



“It felt like the whole country was against us”

Failures by the Georgian government to address hate speech and attacks on LGBTIQ activists and journalists

Table of contents

Executive Summary	3
Methodology	5
Violation of the right to freedom of assembly and expression: hate speech and harassment	6
A POLARISED SOCIETY	6
ATTITUDE OF THE GEORGIAN ORTHODOX CHURCH TOWARDS PRIDE	7
FAILURE OF THE GEORGIAN AUTHORITIES TO ANTICIPATE THE VIOLENCE AND TAKE PREVENTIVE ACTION	9
Tbilisi Pride Week: what went wrong?	12
EVENTS DURING PRIDE WEEK	12
ATTACKS ON LGBTIQ RIGHTS ACTIVISTS	18
ATTACKS ON JOURNALISTS	20
AFTERMATH OF THE EVENTS	24
Freedom of the media and access to information	26
GROWING PRESSURE UPON OPPOSITION MEDIA OUTLETS	26
AFTER 5 JULY EVENTS	28
INVESTIGATION	30
Legal assessment of the events	33
INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK	33
INTERCONNECTIVITY OF THE FREEDOM OF PEACEFUL ASSEMBLY AND OTHER HUMAN RIGHTS AND FREEDOMS	34
POSITIVE OBLIGATIONS OF STATES	35
RIGHTS OF COUNTER PROTESTORS AND THE OBLIGATIONS OF STATES	35
ROLE OF JOURNALISTS AND THEIR PROTECTION	36
Conclusion	37
Recommendations	38

I. Executive summary

On 5 July 2021, violent attacks against journalists and LGBTIQ rights activists erupted in the centre of Tbilisi, the capital of Georgia, a small, predominately Orthodox Christian country in the South Caucasus.

Tbilisi Pride Week - a series of peaceful events organised by Georgian civil society groups, including Tbilisi Pride and Shame Movement, from 1 to 5 July 2021 to advocate for the rights of LGBTIQ people - was supposed to culminate with a peaceful March for Dignity through central Tbilisi on the evening of 5 July. Participants planned to use the slogan “come out for solidarity” to draw attention to their grievances over state inaction against discrimination and hate crimes.

This was the second attempt to organise the event in the country, as it had to be cancelled in 2019 following multiple threats from anti-LGBTIQ activists. In 2013, the LGBTIQ community in Georgia dared, for the first time, to publicly protest against discrimination and was subsequently physically attacked by conservative activists and Orthodox leaders. Since then, the Georgian government has attempted to balance its obligation to protect the human rights of minorities with the risk of losing public support associated with tackling such a domestically sensitive issue.

Prior to July 2021, Georgian far-right groups and Georgian Orthodox Church (GOC) representatives vehemently opposed the March for Dignity for “going against Georgian traditional and religious values”, calling on the government to cancel it and threatening the organisers. The law enforcement agencies failed to take adequate steps to respond to the increasingly prevalent incidents of hate speech.

Leaders from the ruling political party, Georgian Dream, stated that the march was “unreasonable” and accused LGBTIQ activists of having links to the political opposition. Observers have reasoned that Georgian Dream wanted to distance itself from the controversial topic of LGBTIQ rights and possibly undermine the opposition prior to the October 2021 local elections. The country is currently experiencing a tense and prolonged political crisis which erupted in the wake of last year’s parliamentary elections.

In early July 2021, weeks of public debate, online harassment of LGBTIQ activists, and calls for violence from far-right groups culminated in mass clashes on the streets of Tbilisi after vigilante groups gathered in their thousands in front of the Parliament building on the morning of 5 July. Members of these groups then roamed the streets of Tbilisi and were responsible for violently attacking dozens of people - throwing stones and bottles, as well as beating and harassing people. They also targeted the offices of human rights organisations.

In total, 55 people, including 53 journalists, were injured as a result of the mob attacks, in an unprecedented attack on the mass media. One journalist, Alexandre Lashkarava, died a few days after having being severely beaten during the attacks. Another journalist, Ilya Tvaliashvili, was left blind in one eye after being punched in the head.

The well-coordinated groups of hundreds of far-right protestors moving through the city stormed the offices of Tbilisi Pride and Shame Movement, the civil society organisations behind the organisation of Tbilisi Pride Week. They also attacked the office of Human Rights House, an organisation which provided shelter for LGBTIQ activists during the attacks on 5 July. LGBTIQ activist Gvantsa Pertia was injured by an explosive device thrown by a far-right protestor. In front of the Parliament building, protestors tore down the flag of the European Union and demolished several tents which had been set up by opposition political parties a few months earlier and had no connection to the Pride march.

The Georgian authorities failed both to take action to address violent threats and hate speech before the rally and to prevent the violence itself. Instead, protestors were allowed to commit unlawful acts of violence against peaceful civilians with limited police interference. Although the open calls for action and threats made by opponents of Tbilisi Pride before the event should have alerted the police to the serious risk of violence, a minimal law enforcement presence was reported by witnesses. The same sources reported that police were not wearing protective gear and that they came under attack while trying to intervene.

The violent clashes and the subsequent death of Alexandre Lashkarava inspired protests against far-right violence and police inaction and increased political tensions in the run-up to the local elections on 2 October 2021. On 6 July, over 7,000 people turned out on Rustaveli Avenue in Tbilisi to protest the previous day's violence. At the 6 July rally, over 3,000 police officers were reportedly present in order to effectively separate the opposing sides.

Observers question the reasons behind the inadequate police response to the 5 July violence, arguing that Georgian Ministry of the Interior has the capacity and resources to maintain public order during mass gatherings. The police approach to other events taking place as part of Tbilisi Pride Week 2021 on 1 and 3 July was also dramatically different from that of 5 July. Due planning in cooperation with Pride Week organisers helped police to anticipate and prevent violent clashes during the movie screening on 1 July and day-long music festival on 3 July. During other rallies in recent years, the Ministry of the Interior used water cannon and tear gas to disperse protestors, while special forces police officers were equipped with metal shields for protection during other public gatherings, including those organised by the LGBTIQ community.

Coordinated media campaigns protesting against the violent attacks on journalists, as well as statements of concern from diplomats and international organisations, followed the 5 July events. The Georgian authorities condemned the violence and opened criminal investigations. Yet, in the days following the planned March for Dignity, Prime Minister Irakli Garibashvili publicly stated that LGBTIQ activists and journalists bore partial responsibility for provoking the attacks.

Georgian opposition media is currently facing increasing pressure from the government and radical groups. Violent attacks against journalists intensified in 2021, with ruling party leaders and the GOC making hostile statements and cancelling opposition media accreditations to cover official events and church spiritual gatherings.

At the time of writing, police have identified only a handful of the attackers involved in the 5 July events. Three and a half months after the event, 31 individuals have been indicted as part of the investigation into the violent attacks on 5 July, while, according to the Ministry of the Interior, 700 have been interrogated. The police have questioned several leaders of the organisations behind the attacks, yet have failed to take any further actions against them. On 10 September, the national regulator granted "national broadcaster" status to Alt-Info, a media organisation whose leaders were openly calling for violence against journalists and participants of the March for Dignity.

Freedom of peaceful assembly has long been recognised by European institutions as "one of the foundations of a democratic, tolerant and pluralist society".¹ Furthermore, the realisation of the right to

¹ Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 1.

freedom of peaceful assembly is interconnected with other human rights and freedoms guaranteed by international and domestic Georgian law, such as the right to vote and the freedoms of association and expression.

Core international treaties, such as the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR), ratified by Georgia, carry the obligation for the State Parties to respect the freedom of assembly of people, with “particular importance for persons holding unpopular views or belonging to minorities, because they are more vulnerable to victimisation”.² The obligation to respect the freedom of assembly requires the public authorities to abstain from restricting its enjoyment and protect individuals against arbitrary interference.

Article 21 of the Georgian Constitution echoes both of the abovementioned documents. The provisions of the Constitution are further detailed in the Law of Georgia “On Assemblies and Demonstrations” adopted on 12 June 1997, which gives special regard to the protection of journalists during assemblies. Adopted in June 2004, the Law of Georgia “On Freedom of Speech and Expression” explains the fundamental status of the freedom of expression within a democracy. In May 2014, the Georgian parliament adopted the Law of Georgia “On the elimination of all forms of discrimination” that provides for protection against discrimination on the grounds of race, gender, age, sexual orientation, and gender identity.

In order to ensure the protection of demonstrators (as well as counterdemonstrators) the state should duly address all instances of hate speech, including homophobic statements. State representatives should also refrain from making statements that can be interpreted as hate speech and/or instigations to violence.

II. Methodology

This report is based on information gathered by a team of monitors from International Partnership for Human Rights (IPHR) and the NGO Truth Hounds during a fact-finding mission conducted in Tbilisi in July 2021. The purpose of the mission was to assess allegations concerning the failure of the Georgian authorities to protect demonstrators from violence, in addition to the abusive treatment of demonstrators and journalists, as well as other human rights violations during rallies which took place in Tbilisi from 1 to 6 July 2021 as part of Pride Week, most notably during the events of 5 July when the violence against LGBTIQ activists and journalists peaked.

The monitors interviewed and recorded testimony from 24 victims, witnesses, lawyers, activists, journalists, and NGO representatives who were personally affected by the events. We wish to thank all those who agreed to meet with the IPHR-Truth Hounds delegation and share their observations, experiences, analysis, photos, and video recordings. All the individuals we spoke to agree to disclose their personal data, so we refer to them by their real names in this report.

This report presents the conclusions of the fact-finding mission and provides a legal assessment of the events of 1 to 6 July 2021. We also undertook desk research, during which video footage from different media outlets, as well as photos, articles, and media investigations, was studied in order to reconstruct the timeline of events and to identify some of the potential perpetrators.

