9.4 State response to Pride events

- 9.4.1 On 5 July 2021, the BBC reported on the violence by far-right protesters against LGBT activists that led to the gay pride event being cancelled:
- ‘LGBT activists in Georgia have cancelled a gay rights event after their office was stormed by far-right protesters. Journalists and activists were also attacked ahead of the planned march in the capital Tbilisi, local reports say. “We cannot risk human lives and take to the streets, which are full of violent attackers,” Tbilisi Pride announced. The attacks have been condemned by a number of embassies, who have called for authorities to stop the violence.
- ‘Activists had organized five days of Pride events, but in a statement on Monday, Tbilisi Pride said local authorities had “not only failed to secure safety of the queer community and our supporters, but actively hampered us from exercising the right of assembly” ahead of the planned march. At least 20 journalists were reportedly injured in the violence, while an LGBT rainbow flag was burned in the street.’⁶⁰
- 9.4.2 Democracy and freedom watch, a Tbilisi based online newspaper published by the Georgian NGO Journalists for the Future, reporting on democracy and freedom in the Republic of Georgia, noted in a September 2021 article:
- ‘Ombudsman Nino Lomjaria said 53 people have been identified as victims of the July 5 [anti-LGBTQ rally] gang violence and 27 people have been prosecuted. However, no-one has been prosecuted for organizing the violence. “Two months have passed since the violent events of July 5, but the Georgian Prosecutor’s Office has not launched a criminal prosecution against any person on charges of organizing group violence. The Public Defender has studied the videos disseminated by the media and believes that the publicly available evidence reaches the standard of [...] to initiate criminal proceedings against two persons for organizing and also for publicly inciting violent acts,” says the statement issued by Nino Lomjaria, the ombudsman of Georgia.’⁶¹
- 9.4.3 The PDO 2021 annual report noted that the authorities would have been aware that there was a high risk of violence against the LGBTI community as the events of 5 July had ‘been preceded by public calls for violence by specific groups.’ However, the Ministry of Internal Affairs ‘did not take any effective measures to prevent violence and unfortunately, the response to

⁵⁸ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

⁵⁹ FH, [Freedom in the World 2024 – Georgia](#), 25 April 2024

⁶⁰ BBC, [Georgia: Tbilisi Pride cancelled amid violent protests](#), July 5, 2021

⁶¹ Democracy and freedom watch, [Georgian ombudsman names priest, ...](#), 6 September 2021

the incidents of human rights violations by violent groups was not appropriate either.’⁶²

- 9.4.4 Civil Georgia reported that following the events of Pride 2021, three individuals were arrested and charged with raiding the Tbilisi Pride Office. Subsequently ‘Tbilisi City Court fined each accused by GEL 5,000 (USD 1,700) [£1,400⁶³] ... The fines were rendered under Article 160.2a.3a of the Criminal Code of Georgia, which punishes the violation of the domicile or of any other property, committed using violence by more than one person... The lawyer for the defense, Shorena Kobidze, pointed out that the Court acquitted the defendants of more severe charges under Article 156.2 (persecution on the grounds of intolerance) and Article 225.2 (organized group violence).’⁶⁴
- 9.4.5 The PDO 2022 Special Report stated that:
‘... compared to 2021, the Pride Week was held in a much safer environment and with fewer obstacles in 2022. However, it should be noted that this was not due to the development or improvement of relevant mechanisms for the rights of LGBT+ people or their safety, but mostly by holding the events in closed spaces/private areas instead of public spaces. Tbilisi Pride refused to effectively enjoy freedom of assembly in public space due to the experience of 5-6 July 2021, when the law enforcement officials did not use positive measures against the violent actions committed by radical violent groups.’⁶⁵
- 9.4.6 The Commissioner for Human Rights of the CoE reported in July 2022 that:
‘At the time of drafting this report, leading civil society organisations involved in the preparation of the IDAHOBIT events announced that the planned March for Dignity will not be held in 2022, due to repeated failures by competent authorities to guarantee security and ongoing threats and incitement to violence by members of ultra-conservative and far-right groups involved in the 2021 attacks. This decision shows that unfortunately the exercise of the right to freedom of assembly and expression by LGBTI people in Georgia remains as challenging as it was a decade ago, despite initial signs of optimism in 2018.’⁶⁶
- 9.4.7 On 7 July 2022, Georgia Today, a local news organisation, reported that ‘[The 2022] Tbilisi Pride ended successfully with a festival despite violent groups trying to disrupt ... supporters of the far-right extremist group Alt Info gathered on Rustaveli Avenue, as well as near the offices of Georgian Dream and the European Union where they burned the flags of NATO and the European Union and tore apart rainbow flags. Police were mobilised on the spot.’⁶⁷
- 9.4.8 The same Georgia Today article added that the Georgian Ministry of Internal Affairs released a statement condemning ‘violence of any kind and calling on

⁶² PDO, [Report of the Public Defender of Georgia ...](#), (page 11), 2021

⁶³ Xe.com, [5,000 GEL to GBP - Convert Georgian Lari to British Pounds](#), 19 September 2024

⁶⁴ Civil Georgia, [Court Lenient Towards July 5 Attackers on “Tbilisi Pride”](#), 4 May 2022

⁶⁵ PDO, [2022 Special Report on Combating ...](#), (page 16), April 2023

⁶⁶ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.5), 15 July 2022

⁶⁷ Georgia Today, [Tbilisi Pride Week 2022 Reviewed](#), 7 July 2022

the groups opposing Pride Week to adhere to the law, follow the rightful demands of the police, and not to exceed the limits of the right to assembly and manifestation permitted by law.⁶⁸

- 9.4.9 The PDO 2022 Special Report noted that following the violent events at Tbilisi Pride 2021, organisers did not hold a public march in 2022 and opted to hold Pride events indoors. However after the information spread, ‘ultra-nationalist and extremist groups became active again, threatening with violence and preparing for counter-demonstrations. Among them, the leaders of the violent, homophobic and pro-Russian Conservative Movement/Alt-Info party openly expressed their aggression towards Pride Week and announced “full mobilization” against them.’⁶⁹

- 9.4.10 The PDO 2022 Special Report stated:

‘The Public Defender notes that, even though the threats made by the leaders of the ultra-nationalist and extremist groups, as well as by the homophobic and pro-Russian party Conservative Movement Alt-Info, were intense and real in this reporting period as well, and there were also public calls for violent actions - a crime referred to in Article 2391 of the Criminal Code, the relevant state agencies did not take legal action against the organizers of violence. The Ministry of Internal Affairs of Georgia launched an investigation only after the leaders and supporters of the violent groups gathered in the vicinity of the festival on July 2, 2022 and resisted the police officers mobilized on the spot. The police arrested 26 people at the protest rally against the Tbilisi Pride music festival, including two leaders of the group - Zurab Makharadze and Irakli Martinenko, as well as Guram and Aleksandre Palavandishvilis. It should be taken into account that no organizers or participants of the violent rallies have been prosecuted so far.’⁷⁰

- 9.4.11 On 2 June 2023, Civil Georgia, reported that the NGO Tbilisi Pride had announced that Pride Week 2023 would ‘include closed events of a political, cultural and academic nature, including an international LGBTQI conference and the Pride Festival.’⁷¹

- 9.4.12 Reuters reported on 8 July 2023 that:

‘Up to 2,000 anti-LGBT protesters broke up a Gay Pride festival in the Georgian capital Tbilisi on Saturday, scuffling with police and destroying props including rainbow flags and placards, though there were no reports of injuries.

‘Organisers accused the authorities of actively colluding with the demonstrators to disrupt the festival, but a government minister said it was a difficult event to police as it was held in an open area, near a lake...

‘The director of Tbilisi Pride confirmed to Reuters that all the event's participants had been bussed to safety but criticised the authorities' policing of the Pride event, which she said had been held in private for a second

⁶⁸ Georgia Today, [Tbilisi Pride Week 2022 Reviewed](#), 7 July 2022

⁶⁹ PDO, [2022 Special Report on Combating ...](#), (page 16), April 2023

⁷⁰ PDO, [2022 Special Report on Combating ...](#), (page 16), April 2023

⁷¹ Civil Georgia, [Tbilisi Pride Events to Take Place Indoors on July 1-8 – Civil Georgia](#), 2 June 2023

consecutive year to reduce the risk of such violent protests.⁷²

9.4.13 On 8 July 2023, CNN reported:

‘A Pride festival was canceled in the Georgian capital of Tbilisi on Saturday by organizers who say authorities failed to prevent violent disruptions from Russian-affiliated far-right groups...