2 ECtHR Case of *Bączkowski and Others v. Poland* (Application no. 1543/06), Judgment 3 May 2007, para. 64.

III. Violations of the right to freedom of assembly and expression: hate speech and harassment

The debate over LGBTIQ rights in Georgia, one of the most controversial topics in this predominantly Orthodox Christian country, erupted at a time of extreme political polarisation. In 2013, the LGBTIQ community in Georgia dared for the first time to publicly protest against discrimination and was subsequently attacked by conservative activists and Orthodox leaders. Since then, the Georgian government has attempted to balance its obligation to protect the human rights of minorities with the risk of losing public support associated with tackling such a domestically sensitive issue. In 2014, the Georgian parliament passed the Anti-Discrimination Law. Yet, almost every attempt by the LGBTIQ community to publicly express its grievances since then has ended with violence and harassment.

A. A polarised society

The debates surrounding Tbilisi Pride Week became particularly heated prior to local elections taking place in October 2021 amid an ongoing political crisis which erupted in the country following last year's parliamentary elections. Some opposition parties accused the authorities of falsifying the election results and refused to recognise the official outcome. The ruling political party, Georgian Dream, has been in power since 2012 when it replaced the United National Movement, the party led by former president Mikhail Saakashvili, which was known for its pro-Western stance. Georgian Dream promised to continue progress towards European integration, while normalising relations with Russia, and levelled various accusations at Saakashvili, such as that he oppressed Orthodox priests. In April 2021, with the mediation of EU representatives, the opposition parties and Georgian Dream reached an agreement obliging the authorities to hold new parliamentary elections next year if Georgia Dream failed to receive 43 per cent of the national vote at the local elections in October. The Georgian president, Salome Zuraishvili, called the agreement "an important step towards depolarising society".³

On 16 May 2021, 15 opposition political parties, including the United National Movement, signed an agreement initiated by Tbilisi Pride to combat discrimination against LGBTIQ people. For the first time in Georgian history, the problems of the LGBTIQ community were reflected on the political agenda of several political parties.⁴ The organisation Shame Movement, which was founded in 2019 by opposition activists demanding the resignation of the Georgian Dream government, announced that they would take part in events during Pride Week.

LGBTIQ activists and opposition politicians assembled again on 3 June 2021 to protest against allegations of child abuse and sexual harassment in a boarding school run by the GOC. The boarding school directors reportedly denied access to human rights monitoring missions and the Public Defender of Georgia, explaining they could not a visit from people, who "advocate legalisation of same-sex marriage".⁵

3 <https://ru.euronews.com/2021/04/20/georgia-agreement>

4 <https://www.ekhokavkaza.com/a/31257942.html>

5 <https://jam-news.net/ru/снасти-детей-из-плена-почему-церков/> IPHR and Truth Hounds interview with Ana Subeliani, Tbilisi Pride, July 2021, Tbilisi.

Additionally, certain politicians and media outlets linked Pride Week to the liberal opposition. On 1 July 2021 Arno Khidirbegishvili, *the editor-in-chief of the information agency Sakinform* published the following statement: “The increased cases of paedophilia in Georgia are directly linked to the accelerated propaganda of homosexuality promoted by Saakashvili’s United National Movement party ... and other like-minded people! So, make a choice, Georgians: either gay parade and “UNM” or the Church and the Georgian Dream”.⁶

Similar claims were made by the prime minister of Georgia, Irakli Gharibashvili, on 5 July: “Unfortunately, the organisers of today’s demonstration are backed by radical revanchist groups. Specifically, the revanchist opposition led by Saakashvili. They are involved in this, [...]they are organising the march and it aims to bring chaos and civil unrest to our country.”⁷



One of many posters displayed throughout Tbilisi and other Georgian cities, portraying Mikhail Saakashvili surrounded by LGBTIQ activists and independent media journalists. Photo by Truth Hounds, July 2021, Tbilisi, Georgia.

B. Attitude of the Georgian Orthodox Church towards Pride

The GOC, traditionally antagonistic towards same-sex relations, did in fact criticise the acts of violence committed against LGBTIQ activists and journalists at the institutional level, yet was nonetheless firmly opposed to Pride.⁸

On 17 May 2013, a peaceful gathering held to mark the International Day Against Homophobia was violently disrupted by thousands of counterdemonstrators, including some Orthodox clergy. The day before, on 16 May 2013 the patriarch of the GOC publicly referred to homosexuality as “*an anomaly and a disease*”

6 <http://saqinform.ge/news/51277/„Tbilisi+Pride“+da+lgbtq%2B+„Rirsebis+marshi“+evropuli+Rirebulebebis+nawilia+-+arno+xidirbegishvili.html>

7 <https://civil.ge/ru/archives/430542>

8 <https://carnegieeurope.eu/2021/07/23/orthodox-church-in-georgia-s-changing-society-pub-85021>

and urged the authorities not to allow the gathering, calling it an “an insult” to Georgian traditions.⁹ It took the Interior Ministry, then headed by the current prime minister, Irakli Garibashvili, four days to finally arrest four members of the mob, only to release them again after they paid a fine equivalent to 60 USD. A week after the rally, two clerics were also charged with illegally impeding the right to assembly.¹⁰

Since 2013, the GOC has celebrated Sanctity of the Family Day on 17 May, the same day as the International Day Against Homophobia, Biphobia, and Transphobia. The Georgian Patriarch stated in his 2021 Easter epistle that same-sex marriage is a sign of a crisis of humanity.¹¹ On 29 June 2021, the GOC issued a statement urging the Georgian government to prevent “the destabilisation of the country and public life, ... [as Tbilisi Pride] propagates a non-traditional way of life under the guise of human rights” and that the church deemed “hatred and violence” directed at anyone “unacceptable”, but also denounced “the pride of sin and attempts to influence other people”.¹²

Far-right groups in Georgia have gained public legitimacy due to some level of support from the GOC.¹³ This relationship is likely to have contributed to broader anti-LGBTIQ mobilisation in the run-up to Pride. Some ultra-conservative politicians portrayed Pride as an event aiming to undermine traditional Georgian values and GOC and blamed liberal political parties and western countries. David Tarkhan-Mouravi, leader of the Alliance of Patriots of Georgia stated the following in reference to Pride: “Pseudo-liberal organisations from the US and Europe are fighting against the Georgian Orthodox Church. [...] The Orthodox Church is being opposed by the Biden Administration and the Department of State”.¹⁴ Sandro Bregadze, the leader of the national-conservative political party, Georgian March, commented: “The Church has come under pressure ... On 5 July, the same [liberal] groups ... are planning to stage the final battle. I hope this will be their Waterloo”.¹⁵

The call to join the protest attracted many GOC supporters from across the country. Georgians living in rural areas and cities outside Tbilisi are generally more likely to hold traditional values and support the GOC. For example, in September 2020, 54 per cent of Tbilisi residents supported the GOC’s special status in Georgia, whereas this opinion was shared by 68 per cent of residents of other urban areas.¹⁶ Many protestors involved in the attacks on journalists were reportedly from regions outside Tbilisi, some from as far as away as Svaneti, several hours drive outside the capital.¹⁷

Statements of condemnation and protest against Pride were gathering forces and the Administration of Muslims of All Georgia, the Great Synagogue of Tbilisi, and the Diocese of the Armenian Apostolic Orthodox Church in Georgia all publicly opposed Pride Week.¹⁸

9 <https://www.hrw.org/world-report/2014/country-chapters/georgia#74bcfb>

10 <https://www.newyorker.com/news/news-desk/what-was-behind-georgias-anti-gay-rally>

11 In his Easter Epistle, Patriarch Lambasts “Post-humanism” - <https://civil.ge/archives/417429>

12 <https://civil.ge/archives/417429>

13 https://freedomhouse.org/report/special-report/2020/new-urasian-far-right-rising#footnoteref5_hlm5lyu

14 <https://mythdetector.ge/en/research/radicalization-name-religion-and-against-political-opponents-whom-and-what-reason-pride>

15 <https://mythdetector.ge/en/research/radicalization-name-religion-and-against-political-opponents-whom-and-what-reason-pride>

16 <https://carnegieeurope.eu/2021/07/23/orthodox-church-in-georgia-s-changing-society-pub-85021>

17 IPHR and Truth Hounds interviews with Levan Kalandia, cameraman at Mtavari Arkhii, July 2021; Luka Pertaiia, chief journalist at Netgazeti/Batumelebi, July 2021; Tamuna Tchaureli, Journalist at Radio Liberty, July 2021, Tbilisi, Georgia.

18 Tbilisi Great Synagogue urges government to ban Pride Week - <https://www.radiotavisupleba.ge/a/31340439.html>

C. Failure of the Georgian authorities to anticipate the violence and take preventive action

Anti-LGBTIQ groups, including NGOs, political parties, media representatives, and priests, responded with anger to the announcement of Tbilisi Pride Week on 3 June, and called for people to protest as early as 7 June 2021,¹⁹ while focusing predominantly on the 5 July March for Dignity.