“The Ministry of Interior of Georgia once again neglected to protect us from violent far-right groups and allowed the mobs to prevent us from exercising our freedom of expression and assembly even in private settings,” Tbilisi Pride said. Videos posted by Georgian activist channels showed clashes between police officers and anti-LGBTQ protesters in the festival area in Lisi Wonderland. Anti-Pride protesters were also pictured setting Pride flags on fire...

‘In a statement on Friday, the Georgian Interior Ministry said it was taking “appropriate measures” to ensure the “safe format” of Saturday’s event and “to protect the freedom of expression and assembly of each person.” The speaker of the Georgian Parliament, Shalva Papuashvili, stressed the government’s condemnation of any violence on Saturday, according to First Channel [Georgian public broadcaster]. Papuashvili said police coped with the situation and prevented festival participants from being injured, according to First Channel.

‘Georgian President Salome Zourabichvili said statements from Papuashvili and other government officials had no value, calling on the government to “stop using hate speech and inciting confrontation.” Zourabichvili, who is independent of the country’s ruling Georgian Dream party, said the rights to peaceful assembly and freedom of expression guaranteed by the Georgian constitution were violated on Saturday.’⁷³

9.4.14 Radio Free Europe / Radio Liberty (RFE/RL), an American government-funded international media organization, noted in an article dated 8 July 2023:

‘LGBT Pride Week organizers in the Caucasus nation of Georgia were forced to cancel a festival on July 8 after thousands of far-right protesters stormed the site of the event in the capital, Tbilisi. Organizers said police didn’t attempt to stop protesters who broke through a cordon and occupied the site. Government officials said there were too many protesters for police to stop. The U.S. Embassy, EU, and the UN condemned the violence and called on the government to protect the right to assemble, including for LGBT people, and that those responsible for violence “face justice.”’⁷⁴

9.4.15 On 8 July 2023, the British Ambassador to Georgia, Mark Clayton, tweeted: ‘Shocked and saddened to see that despite the planning & preventive measures, @Tbilisipride festival was cancelled due to safety risks for participants. I call on authorities to ensure that all who broke law & aggressively disrupted a peaceful gathering will be brought to justice.’⁷⁵

⁷² Reuters, [Anti-LGBT protesters break up Pride festival in Georgia](#), 8 July 2023

⁷³ CNN, [Tbilisi Pride festival canceled after violent anti-LGBTQ protests](#), 8 July 2023

⁷⁴ RFE/RL, [Tbilisi LGBT Event Forced To Cancel After Far-Right Protesters Storm Site](#), 8 July 2023

⁷⁵ Clayton, [@MarkClaytonFCDO on Twitter](#), 8 July 2023

9.4.16 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA-Europe), 2024 Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia – Georgia, 29 February 2024 (Covering the Period of January to December 2023, noted:

‘Preceding the Tbilisi Pride Week, held in July, government representatives, religious leaders, and far-right extremists of the Alt-Info [group] made countless anti-LGBT statements (see [here](#), [here](#), [here](#)). Alt-Info spread hateful messages for days prior to the event and called on people to join efforts to attack and disrupt Pride. Pride flags were also [burned](#). Religious groups published a joint letter in July [alleging](#) that the Pride week will “promote perverted lifestyles, including propaganda among the youth”⁷⁶

9.4.17 The BBC reported on 9 July 2023:

‘Up to 2,000 anti-LGBT protesters stormed a gay pride festival in Georgia's capital Tbilisi on Saturday, forcing its cancellation. The right-wing protesters, who included Orthodox Christian clergy, scuffled with police, rushed the stage and burned rainbow flags. The organisers and Georgia's president blamed anti-LGBT hate speech that preceded the event, and said the police had failed to protect festival-goers. Homophobia remains rife in Georgia.

‘President Salome Zurbashvili said the ruling Georgian Dream party had failed to condemn its followers who had openly incited aggression towards LGBT activists. Interior Minister Alexander Darakhvelidze, however, argued that the large area had been difficult to police. “This was an open area, participants of the protest managed to bypass the security and find other ways to enter the event area,” he said. “However we managed to evacuate the participants of the Pride festival and organisers from the area, no one was harmed,” he added. The event's participants were bussed to safety, Reuters news agency reported.’⁷⁷

9.4.18 The Georgian Young Lawyers' Association (GYLA), an independent NGO dedicated to protecting and promoting human rights and the rule of law in Georgia, in its report - Georgia in 2023: Assessment of the Rule of Law and Human Rights, 2 February 2024, referring to the Tbilisi Pride festival on 8 July 2023, noted:

‘The police did not provide any preventive and crime response measures to protect public safety, once again failed to protect freedom of assembly and expression, and again allowed hate groups to disseminate incitements to violence/violent acts free from any interference.

‘The Pride Festival in 2023, organized by Tbilisi Pride, was planned to be a closed event on July 8. On July 7, the Ministry of Internal Affairs made a statement regarding the July 8 events announced as part of the Tbilisi Pride Week, noting that in order to ensure the peaceful conduct of the closed event, relevant police units would be mobilized in all necessary locations to maintain public order and safety within their competence. Contrary to the aforementioned, despite the fact that the Ministry of Internal Affairs had been well informed and aware that the hate groups intended to assault on the

⁷⁶ ILGA-Europe, [2024 Annual Review of the Human Rights Situation ...](#) (page 67), 29 February 2024

⁷⁷ BBC, [Georgia Pride festival in Tbilisi stormed by right-wing protesters](#), 9 July 2023

Tbilisi Pride event through violent methods, police officers did not prevent the counter-demonstration from gathering at the Vazha-Pshavela monument and proceeding freely in Lisi's direction. The extremist groups did not encounter any significant obstacles from the law enforcement agencies. In addition, hate groups in the vicinity of Lisi Lake were able to freely break through the police cordon and move towards the main entrance to Lisi.

'The analysis conducted by the GYLA shows that the strategy of the Ministry of Internal Affairs failed to sufficiently evaluate the threats posed by violent groups. Ultimately, after more than 2,000 anti-LGBT protesters stormed into the festival premises, the organizers were forced to cancel the event and hastily evacuate the venue with the assistance of the police.'⁷⁸

9.4.19 The USSD HR Report 2023 noted:

'Counter protesters disrupted the July 8 Tbilisi Pride event. Moreover, there continued to be a lack of accountability for the organizers of a far-right demonstration against LGBTQI+ persons in July that disrupted the Pride festival, including documented instances of looting property of the organizers. ... Violent groups had announced the disruption of the event in advance; however, authorities did not take necessary measures to prevent the disruption and looting that ensued. LGBTQI+ persons and their supporters had to leave the site with the help of police.'⁷⁹

9.4.20 The USSD HR Report 2023 further noted:

'Concerns continued during the year regarding insufficient accountability for the violence by far-right counterdemonstrators during a July 2021 Pride event. Despite the submission of a case to the ECHR on behalf of 16 journalists, camera operators, and photographers who were subjected to the July 2021 violence, the ECHR had not released a decision on the case by year's end. Georgian Young Lawyers' Association highlighted that none of the organizers of the violence had been arrested and stated that law enforcement officials lacked the political will to hold the organizers accountable. In a March 31 report, the PDO criticized the government for not prosecuting organizers of the violence as well as the judgments rendered against individual offenders of the violence as lacking effective investigations.'⁸⁰

9.4.21 Reporting on the 2024 Tbilisi Pride festival, The Washington Blade, an American LGBT newspaper, noted in June 2024 that:

'The organization that holds Pride events in the Georgian capital Tbilisi has announced it is cancelling all physical Pride festivities this year, in light of an increasingly hostile environment promoted by the Georgian government ahead of elections this fall. ... "We anticipated that the summer before the 2024 parliamentary elections would be filled with physical violence encouraged by the government and rhetoric filled with hate and hostility," the statement says.