On 15 June, 2021, Levan Vasadze, businessman, politician and founder of the ultra-conservative party ERI (meaning “Nation” in Georgian), issued an ultimatum to the authorities, demanding that they cancel Pride before 25 June and ban LGBTIQ propaganda “in order to prevent a confrontation and escalation in the country”. If not, he warned that the “whole of Tbilisi is going to go there [to prevent the event from happening]”.²⁰ On 19 June, the far-right media group Alt-Info, linked to Levan Vasadze, announced on social media that they were planning a protest on 5 July:

“Today, we’ve started mobilising people from different regions of Georgia and areas of Tbilisi. We need to work on transportation, keeping them informed, and starting Facebook campaigns. All of this needs to be organised because people won’t gather by themselves and we need to control and oversee everything.”²¹

Alt-Info stated that the protest was likely to be violent. Zura Makharadze, one of Alt-Info’s leaders, stated on YouTube on 21 June that violence “is the right way and if these people [LGBT activists] won’t stop, then the violence against them will get worse”.²² On 30 June 2021, Makharadze announced he was an “oppressor” ready to “defend [his] homeland with force and violence”. Another founder of Alt-Info, Konstantine Morgoshia warned on social media that “nobody [would] be able to protect activists in the streets”.²³ Videos of Alt-Info’s calls to join the violent anti-LGBTIQ protest on 5 July²⁴ were shared on multiple social media accounts and viewed by several thousand people.²⁵

Others joined the mobilisation efforts. On 24 June, up to 30 conservative and Christian groups gathered in Mtskheta to announce that nationalist groups had agreed to mobilise against the March for Dignity and block Rustaveli Avenue. The signatories of the agreement included ERI, Alt-Info, Georgian Mission, Georgian Idea, the NGO Mamulishvili, the Society of Chokhosans, the Movement for the National Media, Education and Ethics, and the business association the Solidarity and Davitiani Society.²⁶

19 <https://www.myvideo.ge/v/4042006>

20 <https://www.ekhokavkaza.com/a/31311540.html>

21 <https://www.facebook.com/watch/?ref=external&v=2693540917616640>

22 <https://www.facebook.com/watch/?ref=external&v=2693540917616640>

23 <https://www.myvideo.ge/v/4042006>

24 <https://www.youtube.com/watch?app=desktop&v=LhAjlH92dgc&t=688s>

25 <https://medium.com/dfrlab/online-calls-for-attacks-against-georgias-lgbtq-community-result-in-offline-violence-b3fad0538d59>

26 <https://www.radiotavisupleba.ge/a/31324390.html>

Ultra-conservative Facebook pages also disseminated information about acts of violence against Pride in other countries so as to normalise the use of force to obstruct Pride events. The Facebook group ეროვნული ჯგუფი ("National Group") posted misleading information taken out of context, claiming that the Ukrainian police had refused to protect Pride activists. This post was shared around 3,000 times.²⁷

On 28 June 2021, Bondo Mdzinarashvili, a member of the Board of Trustees of the Georgian Public Broadcaster, went as far as seeking to justify possible violence against Pride participants when he said, "[I]magine someone starts to provoke you... Once you respond, wouldn't the responsibility for your actions be shared with that person since he was the one provoking you? Because he was provoking you until you hit him in the head, right?!"²⁸

Many politicians were outspoken in their criticism of Pride. Although several members of Georgian Dream called Pride an "unreasonable" event, opposition conservatives were much more radical. On 30 June, Levan Vasadze, leader of ERI, called on the police to support anti-LGBTIQ activists: "I am calling on the police, if you receive such an order, do not use force against your people, against the Georgian nation. The police should consider whether their salary or job is worth protecting homosexuality, perversion, and extreme indecency."²⁹

Additionally, several prominent priests called for anti-Pride demonstrations and advocated violence. For example, during Sunday service on 27 June, Archpriest Spiridon Tskipurishvili told his congregation: "On the 5th, at Rustaveli Avenue, we have to break the supporters of sodomy. We have to tear them to pieces, shatter them". A video of the service was posted on a church community web page followed by nearly 6,000 people.³⁰ On 30 June, Archpriest Basil Iashagashvili aired his views regarding actions that should be taken on Pride Day: "When someone is holding a poster of perversion, someone will go and take it away."³¹ Deacon Gabriel Chaduneli repeatedly called on his supporters to take to the streets: "Liberals, gays, lesbians, who knows what kind of unnatural orientations, and their supporters!! We will sacrifice ourselves and won't let you destroy our future generations. No one oppresses you in your own houses. But we will never let you promote your dirty lifestyle in the streets. Everyone out on 5 July".³²

By the end of June, tensions were running so high that some of Georgia's international partners released statements regarding the controversy. In an open letter published on 28 June, 20 diplomatic missions based in Georgia, including the EU, UK, and US, as well as 28 members of the European Parliament, urged the Georgian government to allow activists to carry out Pride Week as planned and to protect their constitutional freedoms and rights, using law enforcement if necessary.³³

The official response to hate speech and calls for violence Despite being aware of the growing tensions and threats, figures from the ruling Georgian Dream party persisted in making ambivalent statements. On 17 June, the head of Georgian Dream Irakli Kobakhidze stated that, "considering the current situation in the country and the context", he deemed that holding the Pride events was "unreasonable" and "it

27 <https://medium.com/dfirlab/online-calls-for-attacks-against-georgias-lgbtq-community-result-in-offline-violence-b3fad0538d59>

28 <http://www.mythdetector.ge/ka/myth/homophobia-obiektividan-sazogadoebrivi-maucqebelis-sameurveo-sabchomde>

29 <https://www.youtube.com/watch?v=IBwya3XOuP0>

30 https://web.facebook.com/watch/?v=478346236562306&_rdc=1&_rdr

31 https://web.facebook.com/110329203997203/posts/338247267872061?_rdc=1&_rdr

32 Deacon Gabriel Chaduneli's facebook page, July 3, 4, 2021.

33 Diplomatic missions urge Government to protect pride activists - <https://civil.ge/archives/430028>

would be a responsible decision by the organisers of Tbilisi Pride Week to cancel the events”.³⁴ The Mayor of Tbilisi, and one of Georgian Dream’s leaders, Kakhi Kaladze echoed his sentiment, referring to “specific groups, [that] can misuse the situation on both sides”.³⁵ “The state is obliged to protect order, safety, and freedom of expression”, the Speaker of the Georgian Parliament Kakha Kuchava said, just days before Pride Week, noting that law enforcement agencies should ensure that no violence takes place during Pride Week and counterprotests.³⁶

Despite the fact that many of these public statements violated key human rights and provisions of Georgian legislation, including notably the law on anti-discrimination, the police took a passive approach. Although Facebook blocked several accounts which were disseminating hate speech and calls for violence and mobilisation, Georgian officials failed to launch corresponding investigations.

Prior to the event, five meetings were held between high-level police representatives and the Pride organisers, facilitated by UN representatives and diplomats. The Ministry of the Interior was represented by the Deputy Minister, Aleksandre Darakhvelidze, the Director of the Human Rights Protection Department, Giorgi Osadze, and the Head of Strategic Communications, Nino Giorgobiani. Vazha Siradze, the head of the Patrol Police, attended several meetings.³⁷

Giorgi Tabagari, head of Tbilisi Pride, explained: “Every meeting was about an upcoming event. We didn’t discuss the march in detail beforehand. On 4 July, we met with the police in the evening and we discussed the details of the march. They told us that the mobilisation [against Pride] was serious and they preferred us to change the location. They offered the exhibition space, which is a closed venue. We refused this. We proposed that we could gather at the Philharmonia and asked the police to block off the area surrounding it. They didn’t give us any guarantees and we didn’t know how things would develop in the following days. ... We just didn’t know the scale of [the police’s] ignorance about the unfolding situation.”³⁸

On 7 July 2021, a police spokesperson stated that “based on the information announced in open sources and taking into account past experience, the mobilisation of counterdemonstrators, and their estimated number, holding the event in the planned format would pose a significant risk in terms of protecting the safety of the participants of the march”³⁹ and that it was necessary to consider alternative venues, an option rejected by the organisers of Tbilisi Pride.⁴⁰

Giorgi Mzhavanadze, one of the organisers of Pride and co-founder of the Shame Movement told IPHR that they had not received much information on the preventative actions taken by the police: “we told them [the police], that the country has criminal police, special forces, internal troops. The Ministry of the Interior promised to ‘engage intelligence forces’, but did not keep that promise. Their main idea was to move Pride to an enclosed location.”⁴¹

34 <https://agenda.ge/en/news/2021/1655>

35 Kakha Kaladze, says he “does not consider it appropriate to hold Pride Week.” <https://mtavari.tv/en/news/48797-kakha-kaladze-says-he-does-not-consider-it>

36 <https://formulanews.ge/News/52673>

37 IPHR and Truth Hounds interview with Giorgi Mzhavanadze, co-founder of the Shame Movement, July 2021, Tbilisi.

38 IPHR and Truth Hounds interview with Giorgi Tabagaria, Head of the Tbilisi Pride, July 2021, Tbilisi.

39 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

40 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

41 IPHR and Truth Hounds interview with Giorgi Mzhavanadze, co-founder of the Shame Movement, July 2021, Tbilisi.

The lack of action by the Georgian police in relation to the 5 July events contrasts dramatically with their interventions during other protest rallies in recent years. For instance, on 9 November 2019, police special forces equipped with metal shields protected the entrance to the Amirani Cinema Centre, which was screening the premiere of a film about a gay love affair.⁴² On 18 and 26 November 2019, police used water cannon to disperse several thousand people blocking the entrance to the Parliament building.⁴³ A year later, on 9 November 2020, police reportedly used water cannon and tear gas to disperse protestors from the Central Election Committee building.⁴⁴

On 30 June 2021, at a meeting with diplomats and international organisations, the Minister of the Interior acknowledged that the Ministry could not prevent the violence, claiming that “confrontations, as well incidents of stalking and assault” were “unavoidable during large-scale events, including the march.”⁴⁵ The Pride organisers still expressed some hope: “They [the authorities] don’t want Pride before the elections, but they don’t want bloodshed either. Let’s see which side prevails.”⁴⁶

IV. Tbilisi Pride Week: what went wrong?

Tbilisi Pride Week was supposed to be comprised of three main events: on 1 July, a public screening of *The March For Dignity*, a British documentary film featuring events around the first Tbilisi Pride; on 3 July, an open-air Pride Fest, bringing together queer artists and musicians; and, on 5 July, the March for Dignity on Rustaveli Avenue in Tbilisi to bring Pride Week to a close. The film screening and the open-air festival were not publicly advertised and were accessible by invitation only. The March for Dignity was supposed to gather a wide range of participants to express solidarity with LGBTIQ rights activists.⁴⁷

A. Events during Pride Week

1 JULY

The event in the evening of 1 July saw 300 people gather in the “Khidi” (Bridge) club in the capital’s busy Saburtalo district. The guest list included many civil society activists, journalists, and diplomats. Hundreds of protesters, who began gathering a few hours before the event, blocked the streets and yelled threats. For example, as reported by Radio Liberty, one protestor yelled “On 5 July, I will smash at least two heads.”⁴⁸

According to the Ministry of the Interior, “police officers inspected the territory thoughtfully, elaborated a plan for holding the event safely and, from the morning, up to 650 police officers were present at the

42 <https://www.interfax.ru/world/736152>

43 <https://www.dw.com/ru/спецназ-разогнал-протестующих-у-здания-парламента-в-тбилиси/a-51413753>

44 <https://www.interfax.ru/world/736152>

45 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

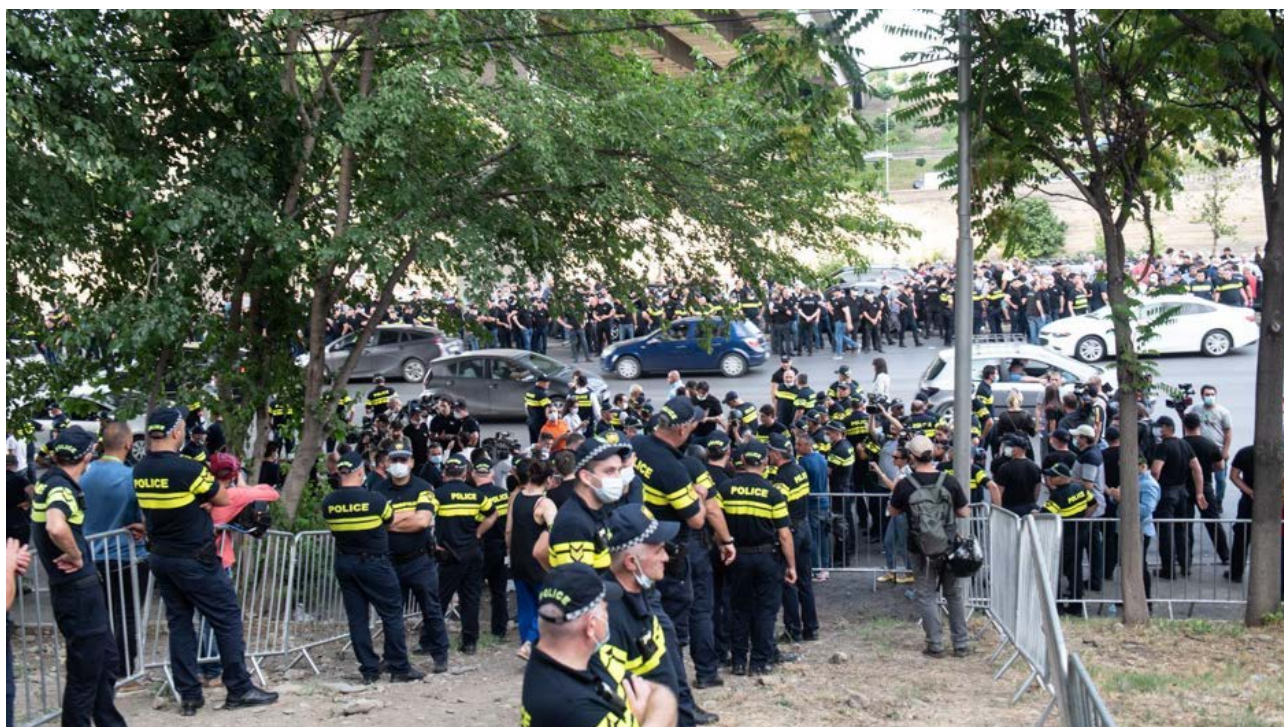
46 www.youtube.com/watch?v=HqEZtYljE1A&t=473s

47 IPHR and Truth Hounds interview with Ana Subeliani, Tbilisi Pride, Tbilisi, July 2021.

48 <https://youtu.be/HqEZtYljE1A?t=1202>

area to maintain public order”.⁴⁹ Police used mobile metal fences to cordon off the area and separate protesters and event guests. Several protesters managed to break through, and several guests sustained minor injuries. Shame Movement activist Sopio Kuchava was assaulted and hit in the abdomen and a representative of the US embassy was pelted with eggs.⁵⁰ Twenty-three protestors were temporarily detained for violating Articles 166 (on petty hooliganism) and 173 (on failure to obey a police officer) of the Administrative Code.⁵¹ At midnight that evening, following the film screening, police transported participants away from the club using armoured buses to avoid them being attacked on the way home.

“[T]hey were throwing plastic bottles, stones. It was a big challenge for the police, but they had enough people [to ensure protection] ... If the Police hadn’t done an excellent job on that day, the crowd would have broken into the club and wouldn’t have stopped attacking ambassadors.” – Shota Kincha, a journalist at OC Media, describing the atmosphere of the event.⁵²



*Police were arranging cordons, barriers, and walkways before the start of the event at the “Khidi” club on 1 July.
Photo by Mariam Nikuradze, source: OC Media.*

49 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

50 <https://civil.ge/archives/430265/amp>

51 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

52 IPHR and Truth Hounds interview with Shota Kincha, journalist at the OC Media, Tbilisi, July 2021.



Police after the event at the “Khidi” club on 1 July. Photo by Mariam Nikuradze, source: OC Media.



Police vans used to transport participants from the event at the “Khidi” club on 1 July. Photo by Mariam Nikuradze, source: OC Media.



The police detaining anti-LGBTIQ protesters in front of the “Khidi” club on 1 July. Photo by Mariam Nikuradze, source: OC Media.

3 JULY 2021

The open-air music festival Pride Fest was another low-profile event during Pride Week. Some 850 policemen protected the 2,000 participants who gathered between 2:00 p.m. and midnight at Lisi lake in the outskirts of Tbilisi. No security incidents were reported, although up to 50 protesters held up anti-LGBTIQ posters at the festival's entrance.⁵³

⁵³ <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

5 JULY 2021

The March for Dignity was intended as an open event uniting some 1,000 people on Rustaveli Avenue at 6:00 p.m. on 5 July. “This year, we didn’t want to hide. We expected the state to protect us and we wanted to have the Pride event out and proud and public,” Giorgi Tabagari stated.⁵⁴

In stark contrast to the two previous events described above -which saw effective cooperation between the police and the organisers of Pride Week - each side blamed the other for a lack of cooperation in relation to the events of 5 July. The police proposed to change the location of the march, on the grounds that they would not be able to guarantee the security of attendees when between “30,000 to 50,000” anti-LGBTIQ protestors planned to gather. The organisers of the March refused this option and instead proposed to gather near the Philharmonia at 6:00 p.m. According to Shame Movement’s Giorgi Mzhavanadze, the March organisers asked police to secure a route from the Philharmonia to Mziuri Park, 2,5 km down Chavchavadze Avenue, away from the city centre. “We agreed to meet up with the police the next morning to access the route. The Deputy Minister of the Interior said they would let us know the time and the place of this meeting in the morning”.⁵⁵ The morning meeting had never happened, as police was too busy dealing with unfolding attacks in the city centre.

In an official statement on 7 July 2021, a police spokesperson described the police actions thus: “Taking into consideration that the exact time and location of the March for Dignity announced by Tbilisi Pride were unknown in advance, police units were deployed to various locations where opposing groups were stationed. ... Taking the view that only anti-march groups were planning to gather in the abovementioned areas, there was no need to deploy the special police cordons ... In total, about 3,200 police officers were on standby”.⁵⁶

Opponents of the march had planned two events for the same day. The GOC called for a public prayer meeting at Kashveti Church, opposite the Parliament building, at 5:00 p.m.⁵⁷ and conservative groups intended to gather at 10:00 a.m. to block Rustaveli Avenue to prevent the March for Dignity from taking place.

On the eve of the march, groups of anti-LGBTIQ protestors set up tents on Rustaveli avenue.⁵⁸ Around 10,000 protestors, including several Orthodox priests, gathered from 10:00 a.m. on 5 July on Rustaveli Avenue, near to Kashveti Church and Parliament. They destroyed several tents which had been set up by opposition parties in the preceding months, tore down the European flag and erected a giant Orthodox cross in front of Parliament.

According to witnesses, the statement made by Prime Minister Irakli Garibashvili at 11:00 a.m., in which he labelled Pride “unreasonable” and claimed that the majority of Georgians find the cause of LGBTIQ rights “unacceptable”, created a sense of tacit state approval for wide-scale violence against Pride participants. Rati Tsverava, journalist at Formula TV, witnessed the reaction to Garibashvili statement: “I was standing near the [anti-LGBTIQ protest] organisers [at the time of the prime minister’s statement],

54 IPHR and Truth Hounds interview with Giorgi Tabagari, July 2021, Tbilisi.

55 IPHR and Truth Hounds interviews with Giorgi Mzhavanadze, Shame Movement, July 2021, Tbilisi.

56 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

57 IPHR and Truth Hounds interview with Giorgi Tabagari, July 2021, Tbilisi. <https://www.newsgeorgia.ge/nampuapxya-zpy3uu-pewila-omemumь-np/>

58 <https://www.radiotavisupleba.ge/a/31340543.html>

and they started discussing how the police would not protect Pride and then one of the organisers announced with a microphone that police would not defend Pride participants. They were happy about that.”⁵⁹



Tents set up in front of Parliament by opposition parties lie demolished after attacks by far-right protesters on 5 July. Photo by Mariam Nikuradze, source: OC Media.