⁷⁸ GYLA, [Georgia in 2023: Assessment of the Rule of Law and ...](#) (pages 36, 37), 2 February 2024

⁷⁹ USSD, [HR Report 2023: Georgia](#) (section 6), 23 April 2024

⁸⁰ USSD, [HR Report 2023: Georgia](#) (section 2B), 23 April 2024

“Now, after ‘Georgian Dream’ adopted the Russian-style law on ‘foreign agents’ and announced a hate-based anti-LGBTQ legislative package alongside constitutional changes, we are even more confident in our decision. We are demonstrating the highest civic responsibility and recognize that the fight for queer rights today is inseparable from the broader people’s struggle against the Russian-style regime. This fight will inevitably end in favor of the people on Oct. 26! We will use the coming months to bring the message of queer people to more hearts than ever before! We will explain to everyone that homophobia is a Russian political weapon against Georgian society, against the statehood of Georgia! We are patriots of this country and will always and everywhere be where our homeland calls us!”⁸¹

- 9.4.22 The ‘Draft Constitutional Law of Georgia on Protecting Family Values and Minors’ which was approved by parliament on 17 September 2024⁸², included a clause effectively banning Pride events. It stated, ‘The gathering is forbidden, if it aims to popularise single-sex family or intimate relationship, incest, adoption or foster care of a minor by same-sex family or non-heterosexual person, changing sex by medical intervention or non-use of concepts defined by sex.’⁸³

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9.5 Prosecutions and convictions

- 9.5.1 In September 2020, the Government of Georgia signed a ‘Memorandum on Cooperation on Collection of Data on Hate Crime’ with the Council of Europe. As a result, the Supreme Court, the Office of the General Prosecutor, the Ministry of Internal Affairs, and the National Statistics Office of Georgia (GEOSTAT) created a joint system to collect and report data on hate crimes⁸⁴.
- 9.5.2 The tables below have been compiled by CPIT based upon statistics published by the Ministry of Internal Affairs of Georgia, the Prosecutor’s Office of Georgia and the Supreme Court of Georgia for the period October 2020 to December 2023^{85,86,87,88, 89}. The table shows the number of investigations, prosecutions and convictions for hate crimes committed on the grounds of intolerance of sexual orientation and/or gender identity.

-	2020 (Oct to Dec)	2021	2022	2023
Investigations initiated into criminal cases on the basis of intolerance on the grounds of SOGIE	13	106	76	50
Criminal prosecutions launched in connection to crimes committed on	5	67	55	47

⁸¹ The Washington Blade, [Out in the World: LGBTQ news from Europe and Asia](#), 17 June 2024

⁸² Al Jazeera, [Georgia’s parliament approves law curbing LGBTQ rights](#), 17 September 2024

⁸³ CoE, [Venice Commission :: Council of Europe \(coe.int\)](#), 13 May 2024

⁸⁴ CoE, [First ever Memorandum on Cooperation... Data on Hate Crime ...](#), 23 Sept 2020

⁸⁵ GEOSTAT, [Joint Report of Data on Crimes Committed on Grounds of ...](#) (pages 2,3,16), no date

⁸⁶ GEOSTAT, [Joint Report of Data on Crimes Committed on Grounds of ...](#) (pages 2,8,16), no date

⁸⁷ GEOSTAT, [Joint Report of Data on Crimes Committed on Grounds of ...](#) (pages, 4,7,16), no date

⁸⁸ GEOSTAT, [Joint Report of Data on Crimes Committed on Grounds of ...](#) (pages1,3,29), no date

⁸⁹ GEOSTAT [Memorandum of Cooperation](#), 23 September 2020

the basis of intolerance on the grounds of SOGIE				
Persons convicted on the basis of intolerance on the grounds of SOGIE	9	20	40	19

- 9.5.3 ECOM, Equality Movement and Tbilisi Pride 2022 report commented that in 2021, 'individual attacks were also on the rise'. The source did not quantify the number of attacks but provided examples of incidents that took place during 2021:

'[O]n April 30, a 17-year-old transwoman was attacked by two unknown suspects. On May 1, two individuals were charged for this crime and were released by the court on relatively low bail given the nature of the violent crime. On October 31, a man entered a massage parlor in Tbilisi and attacked two transwomen with a knife, killing one and wounding another. The suspect was arrested and faced a charge of premeditated murder. The Prosecutor General's Office said the suspect "wanted to kill transpeople on the grounds of intolerance of gender identity." On April 20, a man attacked a lesbian couple in front of their child outside their home in Tbilisi. The attacker, a neighbor, insulted them and demanded they move out of the building. Police arrested the man, who was released on bail on April 23. Two gay men were also verbally assaulted and received death threats...' ⁹⁰ (See [State Protection](#).)

- 9.5.4 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported:

'According to information provided to the Commissioner by civil society organisations, there is a significant gap between the number of hate crimes and incidents documented by the Prosecutor's Office and the Ministry of Internal Affairs and the number of cases documented by the organisations advocating for the rights of LGBTI people... In 2020, a memorandum was signed between the Ministry of Internal Affairs, the Prosecutor's Office, the National Statistics Office, and the Supreme Court of Georgia to strengthen co-operation between the agencies and to ensure the annual publication of combined statistical data on hate crimes.' ⁹¹ The same report noted that, 'One of the challenges identified in relation to the investigation and prosecution of hate crimes in Georgia relates to the failure by the authorities to identify and correctly qualify hate motives.' ⁹²

- 9.5.5 The USSD HR Report 2023 noted:

'The PDO, civil society, and the international community recognized the administrative code lacked some due process provisions, since the law allowed for those found guilty of certain administrative offenses to be punished with imprisonment without the due process provisions afforded to defendants charged under the criminal code. NGOs noted that lack of due process guarantees and a low standard of proof for using administrative imprisonment created a risk of abuse of police discretion and selective use of administrative offenses. GYLA noted that civil society and legal assistance

⁹⁰ ECOM, Equality Movement, Tbilisi Pride, [Human Rights Violations ...](#), May 2022

⁹¹ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

⁹² Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.2), 15 July 2022

organizations were not notified when a protester was detained under the administrative code, creating an ad hoc system where some defendants received legal representation only by chance if a civil society representative happened to be in the court that day and could offer it.⁹³

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9.6 The Public Defender (Ombudsman)

9.6.1 An undated 'Guide' on the PDO's website stated:

'The Public Defender (ombudsman) is a constitutional institute, which supervises protection of human rights and freedoms within the territory of Georgia, reveals the facts of violations, and facilitates restoration of violated rights...You can apply for redress to the Public Defender when your (or someone else's) rights and freedoms are in the process of being or have been violated under the Georgian Constitution and/or law and/or international treaties and covenants to which Georgia is the party.'⁹⁴

9.6.2 The PDO noted that if an individual's rights have been violated the Public Defender can:

- 'Send recommendations to the state body, official or legal person, whose actions violated your rights;
- 'If the Public Defender feels a crime has been committed, submit materials possessed by him to the investigating unit;
- 'Submit proposals to relevant agencies regarding disciplinary or administrative procedures of its employees whose action(s) violated your rights and freedoms;
- 'Inform mass media about violations of human rights and freedoms;
- 'Publish information on violations of human rights in special reports and annual reports.'⁹⁵

9.6.3 The PDO 2022 special report provided details of the Ombudsman's investigations into individual cases of alleged discrimination on the grounds of sexual orientation and gender identity:

- In 2022, the Public Defender examined a total of 153 individual cases of alleged discrimination, of which 11% were linked to SOGIE
- In 2021, the Public Defender examined a total of 161 individual cases of alleged discrimination, of which 7% were linked to SOGIE⁹⁶

The PDO provided no information on the outcomes of the investigations.

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9.7 LGBTI persons in detention

9.7.1 ECOM, Equality Movement and Tbilisi Pride 2022 'alternative report' stated: 'Prison conditions for LGBT+ individuals are extremely precarious, affecting

⁹³ USSD, [HR Report 2023: Georgia](#) (section 1E), 23 April 2024

⁹⁴ PDO, [Guide](#), no date

⁹⁵ PDO, [Guide](#), no date

⁹⁶ PDO, [2022 Special Report on Combating...](#), (pages 23 to 24), 11 April 2023

the basic rights of the detainees and those of their visitors. GBT prisoners report that they experience discrimination and violence in prison. Prison administrators separate all GBT prisoners from other prisoners. Prisoners state that the administration forces them to wear armbands to identify themselves... To protect themselves while in detention, most would identify as heterosexuals.⁹⁷

- 9.7.2 Penal Reform International published a blog in 2020, which stated: ‘On a daily basis, under such circumstances, belonging to a sexual minority in Georgian prisons is often linked to abuse and humiliation, physical and sexual violence, and fears that disclosure would have more painful consequences.’⁹⁸

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10. Societal attitudes

- 10.1.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported that:

‘There is a persisting stigma among Georgian society associated with LGBTI people that is closely associated with deeply rooted perceptions about the need to maintain “traditional” values and family units. As noted in the 2019 report of the [Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity] IE SOGI, there remains a pervasive attitude in Georgian society that being LGBTI is “sinful, shameful, or pathologic”. These perceptions, as noted above, are fuelled and reinforced by members of far-right groups, some religious leaders, some politicians and some media outlets. On a positive note, a study commissioned by the Council of Europe indicated a change in attitudes and a growing recognition among Georgian society of the importance of diversity and of protecting the rights of minority communities, as well as an increased level of awareness of the problems which minorities, including sexual minorities, face.’⁹⁹