Archpriest Spiridon Tskipurishvili calling for violence at the anti-LGBTIQ rally held on 5 July, stating that “violence in the name of the homeland is an obligation”.⁶⁰

59 IPHR and Truth Hounds interviews with Rati Tsverava, journalist at Formula TV. July 2021, Tbilisi, Georgia

60 <https://youtu.be/IEfBfsoEL58>



A far-right protestor wearing an "Alternative for Georgia" branded t-shirt. Photo by Shota Kincha, source: OC Media.

B. Attacks on LGBTIQ rights activists

One of the anti LGBT protest leaders, Konstantin Margoshia, used a loudspeaker to call on "500 to 600 people" to go to the Shame Movement office on neighbouring Ingorokva Street, where the organisers of March for Dignity were at the time. Director of Tbilisi Pride, Giorgi Tabagari recalled the events: "Ten minutes [after the prime minister's statement] we had to evacuate because we heard on Radio Liberty that groups of people were coming in the direction of the Shame Movement and Tbilisi Pride offices. We left instantly. Some of us managed to get out peacefully and some of us did not. After that, every attempt to get to a safe place was difficult."⁶¹

Apparently, the police were caught by surprise and were not ready to deploy forces in time, as indicated later in a police report: "Some of the protesters moved unexpectedly from the Parliament building to the Shame Movement office on Ingorokva Street, a few metres away from the Parliament building. ... Additional police forces were mobilised to ... protect the office and ensure the safety of media representatives on the spot. Consequently, none of the protesters were able to enter the Shame Movement office."⁶²

Although Pride organisers managed to escape and the attackers failed to break down the door to the office, the office building was stormed, journalists covering the event were seriously beaten, and their equipment was damaged. TV Perveli cameraman Alexandre Lashkarava suffered severe head injuries and was hospitalised. On 11 July, Lashkarava was found dead at his home, a few days after being discharged from hospital. Ana Subeliani, Pride organiser, told IPHR and Truth Hounds "They broke the glass entrance door and were ready to tear me in half if they found me ... When we knocked on the neighbours' doors, no one opened, one person said we should leave or he would kill us instead ... I looked death in the eyes several times that day".⁶³

61 IPHR and Truth Hounds interviews with Giorgi Tabagari, Tbilisi Pride, July 2021, Tbilisi.

62 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

63 IPHR and Truth Hounds interviews with Ana Subeliani, Tbilisi Pride, July 2021, Tbilisi.

At approximately 12:30 p.m. on 5 July, an anti-LGBTIQ protest leader, Dmiriy Lordkipanidze, head of the Primakov Centre, called for another 200 people to head to the Tbilisi Pride office, situated about one kilometre away from the area. Anti-LGBTIQ protestors climbed up to the third-floor balcony and broke their way into the office, breaking furniture and equipment inside.⁶⁴ Videos recorded by the journalists present, as well as witness statements, prove that up to ten police officers present outside the building did not intervene to prevent the attack.⁶⁵ “Everything was destroyed: flowers, chairs, the coffee machine, the sound system. They didn’t steal anything, they simply destroyed it,”⁶⁶ Giorgi Tabagari told to IPHR and Truth Hounds.

At the same time, LGBTIQ activists and journalists were also attacked by groups of violent protesters near to the UN office where they had found temporary refuge, situated about 2.5 km from Parliament.⁶⁷ A witness at the scene told IPHR and Truth Hounds that “[p]olice officers were just following the protestors and stood around, not intervening.”⁶⁸

The next attack on LGBTIQ rights activists followed at about 3:00 p.m., five kilometres away from Parliament, as anti-LGBTIQ protestors attacked the compound of Human Rights House, where Tbilisi Pride and Shame Movement representatives had gathered to discuss whether to proceed with the March for Dignity. An explosive device, thrown over the compound wall, injured Pride activist Gvantsa Pertia. “I don’t know the exact time, we were smoking in the courtyard, with the gates of the building closed, and suddenly there was a loud explosion. I felt something hit my stomach and fall down and I picked it up. My friends called an ambulance and the police. When the paramedics arrived, they said nothing, just took care of my wound and left. They wrote down my information, ID number, and just asked me how it happened and told me to get a vaccine. No police officers showed up, and we had to move to yet another place to hide”, Pertia stated.⁶⁹

After five hours of violence and several failed attempts to contact police representatives, the organisers of Pride Week issued a statement cancelling the March for Dignity. “I don’t want anybody to die because of me,” one of the organisers explained.⁷⁰

Following this statement, Irakli Kobakhidze, the chairperson of Georgian Dream, stated: “Whatever is happening in the streets of Tbilisi is in the interests of the radical opposition – the United National Movement and its partner parties, [which are the forces] behind [Tbilisi] Pride”.⁷¹

64 <http://www.youtube.com/watch?v=HqEZtYljE1A&t=2618s> IPHR and Truth Hounds interviews with Mamuka Mgaloblishvili (Basti), journalist at Publika, July 2021, Tbilisi, Georgia.

65 https://youtu.be/1TSvyg_paGA

66 IPHR and Truth Hounds interviews with Giorgi Tabagari, Tbilisi Pride, July 2021, Tbilisi.

67 IPHR and Truth Hounds interviews with Ana Subeliani, Tbilisi Pride, July 2021, Tbilisi.

68 Mamuka Mgaloblishvili (Basti), journalist at Publika. Interview by IPHR and Truth Hounds, July 2021, Tbilisi.

69 IPHR and Truth Hounds interviews with Gvantsa Pertia, Shame Movement, July 2021, Tbilisi.

70 <https://youtu.be/HqEZtYljE1A>

71 https://www.facebook.com/watch/live/?v=3933178773477723&ref=watch_permalink



The explosion at the office of Human Rights House. CCTV recording. Source of the photo: IPHR and Truth Hounds



Pride activist Gvantsa Pertia, was injured by the explosive device thrown at the Human Rights House compound on 5 July. Source: IPHR and Truth Hounds.

C. Attacks on journalists

Journalists were the primary victims of the violence during Pride Week - 53 of the 55 injured were media representatives. Since LGBTIQ activists did not ultimately take to the streets on 5 July, journalists instead became the main targets of the wrath of the anti-LGBTIQ protesters "Journalists were asking provocative questions, reporting on misbehaviour and violence. Of course, the protestors didn't like this," journalist Ia Barateli told IPHR and Truth Hounds.⁷² Mariam Nikuradze, journalist and founder of the independent media outlet OC Media told IPHR and Truth Hounds "Guram Palavandishvili [the leader of the ultra-right movement Georgian Idea], [...] looked at me and said: 'You will die, there will be victims among you'."⁷³

⁷² IPHR interview with Ia Barateli, a journalist, August 2021.

⁷³ Mariam Nikuradze, the founder and journalist at OC Media. Interview by IPHR and Truth Hounds July 2021, Tbilisi, Georgia



Guram Palavandishvili threatening a journalist at the 6 July rally. Photo by Mariam Nikuradze, source: OC Media.

According to witnesses and victims interviewed by IPHR and Truth Hounds, the attacks on journalists started soon after the prime minister's statement at 11:00 a.m.⁷⁴ A police report issued after the events stated "During the rally on Rustaveli Avenue, members of the anti-[Pride] march suddenly became aggressive and turned to violence. ... Police forces were immediately mobilised to the scene, the situation was neutralised and media representatives were evacuated to a safe location".⁷⁵

Yet, the experience described by journalists differs significantly from the police account of events. Rati Tsverava, journalist at Formula TV, commented: "People were already yelling at us: 'Why are you here? You don't have the right to be here. We don't like you'. 'You are satanists, you are against the church, get out of here'."⁷⁶ The aggression then became physical, as one journalist told IPHR and Truth Hounds: "As soon as we went into the crowd in front of Parliament, they started telling us: 'You are LGBT propaganda, go away!' Then they turned me around and someone kicked me hard in the back. There were hardly any police around, only a couple of police cars around the perimeter. This was a real war against the media."⁷⁷

Aleksandre Lashkarava, Pirveli TV cameraman, was reporting from inside the Shame Movement office building when a crowd burst in. Another journalist witnessed how nearly 20 people beat Lashkarava at the entrance to the building and left him in a "pool of blood". According to the witness, the actions of the attackers were directed by a priest who said he would "finally silence them [journalists]".⁷⁸ Lashkarava, who sustained fractured bones in his face, underwent surgery and was discharged on 8 July in "satisfactory condition" but was found dead in his apartment on 11 July. Independent forensic expert

74 Luka Pertaiia, chief journalist at Netgazeti/Batumelebi. Interview by IPHR and Truth Hounds 26.07.2021, Tbilisi, Georgia

75 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

76 Rati Tsverava, journalist at Formula TV. Interview by IPHR and Truth Hounds, July 2021, Tbilisi, Georgia.

77 Anri Jokharidze, cameraman at Mtavari Arkhii. Interview by IPHR and Truth Hounds, July 2021, Tbilisi, Georgia.

78 <https://www.newsgeorgia.ge/илия-второй-выразил-соболезнование-м/>

Alexandr Gerjadze, hired by TV Pirveli and the Lashkarava family, later confirmed the official statement that drugs were detected in Lashkarava's blood. The exact cause of his death remains unknown.⁷⁹