- 10.1.2 The online current affairs magazine, Foreign Policy (FP), in an article dated 7 July 2021 noted ‘As in many countries in Eastern Europe and Central Asia, a broader tug of war over the country’s direction has coalesced around the issue of LGBT rights. Conservative groups, including the Georgian Orthodox Church, which is closely enmeshed with its Russian counterpart, have styled themselves as defenders of traditional values and are staunchly opposed to Georgia’s long-standing ambitions to join the European Union and NATO.’¹⁰⁰
- 10.1.3 The Foreign Policy article reported that Natalia Antelava, editor-in-chief of privately funded Georgian news site Coda Story – which it stated had ‘reported extensively on the geopolitics of LGBT rights in the region’ – noted that ‘around 10 years ago, a range of ultraconservative groups began to use the phrase “LGBT” to describe anyone with liberal or pro-Western values.’ The article quoted Antelava as saying, “They were just throwing that word at

⁹⁷ ECOM, Equality Movement, Tbilisi Pride, [Human Rights Violations ...](#), May 2022

⁹⁸ Penal Reform International, [Sexual Minorities in Georgian Prisons](#), 14 April 2020

⁹⁹ Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.7), 15 July 2022

¹⁰⁰ FP, [The Geopolitical Fault Line Behind the Attack on Tbilisi Pride](#), 7 July 2021

anyone who had liberal values.”¹⁰¹

- 10.1.4 Foreign Policy also quoted Ghia Nodia, director of the International School of Caucasus Studies at Tbilisi's Ilia Chavchavadze State University, as saying that the groups which organised the attack on Tbilisi Pride in 2021 ‘are actually targeting not only LGBT people, but they use this matter to undermine the whole idea of liberal-minded people and the idea of Europe and the West... So it's more like pro-Russian forces mobilizing against European integration and progressive ideas.’¹⁰²
- 10.1.5 Womens Initiatives Support Group (WISG) conducted quantitative and qualitative research in 2016 and 2021 on knowledge and attitudes towards the LGBTQI community in Georgia, published in a 2022 report. In its summary of the research results, WISG commented: ‘A comparison of the study results conducted in 2016 and 2021 shows that the homo/bi/transphobia indexes show a tendency to decrease. The share of respondents who hate LGBT(Q)I people, perceive their relationships as depraved, or morally judge those people has significantly reduced.’¹⁰³
- 10.1.6 The WISG 2022 quantitative research was conducted via survey with 1,610 respondents. Of them, 29.3% were residents of the capital, 28.0% were residents of other urban settlements, and 42.7% were residents of rural settlements¹⁰⁴.
- 10.1.7 The WISG 2022 quantitative study looked at attitudes toward the civil rights of LGBTI persons:
- ‘Compared to 2016, the public is more positive about LGBT(Q)I rights activists and more accepting of the group's legal equality issues. Among society's views:
- ‘The percentage of opponents of gay marriage decreased by 14.4% (from 88.8% to 74.6%), while the number of supporters increased from 4.7% to 10.3%.
 - ‘Opposition to the right of adoption for gay/ lesbian couples fell from about 82.3% to 67.6% and 66.9%, respectively; the number of those who did not agree with the ban increased by 15%.
 - ‘Attitudes toward activists have also changed. The share of respondents who evaluated their activities negatively decreased by almost 20% (from 74.5% to 56.8%), while the number of supporters almost doubled. However, as in 2016, respondents have a more negative attitude toward activists than toward homosexuals in general.
 - ‘Fewer respondents perceive talking about the legal equality of the LGBT(Q)I group as “gay propaganda” and “imposing their lifestyle on others” (76.5% in 2016 versus 55.9% in 2021).
 - ‘Although more than half (53%) of respondents still support the view that LGBT(Q)I people should be barred from the right to assemble and

¹⁰¹ FP, [The Geopolitical Fault Line Behind the Attack on Tbilisi Pride](#), 7 July 2021

¹⁰² FP, [The Geopolitical Fault Line Behind the Attack on Tbilisi Pride](#), 7 July 2021

¹⁰³ WISG, [From Prejudice to Equality: Study on Public Knowledge...](#) (page 16), 6 May 2022

¹⁰⁴ WISG, [From Prejudice to Equality: Study on Public Knowledge...](#) (page 141), 6 May 2022

express themselves by law, compared to 2016 [when the equivalent figure was 78.1%], the percentage of such respondents has decreased by almost 25%; and the share of those respondents who consider such a restriction unacceptable have doubled: only 14.6% in 2016 versus 27.1% in 2021.¹⁰⁵

10.1.8 The WISG quantitative study considered homophobic attitudes:

- ‘Compared to 2016, homophobic sentiments are less pronounced. The share of respondents who are disgusted by gay/lesbian people and perceive their relationships as “perversion” or “wrong” has significantly reduced.
- ‘As in 2016, gender, age, and settlement type remain significant predictors for homophobia. Men and older respondents living in urban areas (except the capital) and rural areas have a more negative attitude toward gay and lesbian people than women, young people and respondents living in the capital...
- ‘Compared to 2016, acceptance of lesbians has increased more than that of gays.’¹⁰⁶

10.1.9 The WISG quantitative study also considered transphobic attitudes:

- ‘Significantly reduced is the share of respondents who perceive transgender, nonconforming gender expression, and cross-dressing as a disease or who morally judge such people.
- ‘The binary model of gender (“People are either men or women”) is less popular.
- ‘The proportion of respondents who are willing to support a friend if he/she/they decide(s) to have sex reassignment surgery has increased.
- ‘The changes are markedly asymmetric and are more pronounced in female, young, and respondents living in capital, than in male, older, and other urban or rural respondents...
- ‘...Compared to 2016, the acceptance of gender-nonconforming men has increased more than that of gender-nonconforming women, which can be explained by the group’s different visibility policy in recent years.’¹⁰⁷

10.1.10 The WISG 2022 qualitative research was conducted over 20 focus groups in which 150 representatives of different social and professional groups participated¹⁰⁸. The qualitative research found ‘In every interviewed group, a large number of respondents [number not stated] think that homophobia is widely spread in Georgian society and discourse and that we may come across it at every level of socio-political life. Moreover, a large number of the interviewees think that the state does not recognise homophobia as a systemic problem and that this circumstance encourages instrumentalizing

¹⁰⁵ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 88), 6 May 2022

¹⁰⁶ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 78), 6 May 2022

¹⁰⁷ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 82), 6 May 2022

¹⁰⁸ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 38), 6 May 2022

LGBT(Q)I issues and makes the polarization in society even more severe.¹⁰⁹

10.1.11 The WISG 2022 report highlighted ‘Community members and professionals participating in qualitative research studies, including police officers, also agree that transgender and gender-nonconforming people, as the most visible part of the LGBT(Q)I community, are more likely to be victims of hate crimes and discrimination due to their incompatibility with conventional gender norms.’¹¹⁰

10.1.12 The Caucasus Research Resource Center (CRRC) conducts an annual household survey in Georgia. During fieldwork which took place in December 2021 and January 2022, respondents were asked ‘Which of these people would you not wish to have [as] your neighbors most?’ The answers have been summarised by CPIT in the table below¹¹¹.

Category	% of respondents
Criminals	36
Drug addicts	28
Homosexuals	20
I would not wish any of these people as my neighbors	7
Other	6
Don't know/ refused to answer	3
Total	100

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Section updated: 20 September 2024

11. Societal treatment

11.1.1 In July 2022, following a visit to Georgia, the Commissioner for Human Rights of the Council of Europe reported that ‘Transgender people in Georgia are exposed to high levels of social exclusion and violence.’¹¹²

11.1.2 The USSD HR Report 2022 noted:

‘In May a mob of approximately 30 men attacked five transgender women at their home in Chughureti District, Tbilisi. Tbilisi Pride, a local NGO, stated that the attackers, armed with stones and bricks, assaulted the women as well as their landlord, damaged their house, and made death threats. The Ministry of Internal Affairs launched an investigation, and Tbilisi Pride called on the Prosecutor’s Office to consider aggravating circumstance for the alleged hate crime. Similarly in June, approximately 20 men attacked several transgender women on Tamar Mepe Avenue in Tbilisi, and two persons were injured. The Ministry of Internal Affairs launched an investigation. In October, one person killed a foreign transgender woman in Tbilisi and injured another transgender woman. Police detained the accused and launched a murder investigation.’¹¹³

11.1.3 Human Rights Watch in its annual report covering events in 2022 noted:

¹⁰⁹ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 102), 6 May 2022

¹¹⁰ WISG, [From Prejudice to Equality: Study on Public Knowledge, ...](#) (page 16), 6 May 2022

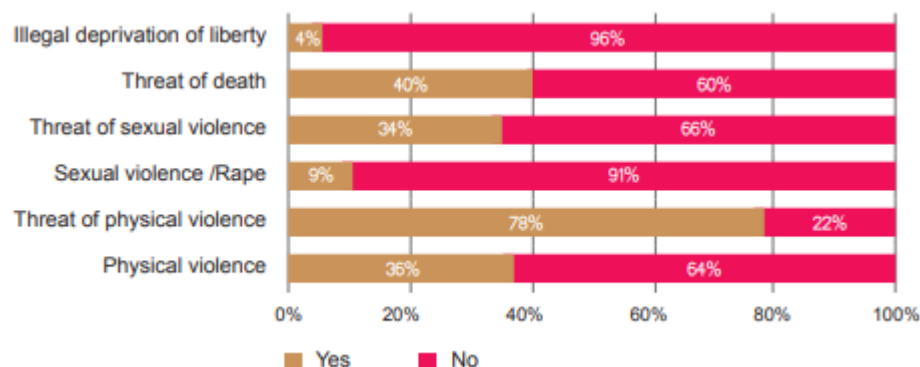
¹¹¹ CRRC, [Caucasus Barometer 2021 Georgia](#), no date

¹¹² Commissioner for Human Rights, [Commissioner's report ...](#) (para 1.1.6), 15 July 2022

¹¹³ USSD, [2022 Country Reports on Human Rights Practices: Georgia](#) (Section 6), 20 March 2023

‘Lesbian, gay, bisexual, and transgender (LGBT) people in Georgia continue to face harassment, discrimination, and violence. In May, a group of some 30 men attacked five transgender women in their home in Tbilisi. The attackers, armed with stones and bricks, assaulted the women and their landlord, damaged their house, and made death threats. An investigation was pending at time of writing.’¹¹⁴

- 11.1.4 The EMC research 2020 considered the LGBTQ community’s experience of violence and made a key finding that ‘52% of respondents have been victims of violence at least once in their lives, in whole or in part, because of their sexual orientation and/or gender identity.’¹¹⁵ However, the definition of ‘violence’ used by EMC is very wide in terms of both the nature and severity of the treatment experienced. EMC splits ‘violence’ into ‘physical’ and ‘psychological’ and both elements are subdivided further.
- 11.1.5 When EMC looked specifically at physical violence, the study found ‘29.4% of respondents (n = 91) have experienced physical violence in the last 2 years.’¹¹⁶ Of those who had experienced physical violence, the nature of the violence was summarised by EMC in the graph below¹¹⁷, which contains categories covering both violence and threat of violence. Most of the recorded experiences took place in one of 2 locations¹¹⁸, the ‘street’ (29% of all experiences of physical violence) and ‘online’ (27% of all experiences of physical violence, which appears to relate to the recorded instances of ‘threat’ of violence). EMC did not provide a breakdown of experience of physical violence split according to a person’s sexual orientation or gender identity.



- 11.1.6 When EMC looked specifically at psychological violence, the study found ‘48.4% of respondents have experienced psychological violence in the last 2 years’. This figure varied according to a person’s sexual orientation and gender identity and was highest for trans respondents (81.5%)¹¹⁹.
- 11.1.7 The sub-categories of ‘psychological violence’ showing the nature of the experiences of survey respondents were summarised by EMC in the chart below¹²⁰. The chart indicates that the most common types of ‘psychological

¹¹⁴ HRW, [World Report 2023](#) (Georgia), January 2023

¹¹⁵ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.74), 2020

¹¹⁶ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (p.76), 2020

¹¹⁷ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (chart 31, p.77), 2020

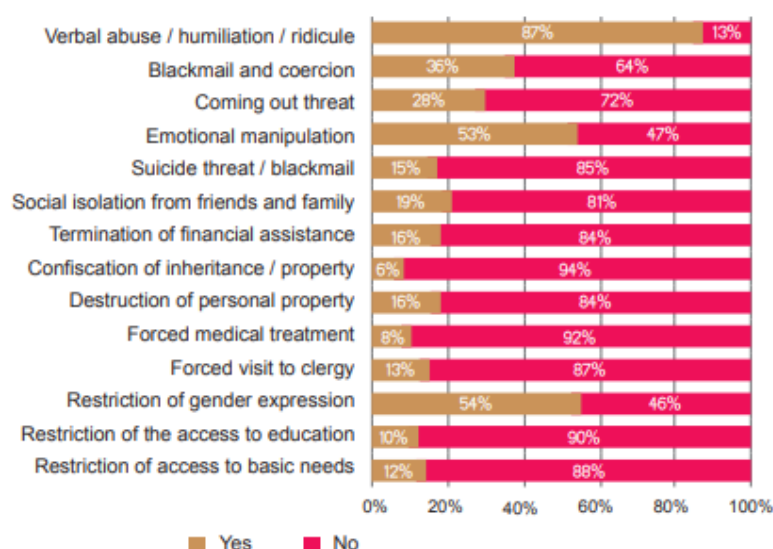
¹¹⁸ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (chart 33, p.79), 2020

¹¹⁹ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (p.84), 2020

¹²⁰ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (chart 38, p.86), 2020

violence' experienced by LGBTQ persons were: verbal abuse/humiliation/ridicule (87%), emotional manipulation (53%) and restriction of gender expression (54%).

Forms of psychological violence during the last 2 years.



11.1.8 EMC identified the 3 most common locations in which the 'psychological violence' took place, 'Home (48.7%), street (29.8%), and online domain (27.0%).'¹²¹

11.1.9 In June 2020, privately funded JAM News spoke to LGBT persons and their parents about their experience of living in Georgia. One individual - a lesbian who moved to the USA - said: 'Nobody has thrown stones at me on the street, nobody has torn my hair out in public transport, didn't give me slaps in nightclubs, didn't splash my face with drinks in bars, nobody has tried to rape me because of my sexual orientation. Nor has anyone refused me as a tenant or kicked me out of an office or apartment, and no one tried to kill me because I've participated in a peaceful demonstration. And all this really happened to me in Georgia, I experienced all this the hard way, and more than once.'¹²²

11.1.10 The WISG 2022 report stated: '...[O]ften homophobic attitudes expressed through aggression or attack are less directed at lesbians, whom most respondents name as the least vulnerable group in the [LGBT] community.'¹²³ The report noted that representatives of the community and service providers indicated that this was a consequence of their lack of visibility, rather than a valid indicator of public attitudes¹²⁴.

11.1.11 The PDO, in its report - Combating and preventing discrimination and the situation of equality, 2024 (covering the period from 1 January 2023 to 31 December 2023, noted:

'As in previous years, the rights situation of LGBT+ people remains an important/serious challenge. Members of the LGBT+ community still face

¹²¹ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (p.87), 2020

¹²² JAM News, [Living surrounded by hate. LGBT individuals and their parents](#)..., 24 June 2020

¹²³ WISG, [From Prejudice to Equality: Study on Public Knowledge](#), ... (page 25), 6 May 2022

¹²⁴ WISG, [From Prejudice to Equality: Study on Public Knowledge](#), ... (page 25), 6 May 2022

violence, discrimination, and harassment, and this is caused by homophobic attitudes, hate crimes, and other discriminatory attitudes in society. Persons with far-right ideology, by their actions and statements, contribute to the spread of homophobic sentiments, incite discrimination and, at the same time, commit actions that are often manifested in serious violations of the rights of LGBT+ people.¹²⁵

11.1.12 On 19 September 2024, the BBC reported:

‘One of Georgia's most well-known transgender women has been killed in her home, a day after the country's parliament passed a major anti-LGBT bill. Local officials say Kesaria Abramidze, 37, was stabbed to death in her flat in the capital, Tbilisi, on Wednesday [18 September]. The interior ministry said it was investigating a "premeditated murder committed with particular cruelty and aggravating circumstances on gender grounds". A 26-year-old man has been arrested in the case that has shocked the small South Caucasian nation. Georgian media reported he was known to the victim. Rights groups have linked the killing to the new anti-LGBT law, arguing the government's promotion of it had fuelled transphobic hate crime...