According to Tamta Kakhaberidze, an Online Media journalist present at the march, police officers did intervene to protect those attacked. However, they were often outnumbered and became the targets of attacks themselves. Kakhaberidze recalled, "[...] these groups were also aggressive towards police officers. When police tried to get journalists out they were attacked, and the extremist groups were shouting at them not to help them [the journalists]".⁸⁰ Yet, according to some reports, police refused to help. Anri Jokharidze, a cameraman at Mtavari Arkhii, told IPHR and Truth Hounds: "I went up to the police officers and asked for help. I will never forget the policeman's reaction. He laughed in my face and said: 'Do you understand why this is all happening? You shouldn't have broadcast those TV programmes or protected these LGBT people!'"⁸¹

Georgian Orthodox priests also joined in the acts of aggression, although several priests did try to protect the victims. Rati Tsverava, a journalist at Formula, approached a priest for an interview, when he was attacked and dragged away in a headlock by Georgian Orthodox priests: "I was kicked from behind, from the front. One even threw hot coffee over me. ... They wanted to kill me. I was sure they would have killed me. I knelt down and I could see there was a car in front of me. There were two priests who tried to protect me. But they weren't able to. There were so many people around that I couldn't breathe."⁸²

One main problem was the lack of sufficient numbers of police officers on the scene. A subsequent police statement reported that police forces had been deployed to several locations across the city to protect international organisations, the offices of local governmental and non-governmental organisations, and media outlets in anticipation of potential attacks: "Based on an analysis of the march route, as well as on communications from employees of the Ministry, it was clear there was a threat of an attack on the offices of various local or international organisations, including the European Union, the Ombudswoman, non-governmental organisation "WISG", the Equality Movement. The Ministry had to deploy a sufficient number of police officers to evacuate individuals from the offices safely and to protect the buildings. The police forces were also mobilised for prevention around the offices of various TV companies."⁸³ No acts of violence in the abovementioned locations were recorded during the day.

Some protesters reportedly used sticks or plastic bottles filled with water as weapons, according to the witnesses.⁸⁴ Tamuna Tchaureli, journalist at Radio Liberty told IPHR and Truth Hounds: "As I was running down the street with the cameraman and a journalist from TV Perveli, stones and bottles were thrown at us. Several times they pushed me into a parked car, there were a lot of them, a crowd. At the intersection, I turned around, there was a young guy rattling a stun gun. I kept filming and one man came up to me and said 'Please, stop filming or they will tear you to pieces.'⁸⁵

79 <https://www.newsgeorgia.ge/экснепм-полученные-5-июля-травмы-не-мог/>

80 Tamta Kakhaberidze, Journalist at Online Media, July 2021, Tbilisi, Georgia.

81 Anri Jokharidze, cameraman at Mtavari Arkhii. Interview by IPHR and Truth Hounds 29.07.2021, Tbilisi, Georgia;

82 IPHR and Truth Hounds interview with Rati Tsverava, OC Media, July 2021, Tbilisi.

83 <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

84 Luka Pertaia, chief journalist at Netgazeti/Batumelebi. Interview by IPHR and Truth Hounds 26.07.2021, Tbilisi, Georgia

85 Tamuna Tchaureli, Journalist at Radio Liberty (Georgia). Interview by IPHR and Truth Hounds 26.07.2021, Tbilisi, Georgia



Stones, pieces of steel bars, and glass thrown by the protesters. Source: IPHR and Truth Hounds.

Several female journalists were violently attacked: “When they started punching me, I understood that the situation was dangerous and that they wanted to kill us. They were happy, and they wanted to punish us. [...] a man in his sixties came up to me, smiling. Then he spat in my face. I was shocked. It was like I was the enemy and they were doing good things for Georgia,”⁸⁶ – Dea Maniseishvili, a reporter at Mtavari Arhki shared her experience with IPHR and Truth Hounds.

Journalists reported that they had to conceal their identity to avoid being targeted.⁸⁷ One journalist we interviewed told us how he avoided being identified as a member of the press: “As I was dressed in black and I hid my badge, these people thought I was one of them, and I could continue my work.”⁸⁸

Journalists from opposition media outlets were especially vulnerable. Rati Tsverava from Formula TV recalls a conversation he had on 5 July: “I was approached by a guy ... and he asked me why was I working with Formula and said that we [journalists at the outlet] were perpetrators, abusers. He knew I was a journalist and he started to talk about the video I had shot that morning.”⁸⁹

86 Dea Maniseishvili, a reporter at Mtavari Arhki. Interview by IPHR and Truth Hounds 29.07.2021, Tbilisi, Georgia.

87 IPHR and Truth Hounds interviews with Shota Kincha, journalist at the OC Media; Tamuna Tchaureli, Journalist at Radio Liberty (Georgia); Merab Tsaava, reporter at the Gurianews; Luka Pertaia, chief journalist at Netgazeti/Batumelebi; Mamuka Mgaloblishvili (Basti), journalist at Publika; Anri Jokharidze, cameraman at Mtavari Arkhii, July 2021, Tbilisi.

88 Merab Tsaava, reporter at the Gurianews. Interview by IPHR and Truth Hounds.07.2021, Tbilisi, Georgia.

89 IPHR and Truth Hounds interview with Rati Tsverava, OC Media, July 2021, Tbilisi.

In some cases, anti-LGBTIQ protestors directly targeted media equipment. Levan Kalandia, a cameraman at Mtavari Arkhii, interviewed by IPHR and Truth Hounds, stated “There were people who cut the cables to the camera which connect it to the a device that transmits information to the server for live broadcasting. They knew what they were doing.”⁹⁰

Many journalists expressed feelings of abandonment by the authorities, as law enforcement officials failed to protect them in carrying out their professional duties. Dea Maniseishvili, a reporter at Mtavari Arkhi explained: "I have never seen such violence in my life. [...] The government already knew that the situation was not under control. But they didn't do anything. And it was so surprising for me because I am a journalist, but also a citizen. The government, whether it likes me or not, should protect me."⁹¹

The Justice for Journalists Foundation, a London-based non-governmental organisation, registered 107 attacks on 54 journalists, camerapersons, and photo correspondents who were “deliberately assaulted while engaged in their professional activities. Fourteen female journalists were among the victims. Most of the journalists suffered severe injuries, fractures and concussions, and some journalists required surgeries”.⁹² At least six journalists were hospitalised on 5 July with injuries including fractures, concussion, temporary amnesia, and severe damage to the eyes from an apparent acid attack.⁹³

This unprecedented brutality towards both opposition and pro-government journalists came as a surprise to most people, who saw it as a clear failure of the state. “I’m pretty sure that the government didn’t want the mass aggression toward the media. They were okay if it was us [LGBTIQ activists], but not the journalists,” – said Giorgi Tabagaria, director of Tbilisi Pride.⁹⁴

D. Aftermath of the events

In response to the 5 July events, around 7,000 people protested against the far-right violence in front of Parliament. On 6 July, a “silent action” was organised by Tbilisi Pride and Shame Movement. It united many civil society activists, journalists, politicians and ordinary citizens standing “for freedom” and lasted for over six hours. Three thousand police officers were present and managed a security barrier between protestors and counter-protesters, using fences. Police reportedly effectively mediated between the two sides when tensions were high. A hundred counter protesters were detained although no injuries were reported.⁹⁵

After midnight, when the “silent action” was over, counter protestors desecrated the European Union flag once again. The next day, 7 July, a new EU flag was installed in front of Parliament by the legislative chairman, Kakha Kuchava. He stressed that Georgia would not change its course to European integration. Two weeks later, Kuchava initiated an amendment to administrative legislation to make desecration of the EU flag punishable by law.⁹⁶

90 Levan Kalandia, a cameraman at Mtavari Arkhii. Interview by IPHR and Truth Hounds 29.07.2021, Tbilisi, Georgia.

91 Dea Maniseishvili, a reporter at Mtavari Arhki. Interview by IPHR and Truth Hounds 29.07.2021, Tbilisi, Georgia

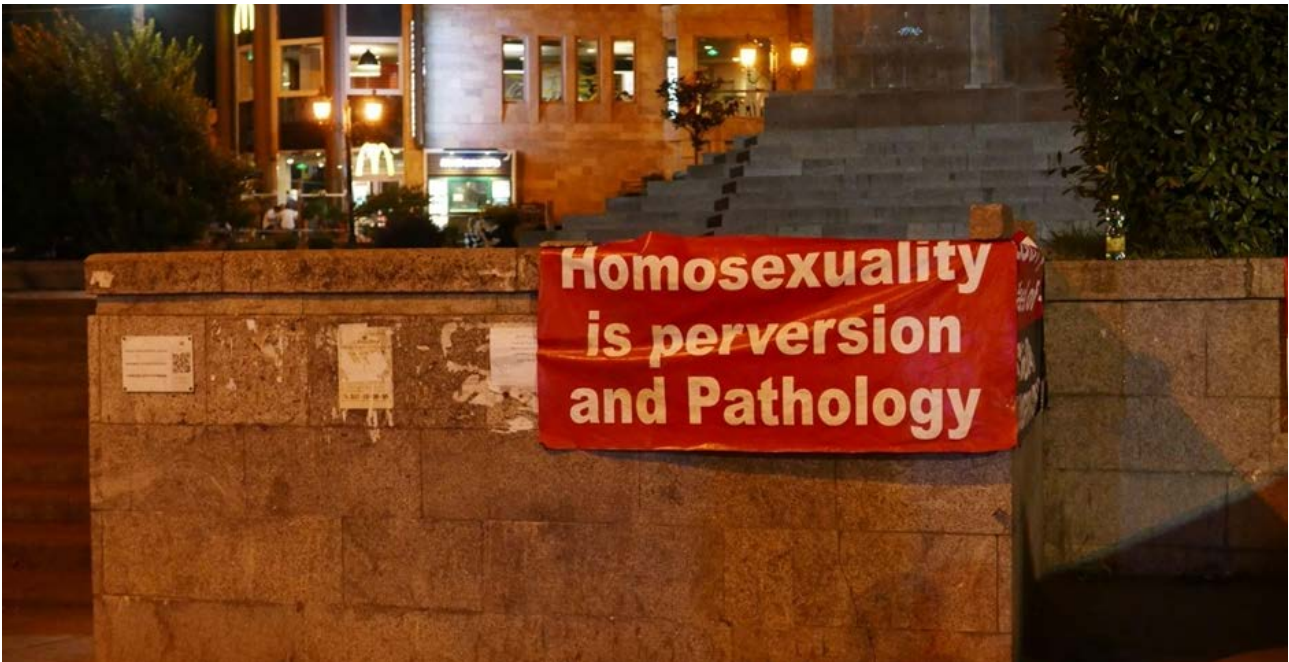
92 <https://jfj.fund/the-justice-for-journalists-foundation-condemns-violence-against-media-workers-on-july-5-in-tbilisi/>

93 <https://oc-media.org/features/journalists-recall-day-of-terror-in-tbilisi/>

94 IPHR and Truth Hounds interviews with Giorgi Tabagari, Tbilisi Pride, July 2021, Tbilisi.

95 IPHR interview with Ia Barateli, Georgian journalist, August 2021. <https://police.ge/ge/shinagan-saqmeta-saministros-informatsia-tbilisi-praidis-kvireulis-paralelurad-politsiis-mier-chatarebuli-ghonisdziebebis-shesakheb/14771>

96 <https://www.newsgeorgia.ge/в-грузии-назначат-штраф-за-повреждения/>



An anti-LGBTIQ poster left after the event on 6 July. Photo by Mariam Nikuradze, source: OC Media.

Some of Georgia's international partners made strong public statements condemning the violence and the lacklustre nature of the official response. On 10 July, United States Ambassador to Georgia, Kelly Degnan criticised Prime Minister Irakli Garibashvili for his lack of "forceful leadership" in dealing with homophobic violence and expressed her disappointment in the reaction from law enforcement agencies. "The U.S. has worked hard with the law enforcement agencies in Georgia to improve their capability to do crowd management, so we were disappointed that training and equipment was not deployed when it became obvious that there were those in the crowd that wanted to resort to violence," she said on 10 July 2021.⁹⁷

On 15 July, the European Union delegation to Georgia and the embassies of 25 European countries released an open letter to the Minister of the Interior, the Minister of Justice, the Minister of Foreign Affairs and the Prime Minister. Diplomats expressed their "concerns about recent events that have cast a shadow over EU-Georgia relations and Georgia's image as a country upholding basic human rights". Recognising "the wider responsibility of the Government of Georgia" they expressed their "regret that the authorities did not call publicly for the protection of those peacefully marking Pride events, take other necessary actions to prevent or deter hate driven speech or, in the end, provide sufficient protection as violent acts against activists and journalists were carried out." According to the ambassadors, "intensified rhetoric against these values [human rights and freedoms] also poses a national security risk, increasing the vulnerability of Georgia's democracy, already faced with significant disinformation challenges. ... The attacks on the Council of Europe/European Union flag on two occasions are, therefore, also direct attacks on Georgia's democratic and pro-European aspirations".⁹⁸

⁹⁷ <https://civil.ge/archives/431510>

⁹⁸ https://eeas.europa.eu/delegations/georgia_en/101804/Letter%20addressed%20to%20the%20Government%20of%20Georgia%20by%20EU%20Heads%20of%20Mission%20on%20the%20Pride%20related%20events%20of%205%20July%20and%20their%20follow-up?



Police officers at the 6 July rally. Photo by Mariam Nikuradze, source: OC Media.

V. Freedom of the media and access to information

Georgia's media environment is diverse, vibrant and pluralistic, but often partisan and polarised. The public broadcaster has been accused by opposition members of favouring the government. Observers believe critical media outlets play a key role in rendering the Georgian government and Georgian politicians more accountable. At the same time, many acknowledge ethical problems within the Georgian media.⁹⁹

A. Growing pressure upon opposition media outlets

Pressure on opposition media in Georgia increased in 2019-2020, ahead of the upcoming 2020 parliamentary elections.¹⁰⁰ In 2019, a leading privately-owned TV channel Rustavi 2, was transferred to Kibar Khalvashi – a businessman and former owner more sympathetic to Georgian Dream - and its editorial policy changed. The channel's management and some journalists were either reportedly forced to resign or left the station to set up two alternative television companies – Mtavari Arkhi and Formula TV. The regional public TV channel Adjara TV has allegedly been subject to political interference after Georgian Dream criticised the outlet's editorial policy in 2020. According to an assessment by Reporters Without Borders, "the government was using the election campaign to step up pressure on opposition media".¹⁰¹

99 <https://osgf.ge/en/publication/media-environment-in-georgia-2020/%20https://freedomhouse.org/country/georgia/freedom-world/2020>

100 <https://osgf.ge/en/publication/media-environment-in-georgia-2020/>

101 <https://rsf.org/en/news/mounting-pressure-georgias-media-run-elections>

A few months before the elections, the Georgian Parliament passed an amendment restricting the freedom of the broadcast media, while the ruling party accused the opposition media of producing “fake news”. These moves, according to Reporters Without Borders, “jeopardise media independence and pluralism”.¹⁰² According to Freedom House, the democracy score in Georgia declined by 36 per cent in 2020 due to attacks on media independence and interference in the electoral process.¹⁰³

In 2021, reports of violent attacks on media representatives increased significantly. On 25 February 2021, three unidentified men attacked Vakhtang Sanaia, an anchor at the local TV broadcaster, Formula, punched and kicked him, insulting him and his broadcaster, and threatened to kill him. On 9 April 2021, unknown perpetrators smashed the windows of a Formula TV’s driver’s car. In a separate incident on 8 April 2021, another Formula TV driver was beaten up by unknown perpetrators near his home in Tbilisi. On 4 May 2021, a group of unidentified men attacked and harassed two journalists from the pro-opposition broadcaster Mtavari Arkhi, while they were reporting in the eastern village of Udabno. According to the journalists, police witnessed the attack but refused to help. On 17 May 2021, four journalists with the Pirveli Arkhi public broadcaster were injured and their equipment damaged when unidentified men attacked and verbally harassed film crews covering street clashes between local ethnic Azeris and Georgians in the southern city of Dmanisi.¹⁰⁴

Mtavari Arkhi director Tamta Muradashvili believed attacks contribute to “a violent environment [that] causes a ‘chilling effect’ and that is, of course, very detrimental for journalism and free speech.”¹⁰⁵

The failure of the police to protect media representatives during mass protests and upheavals has a history in Georgia. On 20 June 2019, around 30 journalists were injured as a result of clashes between police and protesters in Tbilisi. On 29 September 2020, five journalists were physically assaulted in southern Georgia while covering a political conflict ahead of the parliamentary elections. Police officers present on the scene reportedly failed to intervene.¹⁰⁶

A female journalist described the growing hostility towards media representatives: “Just two weeks before Pride, I was about to board a bus when a middle-aged man started following me saying nasty things about me. I had my phone ready to call the police if he attacked. He got on the bus with me and discussed with other people how immoral I was. I was wearing my backpack with the press sign on it. Two men nearby got angry about it. One said he didn’t care what the police said, they should hunt down people like me.”¹⁰⁷

Media coverage of Pride Week events and public debates around it sparked a new wave of online threats and hate speech toward journalists. Messages received by journalists prior to Pride included: “Journalists are worse than faggots”, “Those who protect them [LGBTIQ people] are even worse and should be punished”.¹⁰⁸ “Commenting on our articles, some people, for example, say that we must

102 <https://rsf.org/en/news/mounting-pressure-georgias-media-run-elections>

103 https://freedomhouse.org/sites/default/files/2021-04/NIT_2021_final_042321.pdf

104 <https://cpj.org/2021/05/unidentified-men-attack-crews-with-georgian-public-broadcaster-pirveli-arkhi/>

105 <https://cpj.org/2021/05/reporting-crew-for-mtavari-arkhi-broadcaster-attacked-harassed-in-georgia/>

106 <https://rsf.org/en/news/many-journalists-injured-during-protest-outside-georgian-parliament>, <https://cpj.org/2020/10/at-least-5-journalists-attacked-beaten-in-southern-georgia-in-run-up-to-parliamentary-elections/>

107 IPHR and Truth Hounds interview with Mariam Nikuradze, the founder and journalist at OC Media, July 2021, Tbilisi, Georgia.