‘One of the first openly trans public figures in the country, she had represented Georgia in international trans pageants and had more than 500,000 followers on social media.¹²⁶ (See: [Anti-discrimination](#))

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12. Access to services

12.1 Overview

12.1.1 The Constitution of Georgia outlines that all citizens have the right to own property (Article 19), and the right to education (Article 27) and healthcare (Article 28)¹²⁷. The Constitution provides from the right of individuals to freely choose their employment (Article 26)¹²⁸.

12.1.2 Coalition for Equality, an informal association of 11 NGOs, reported in March 2022: ‘The LGBTQI community is not a homogeneous group. Thus, different groups have different challenges in accessing social rights. Transgender people are the most vulnerable part of the community...¹²⁹

12.1.3 The PDO 2022 LGBT+ report highlighted:

‘Heterosexism in society, as well as restrictions or self-restrictions associated with “coming out,” have a disproportionately negative impact on the LGBT+ group’s social and economic status, exercise of the right to health, and protection of labor rights. As a result, LGBT+ people face significant obstacles in defending their rights and are at risk of being discriminated against or subjected to unequal treatment in almost every aspect of life. As a result, the interdependence of these challenges creates a cycle of social exclusion, from which emancipation is associated with

¹²⁵ PDO, [Combating and preventing discrimination and the situation of equality](#) (page 11), 2024

¹²⁶ BBC, [Trans woman killed in Georgia day after anti-LGBT law passed](#), 19 September 2024

¹²⁷ Legislative Herald of Georgia, [Constitution of Georgia](#), 29 June 2020

¹²⁸ Legislative Herald of Georgia, [Constitution of Georgia](#), 29 June 2020

¹²⁹ Coalition for Equality, [The main challenges of the social protection ...](#) (page 61), 17 March 2022

significant difficulties.¹³⁰

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12.2 Accommodation

12.2.1 The 2020 EMC study asked survey respondents 'Have you ever faced a problem of homelessness during your lifetime?' and 20.9% of respondents replied 'Yes', while 13.4% of respondents refrained from answering the question¹³¹. However, the EMC study recorded multiple causes of homelessness, not all of which were related to the person's sexual orientation or gender identity. The study found '44.8% of respondents indicated that the experience of homelessness was related to their identity, 11.9% indicated a partial connection, and 43.3% stated that the experience of homelessness was not related to their identity.'¹³²

12.2.2 The PDO 2022 LGBT+ report noted:

'Despite the fact that there are homeless shelters in Georgia including Batumi, Kutaisi and Tbilisi municipal shelters, taking those services by LGBT+ community is related to many barriers and is dangerous if we take into consideration the fact that young and adolescent part of LGBT+ community most often faces these problems and risks.'¹³³

12.2.3 Coalition for Equality noted in its March 2022 report:

'After reaching adulthood, when community members openly express themselves or do a coming-out, they have to leave their families. From the experiences of the study participants, several major differences were revealed between the groups, which is also caused by negative perceptions in the patriarchal society of Georgia. For example, unlike gay/bisexual men, lesbian/bisexual women rarely leave their family, regardless of whether they feel supported by family members or not. Transgender women often have to start an independent life before reaching adulthood, which usually means cutting off communication with the family. Transgender men continue to live in a family even after Coming-out.

'Due to low incomes, homelessness is common in the LGBTQI community, as well as frequent changes of housing, and daily rentals. Due to the lack of permanent housing, people living under the poverty line are unable to receive social assistance. The homophobic attitudes of the landlords/owners are also problematic, which is why community members refuse to rent homes and are asked to leave apartments due to unjustified reasons.'¹³⁴

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12.3 Healthcare

12.3.1 The 2020 EMC study found '14.4% of respondents (N=46) stated that they had become victims of discrimination while receiving health care services within the last two years... Among direct discriminatory acts were mocking

¹³⁰ PDO, [The Rights of LGBT+ People in Georgia](#) (page 7), 29 April 2022

¹³¹ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 149), 2020

¹³² EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 150), 2020

¹³³ PDO, [The Rights of LGBT+ People in Georgia](#) (page 44), 29 April 2022

¹³⁴ Coalition for Equality, [The main challenges of the social protection ...](#), 17 March 2022

attitude (93.5%), inappropriate questions from doctors (79.5%), refusal of service (65.2%), insult or humiliation (58.7%), ignorance of specific needs (54.3%), and breach of confidentiality (50.0%).¹³⁵

12.3.2 In 2021 the PDO highlighted ‘...the unavailability of medical services, including the fact that certain medications or hormonal treatments are not funded under the universal health care program, nor any other special program that would be tailored to the specific needs of transgender people exists.’¹³⁶

12.3.3 The PDO 2022 LGBT+ report noted:

‘According to Article 5 of the Constitution, Georgia is a social state that is responsible for public health and social protection, while Article 28’s first paragraph states that “a citizen’s right to affordable and high-quality health care services shall be guaranteed by law.” Article 6 of Georgia’s Patient Rights Law states that “patients may not be discriminated against on the basis of race, skin color, language, sex, genetic heritage, belief and religion, political and other opinions, national, ethnic, or social origin, property and social status, place of residence, illness, sexual orientation, or negative personal attitude”. The similar norm on the prohibition of discrimination is enshrined in the Law of Georgia on Health Care.

‘Despite the fact that Georgian law protects LGBT+ people from discrimination, unequal treatment is still prevalent in the medical sector.... [E]ven when members of the LBGT+ community had no negative experiences with medical personnel, they frequently avoided visiting the doctor, except in cases of absolute necessity. In addition, various studies show that in the cases when LGBT+ community members need to use medical services (and this is in some ways related to their identity or sexual behaviour) they refrain from providing exhaustive information to the doctor, which might harm their health and effectiveness of their treatment.’¹³⁷

12.3.4 In March 2022, the Coalition for Equality noted: ‘Discriminatory, stereotypical attitudes and low sensitivity of medical staff are some of the obstacles to LGBTQI people while using health services...LGBTQI people choose a doctor and a medical facility to receive medical care on the recommendation of other community members, acquaintances, social workers, and/or community organizations.’¹³⁸

12.3.5 Equality Movement offers a free and anonymous doctors service. This includes medical consultations, treatment appointments, referrals to appropriate medical services, blood tests and providing competent information on HIV/AIDS prevention medication Pre-exposure prophylaxis (PrEP)^{139,140}.

12.3.6 The same report stated the following with regard to financial aspects of accessing healthcare:

¹³⁵ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 137), 2020

¹³⁶ PDO, [Report of the Public Defender of Georgia ...](#) (page 110), 2021

¹³⁷ PDO, [The Rights of LGBT+ People in Georgia](#) (page 40), 29 April 2022

¹³⁸ Coalition for Equality, [The main challenges of the social protection ...](#) (page 65), 17 March 2022

¹³⁹ Equality Movement, [Doctor](#), no date

¹⁴⁰ Equality Movement, [HIV Testing](#), no date

‘LGBTQI people face several major challenges in accessing health services. Lack of financial resources is cited as a major limiting factor for accessing medicines, scheduled or emergency medical procedures. Some of the survey respondents have experienced receiving the amount (or part of the amount) needed for treatment from the state or community organizations, however such cases are rare, and they do not cover the complex needs of community members.’¹⁴¹

12.3.7 The Coalition for Equality also noted the following in relation to HIV/AIDS:

‘... the rate of [HIV] testing and status detection is low. Focus group respondents pointed to several key issues in accessing HIV services. Nearly all participants in the study spoke about the practice of breaching confidentiality by the medical providers. Among the challenges was the geographical (territorial) location of the medical facility, which creates additional difficulties in obtaining the service.

‘Although all HIV-related services are free for Georgian citizens, the study participants also mentioned other concomitant chronic diseases, the treatment of which is not covered by the state. Part of the community, especially the transgender community, named the issue of starting a treatment or discontinuation of treatment as an important problem. The reasons for such practices were the stigma associated with HIV and the LGBTQI community, as well as the lack of information about the side effects of medications, and the lack of a support system.’¹⁴²

12.3.8 The Coalition for Equality also note the following with regard to access to healthcare for transgender persons:

‘Access to health care for trans- gender people is hampered by economic vulnerability, transphobic attitudes, and the lack of trans-specific guidelines and protocols... Without national protocols and guidelines, health care providers are forced to rely on guidelines of other countries that may not cover or neglect Georgia’s context and special needs...

‘The transgender women and men in the focus groups pointed out the problems in the process of hormonal therapy. Respondents indicated that receiving a consultation with a doctor and taking hormonal drugs is difficult due to lack of finances. Members of the LGBTQI community have tried to get funding for hormonal therapy from the state, but they were denied.

‘Due to lack of access to financial resources, some transgender people are forced to refuse therapy or take medications irregularly. When therapy is continued, transgender people are no longer able to meet other basic needs. Respondents recalled cases when community members were taking cheap hormonal medications without an endocrinologist prescription, which had a negative impact on their health.’¹⁴³

12.3.9 Equality Movement also provides LGBTQ+ individuals with free psychological services such as individual therapy, family therapy, clinical tests, psycho-diagnostics and other assistance provided by multidisciplinary

¹⁴¹ Coalition for Equality, [The main challenges of the social protection ...](#) (page 65), 17 March 2022

¹⁴² Coalition for Equality, [The main challenges of the social protection ...](#) (page 68), 17 March 2022

¹⁴³ Coalition for Equality, [The main challenges of the social ...](#) (pages 66, 67), 17 March 2022

professionals ¹⁴⁴.

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12.4 Education

12.4.1 EMC's research stated the following:

'Research shows that LGBTQ people have limited access to education... The most acute problems among educational institutions at various levels were identified at the school level, which is a vulnerable age for young LGBTQ people. Unsupportive environment in school spaces has the most negative impact on the future lives of individuals as it forms a foundation that ensures the transition to adulthood. The research shows that for 32.2% of the respondents (N = 292) the barrier to general education is homophobic discrimination by teachers and/or the school administration, and for 41.9% homophobic bullying by classmates/schoolchildren. It is noteworthy that of the respondents who experienced barriers to general education due to their sexual orientation or gender identity (N = 136), 44.1% missed school days.'¹⁴⁵

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12.5 Employment

12.5.1 The USSD HR Report 2022 noted that 'Discrimination in the workplace was widespread. LGBTQI+ activists said discrimination based on gender identity and sexual orientation remained widespread and underreported.'¹⁴⁶

12.5.2 EMC's research, published in 2020, asked respondents how open they were with co-workers about their sexual orientation. The percentage of respondents who reported that they were open with 'All' or 'Most' of their co-workers was:

- Lesbian – 57.7%
- Gay – 57.7%
- Bisexual woman – 20%
- Bisexual man – 65.4%¹⁴⁷

12.5.3 Of the 320 responses to EMC's questionnaire 68.8% of LGBTQ persons were employed and 31.3% were unemployed. The 2 largest employment sectors were 'arts, entertainment and leisure' (32.7% of employed persons) and 'accommodation and catering services' (19.2% of employed persons)¹⁴⁸.

12.5.4 The PDO 2022 LGBT+ report noted:

'In terms of eliminating discrimination in the workplace, the key EU directives, which the State has committed to implementing in the EU-Europe Atomic Energy Union and their Association Agreement, are important...

'Georgian legislation has undergone significant changes in creating decent working conditions and prohibiting unequal treatment in the workplace. On

¹⁴⁴ Equality Movement, [Psychologist](#), no date

¹⁴⁵ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 11), 2020

¹⁴⁶ USSD, [HR report 2022](#) (section 7), 20 March 2023

¹⁴⁷ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 65), 2020

¹⁴⁸ EMC, [Social Exclusion of LGBTQ Group in Georgia](#) (page 115), 2020

September 29, 2020, as a result of the reform of the labor legislation, the Labor Code of Georgia became substantially closer to the EU directives and the requirements of the International Labor Organization... It should also be noted that the Labor Code considered the employer's direct obligation to take measures to protect the principle of equal treatment of employees in the institution, including the provisions prohibiting discrimination in the labor regulations and other documents and ensuring their implementation.¹⁴⁹

12.5.5 In March 2022, the Coalition for Equality noted:

'Experiences of cultural exclusion, violence and socio-economic oppression leave some LGBTQI people outside the labor market. Community members are usually represented in low-wage, informal sectors and create "cheap", volatile workforces...

'[LGBT] Community members face barriers and discriminatory treatment at all stages of the employment relationship – in job search, job interviews, employment, and job performance. Employment opportunities are significantly influenced by openness (coming out) and expression related to sexual orientation or gender identity. Only 21% of LGBTQI people in the workplace are open about their sexual orientation or gender identity, while 34% of community members do not reveal their identities to avoid harassment, threats and/or violence. Participants of in-depth interviews and focus groups indicated that identity could only be revealed in jobs that are LGBTQI-friendly or has internal anti-discrimination mechanisms in place...

'Respondents named specific entertainment and leisure facilities (clubs, bars, restaurants, hotels, etc.) as LGBTQI-friendly workplaces. Some participants noted that openness and appropriate expression of identity were supported by the employer.

"There are certain trends in some companies. They like when a gay man serves them" – gay man.

"When I was hired, the owner of the bar told me that more 'queer' I acted, the cooler it would be. He wanted to sell my image to clients and create a 'colorful environment'" – a gay man...

'The most common forms of discrimination are verbal discrimination (insults, humiliation, ridicule), as well as expulsion and spreading rumors...

'A significant portion of people in the LGBTQI community, including those surveyed, have had informal work experiences. The most common form of informal labor practice is working in the field of service and entertainment without a contract, based on oral agreement. In addition, lesbian, bisexual, and other non-heterosexual cisgender women work as babysitters, educators, tutors, and caregivers.'¹⁵⁰

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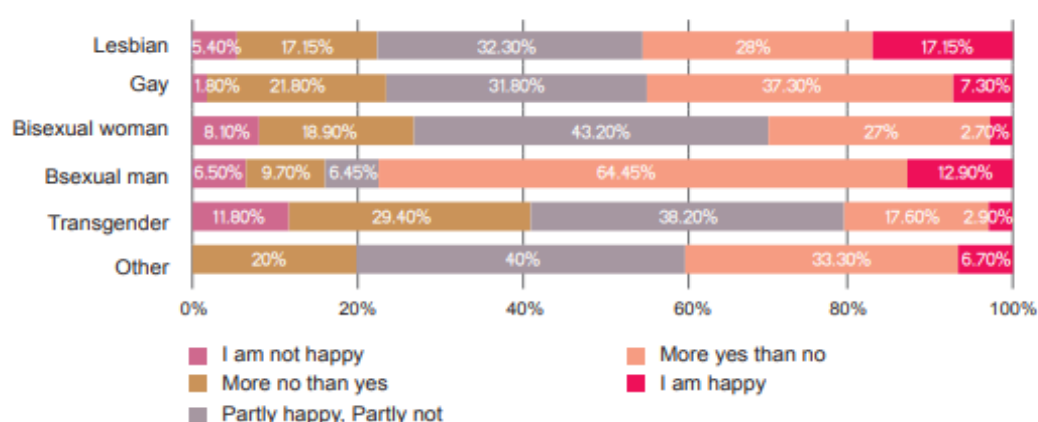
13. LGBTI community

13.1 Lived experience, visibility and 'coming out'

¹⁴⁹ PDO, [The Rights of LGBT+ People in Georgia](#) (page 35), 29 April 2022

¹⁵⁰ Coalition for Equality, [The main challenges of the social ...](#) (pages 62, 64), 17 March 2022

- 13.1.1 The EMC stated the following regarding the experience of coming out: 'The research shows that the coming out of members of the LGBTQ community can result in multiple vulnerabilities, including violence, lack of adequate access to education, lack of access to health care, and challenges of homelessness. Consequently, a large percentage of respondents – 63.9% avoid disclosing their sexual orientation, especially in the home/ family, neighbourhood, street, and other public spaces, indicating that there is almost no space reserved for the LGBTQ community members, and they constantly have to control their forms of their presentation/ expression.'¹⁵¹
- 13.1.2 The EMC 2020 survey asked 320 respondents 'Are you happy or not?' The results were summarised by EMC in the chart below¹⁵² and indicate a variation in 'happiness' levels among person's with different sexual orientations and gender identities, with transgender respondents the least happy and bisexual men the most happy.



- 13.1.3 The EMC 2020 survey also asked respondents how comfortable they felt in Georgia¹⁵³. The results have been summarised by CPIT in the table below.

-	Lesbian	Gay	Bisexual woman	Bisexual man	Trans gender	Other
Very comfortable	10.8	15.5	5.4	9.7	20.6	20.0
Comfortable	19.4	25.5	16.2	19.4	2.9	26.7
Partly comfortable/ partly uncomfortable	51.6	31.8	40.5	45.2	35.3	26.7
Uncomfortable	16.1	23.6	37.8	22.6	35.3	20.0
Very uncomfortable	2.2	1.8	0	3.2	0	6.7
Refuse to answer/ don't know	0	1.8	0	0	5.9	0
Total	100.1	100	99.9	100.1	100	100.1

- 13.1.4 The EMC 2020 survey reported: When asked how open they [LGB persons only] are about their own sexual orientation, 21.8% of respondents (n = 275) state that they are open to everyone about their own sexual orientation, 76.7% are partially open, and 1.5% are not at all open about their own

¹⁵¹ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 10), 2020

¹⁵² EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 53), 2020

¹⁵³ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 44), 2020

sexual orientation to others.’¹⁵⁴ The degree of openness was higher for transpersons. For transmen, 60% reported being completely open and 40% reported being partially open. The figures were similar for transwomen (62.5% completely open and 37.5% partially open)¹⁵⁵.

13.1.5 The WISG 2022 report stated:

‘The individual visibility of members of the LGBT(Q)I community is higher in Tbilisi than in other urban areas and rural areas: 23.8% of respondents living in Tbilisi say they know at least one member of the LGBT(Q)I group, while the share of such respondents in urban and rural areas is respectively, 11.3%, and 5.1%. The peculiarity of the internal migration of the LGBT(Q)I group shows that young members of the group often try to choose a place to live that, on the one hand, allows them to be away from family, and relatives in order to avoid “control” over themselves. And on the other hand, in big cities where there is more diversity and less pressure on self-expression. Young people living in rural areas try to move to the city, move from one city to another, and so on. Consequently, in Tbilisi and other cities, the respondents are more likely to know a person who doesn’t hide his/her/their sexual identity.’¹⁵⁶

13.1.6 An Economist article, dated 4 November 2021, reported ‘Success Bar is the only avowedly gay pub [in Georgia] (some other clubs in Georgia run occasional gay nights) ... partygoers hoping to attend a gay night at nearby club Bassiani must submit their names, dates of birth, links to their Facebook profiles and even passport numbers days in advance. The party’s security team then screen for signs of prejudice before allowing anyone to hit the dance floor.’¹⁵⁷

13.1.7 A January 2023 BBC Culture article stated:

‘In socially conservative Tbilisi there is a thriving LGBTQ+ scene, with comedy, clubbing and art at its core...[I]n the Georgian capital Tbilisi there is a thriving, tight-knit underground LGBTQ+ scene, spearheaded by techno clubs such as Bassiani but also spreading into cinemas and galleries and onto stages...

“Our original goal was not just a techno club,” says Giorgi Kikonishvili, founder of Georgia’s first LGBTQ+ event, Horoom Nights at Bassiani, which started in 2016, “but a kind of underground base for all sorts of social movements in Georgia... those of queers, women, the left, the green movement. So the DNA of the club is not just music and techno, we see the club as a political place”...

‘During the day, Kikonishvili works with artist and activist Tekla Tevdorashvili and others at the Fungus Gallery, an LGBTQ+ art collective and gallery in a quiet corner of Tbilisi that invites artists from across the Caucasus region. Tevdorashvili says it is hard to understate the importance of club culture in these social changes. “Nightlife changed the whole context of how Georgian society perceives queer people. Clubs were the first place to offer them a

¹⁵⁴ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 63) 2020

¹⁵⁵ EMC, [Social Exclusion of LGBTQ Group in Georgia](#), (page 69) 2020

¹⁵⁶ WISG, [From Prejudice to Equality: Study on Public Knowledge...](#) (page 25), 6 May 2022

¹⁵⁷ The Economist, [Bouncers at gay clubs in Georgia screen patrons for bigotry](#), 4 November 2021

safe space, and now the attitude people have in the clubs is shifting to daylight.”¹⁵⁸

13.1.8 The same article stated:

‘For Tevdorashvili, this need for safe spaces is all too real. A few years ago she put an art installation up in a public park days before the annual church-organised “day for family purity”. The installation was a rainbow-coloured box entitled “Closet”, with handwritten notes from the LGBTQ+ community, which played a speech and then the Diana Ross song Coming Out. She had only told a few trusted blogs about it in advance, but it was attacked by a far-right activist within just a few hours of being up. Tevdorashvili recognised him from demonstrations. The police came but they advised against putting the artwork back up. This was a setback, she says, but not a defeat: “What we artists and activists has gone through have only made us stronger.”¹⁵⁹

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13.2 Support organisations

- 13.2.1 NGO Tbilisi Pride, in an undated page on its website, described its mission to ‘create an equal and free environment for LGBT+ people.’¹⁶⁰
- 13.2.2 The Women’s Initiatives Supporting Group, in an undated page on its website, stated that it ‘... was and remains the first organization in Georgia focused on the empowerment of lesbian and bisexual women and trans persons... Today, the organization is a leading expert in LGBTI issues and enjoys a high level of credibility among both local and international state and non-state actors.’¹⁶¹
- 13.2.3 Equality Movement is a Georgian NGO which aims to ensure access to health care services, mobilise and support social integration and form a supportive environment to empower women and the LGBTQ community ¹⁶².
- 13.2.4 Equality Movement ‘provides social and legal services based on the needs of the beneficiaries, works towards mobilizing the community, and conducts interventions of policy advocacy and changing the social awareness.’ This includes providing free HIV testing and free access to doctors and psychologists¹⁶³ (see [Healthcare](#)).
- 13.2.5 Human Rights Centre (HRC) Georgia ‘believes that everyone is entitled to exercise her/his civil, political, social, economic and cultural rights freely and without any discrimination as guaranteed by national and international law. We consider that protection and promotion of these rights and respect for rule of law are the key preconditions for building sustainable peace and democracy in Georgia.’ ¹⁶⁴ HRC’s main activities include documenting and monitoring human rights violations, reporting to international bodies, advocacy of legislative and policy reforms and litigating cases on human

¹⁵⁸ BBC Culture, [Georgia’s surprising LGBTQ+ scene](#), 25 January 2023

¹⁵⁹ BBC Culture, [Georgia’s surprising LGBTQ+ scene](#), 25 January 2023

¹⁶⁰ Tbilisi Pride, [Mission](#), no date

¹⁶¹ WISG, [About](#), no date

¹⁶² Equality Movement, [Mission/Vision](#), no date

¹⁶³ Equality Movement, [Mission/Vision](#), no date

¹⁶⁴ HRC, [Vision and Mission](#), no date

rights violations through the Legal Aid Centre pro-bono¹⁶⁵.

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14. Freedom of movement

- 14.1.1 Georgia has a population of 3.6 million and is 69,700 sq km¹⁶⁶. Approximately 1 million people live in the capital of Tbilisi¹⁶⁷.
- 14.1.2 The USSD HR Report 2023 noted: 'The law provided for freedom of internal movement, foreign travel, emigration, and repatriation of citizens ...'¹⁶⁸
- 14.1.3 The FH report - Freedom in the World 2024 – Georgia, 25 April 2024, noted: 'There are ongoing restrictions on travel to and from the separatist territories of Abkhazia and South Ossetia, and individuals who approach their de facto borders can be abducted, tortured, or killed by the territories' local security forces. Georgians are otherwise free to travel and change their place of residence, employment, and education without undue interference.'¹⁶⁹

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¹⁶⁵ HRC, [Priorities](#), no date

¹⁶⁶ BBC, [Country profile: Georgia](#), 4 June 2024

¹⁶⁷ World population review, [Tbilisi Population 2023](#), 2023

¹⁶⁸ USSD, [HR Report 2023: Georgia](#) (section 2D), 23 April 2024

¹⁶⁹ FH, [Freedom in the World 2024 – Georgia](#), 25 April 2024

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal context
 - General anti-discrimination provisions (and inclusion or absence of reference to LGBTI persons)
 - Same-sex sexual behaviour
 - Same-sex couples, including civil union and marriage
 - Legality of conversion therapy and prevalence
- State attitudes and treatment
 - government policies/programmes that assist or discriminate against LGBTI persons
 - restrictions/enforcement of law against LGBTI freedom of assembly, including Pride events
- State protection
 - Functionality and effectiveness of the criminal justice system, including effectiveness for LGBTI persons
 - Relevant significant court cases
- Societal attitudes and treatment
 - Public opinion/views/surveys, including anti-LGBTI movements and public demonstrations
 - Prevailing cultural and family attitudes to male/female relationships, family and non-conforming behaviour
 - Violence and hate crimes against LGBTI community
 - Prevalence of hate speech
 - Treatment by the public, including family members
 - LGBTI organisations (including possibility to operate openly)
- Access to social rights
 - Access to accommodation, including rate of homelessness in LGBTI community
 - Discrimination in healthcare access, including attitudes of healthcare staff
 - Barriers, discrimination and treatment in employment

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **1 October 2024**

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

Updated county information and assessment following a review by the IAGCI.

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Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

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Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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