108 IPHR and Truth Hounds interview with Mamuka Mgaloblishvili (Basti), journalist at Publika Media, July 2021, Tbilisi, Georgia.

close down, otherwise they will set us on fire. We've been receiving more such comments since we started covering Pride. They're left not by anonymous commentators or bots, but by real people. One of them was Alt-Info's Beka Vardosanidze," - Luka Pertaiia, chief journalist at the independent media outlet Netgazeti/Batumelebi explained.¹⁰⁹

Members of anti-LGBT groups were agitating their followers against opposition journalists before Pride: "Can we say that we can beat these kinds of journalists? Just asking. Can we drag them on the asphalt with their faces?" - Zurab Makharadze, member and co-founder of Alt-Info wrote on his Facebook page.¹¹⁰

B. After 5 July events

Thousands gathered in front of the Parliament building in Tbilisi on 11 July when the news about Aleksandre Lashkarava's death broke. President Zurabishvili called Lashkarava's death "a huge tragedy for the whole country". The head of the Georgian Orthodox Church, Ilia II, expressed his condolences, as did Prime Minister Irakli Garibashvili, who called the incident a "tragedy".¹¹¹

And yet, the day after Lashkarava's death, Prime Minister Garibashvili linked several opposition media outlets to Saakashvili's UNM party: "Violence targeted against journalists and cameramen is of course absolutely unacceptable. ... In general, we welcome the presence of an independent, unbiased media in our country and we do our best to develop a free and unbiased media community in the country... [B]ut let us ... say this straight - opposition television companies well known by public - Mtavari Arkhi, TV Pirveli, and Formula - are directly managed by Saakashvili and embezzled public funds. [...] They have one common goal: to somehow overthrow the government and come to power by violence again, which is, of course, unachievable. We will not let it happen! I wish to remind them that the only way to come to power is through elections, my friends. [...] They have been losing all the previous ones and will lose the upcoming ones too. We will have a convincing victory at the upcoming elections."¹¹²

Ten days later, the same TV companies, Mtavari Arkhi, TV Pirveli, and Formula, were mentioned in a statement released by the GOC patriarchy. The patriarchy accused the media outlets of attacking the Church in their reports following 5 July and "purposefully generalising particular cases [of violence by several priests]". The patriarchy accused these media companies of using hate speech and manipulating the facts, and encouraged priests and parishioners to refuse giving comments to the media and, if necessary, to call the police.¹¹³

Four opposition Georgian TV outlets Pirveli, Mtavari, Formula, and Kavkasia, ceased broadcasting for 24 hours on 14 July, demanding the resignation of Prime Minister Garibashvili and the punishment of all those responsible for the 5 July attacks on journalists.¹¹⁴ Later, journalists from these media companies claimed that anti-LGBTIQ protest organisers were connected to the ruling Georgian Dream party.¹¹⁵

109 IPHR and Truth Hounds interview with Luka Pertaiia, chief journalist at Netgazeti/Batumelebi, July 2021, Tbilisi, Georgia.

110 Zurab Makharadze, Member/co-founder of Alt Info <https://fb.watch/95tyhjwDq2/>

111 <https://www.newsgeorgia.ge/илия-второй-выразил-соболезнование-м/>

112 http://gov.ge/index.php?lang_id=ENG&sec_id=557&info_id=79791

113 <https://www.newsgeorgia.ge/109094-2/>

114 <https://www.newsgeorgia.ge/зрузинские-оппозиционные-телекомпании/>

115 <https://www.newsgeorgia.ge/наказать-наильников-гарибашвили/>

On 17 July, the Prime Minister's Office denied journalists from Mtavari, Formula, and Pirveli access to cover Gharibashvili's visit to Georgian troops, explaining that the media had "crossed the line" into participating in politics rather than reporting the news.¹¹⁶



A screenshot from Beka Vardosanidze's Facebook page announcement on gathering journalists' personal data. Translation: "I started collecting the profiles of Georgia-phobic journalists !!! The first candidates will be Georgia-phobic journalists of the low-quality Georgian publication, metronome.ge. I already found their profiles :) Right now, I'll show you what happens if you call me a Putinist."

This high-level public statement gave the green light to radical groups to continue their activities. On 19 July, Alt-Info's Beka Vardosanidze launched a call to his 25,000 Facebook followers to gather information about journalists who covered the 5 July events, promising to share their personal details later: "I started collecting the profiles of Georgia-phobic journalists!!!"¹¹⁷

Posters bearing a rainbow, as well as the photos of several opposition media managers and LGBTIQ activists, alongside Mikhail Saakashvili, appeared on the streets of Tbilisi on 23 July, hinting all those are connected.¹¹⁸ Former president Saakashvili's party United Nation Movement was running in October municipal elections.

Journalists told IPHR and Truth Hounds they are being more frequently recognised and attacked since the events of 5 July. Tamuna Tchaureli, a journalist at Radio Liberty, described her colleague's experience: "On 25 July, our journalist went to cover an anti-vaxxer action, he was recognised and had to run away."¹¹⁹ The threats and attacks have created a climate of fear. "On 1 and 5 July, I was told by protestors: 'We remember you. If we meet again, you will pay for it.' Now I fear that they will find me and make that threat come true," – said Levan Kalandia, a cameraman at Mtavari Arkhii.¹²⁰

Some journalists have begun to question whether they will be able to continue their work safely. Anri Jokharidze, a cameraman at Mtavari Arkhii, described his experience: "Today, 29 July, I was working on Rustaveli Avenue. A person came up and said: 'I hate you! Take away the cameras!' Georgia is a small country. And if the prime minister comes out with statements that some media are bad, everyone instantly knows about it. And everyone is turning against them. I don't know what will happen next. We love our work and keep working. But when the whole country is against us – it is time to ask for help."¹²¹

¹¹⁶ <https://oc-media.org/features/georgian-dreams-anti-media-crusade-continues/>

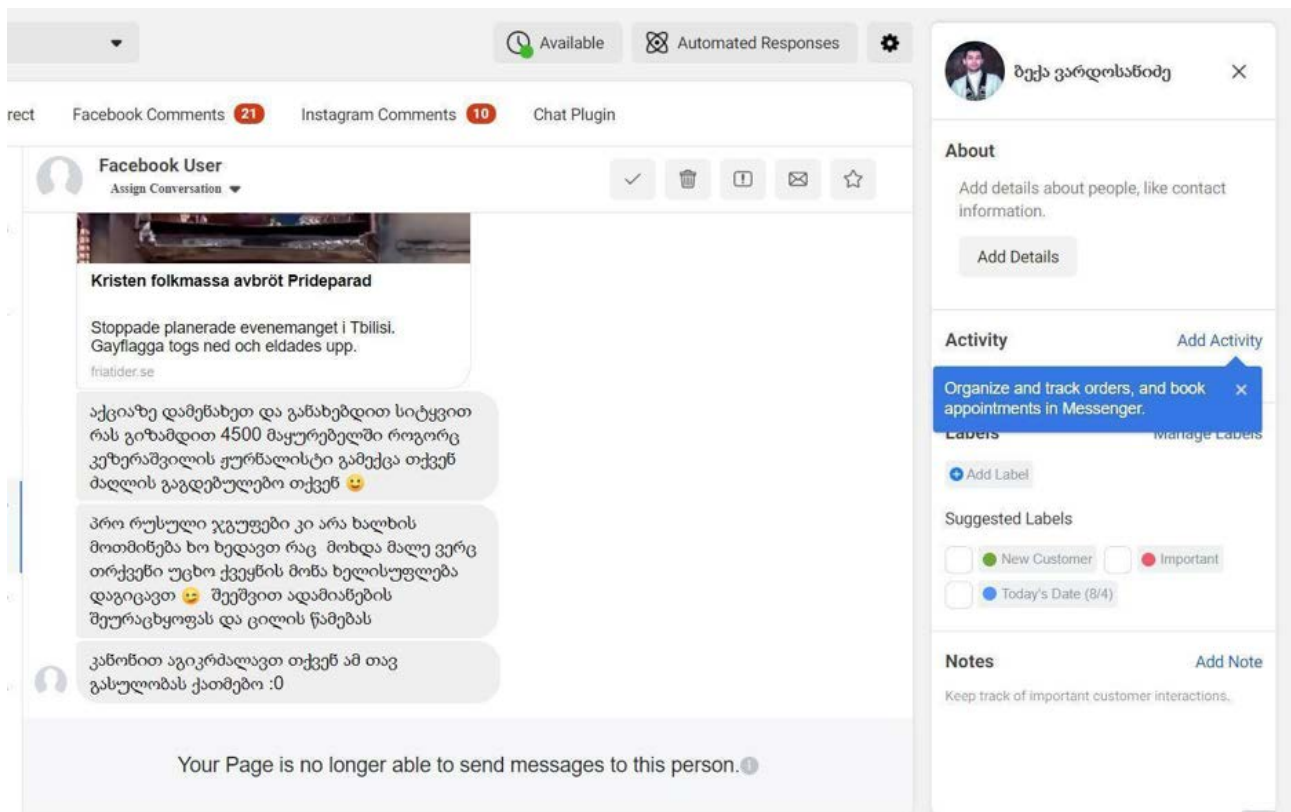
¹¹⁷ Vardosanidze's Facebook profile.

¹¹⁸ <https://www.newsgeorgia.ge/мэрия-тбилису-обещает-оптрафовать-ли/>

¹¹⁹ IPHR and Truth Hounds interview with Tamuna Tchaureli, journalist at Radio Liberty, July 2021, Tbilisi, Georgia.

¹²⁰ IPHR and Truth Hounds interview with, Levan Kalandia, cameraman at Mtavari Arkhii, July 2021, Tbilisi, Georgia.

¹²¹ IPHR and Truth Hounds interview with Anri Jokharidze, cameraman at Mtavari Arkhii, July 2021, Tbilisi, Georgia.



A screenshot of an online threat from Beka Vardosanidze (Alt-Info), received by Mamuka Mgaloblishvili (Basti) from the Publika media outlet. "If I saw you at the demonstration, I would show you what I could do to you in front of 4,500 spectators, just like Kezerashvili's journalist who ran away from me, you sons of dogs. Not pro-Russian groups, but the patience of the people... Don't you see what happened, you won't be protected by your foreign slave government either. Stop insulting and blaming people. Your behaviour will be forbidden by law, you chickens."

C. Investigation

On 16 July, more than 200 Georgian journalists sent a letter to the Prosecutor-General of Georgia, demanding that an investigation be launched against specific individuals involved in organising the 5 July violence, the leaders of Alt-Info among them.¹²² Georgian Public Defender Nino Lomjaria called the Ministry of the Interior and the Prosecutor's Office "to identify, as soon as possible, those responsible for the actions of the alleged violent groups and initiate a criminal case against them".¹²³

In a public letter published 15 July, European ambassadors "call[ed] for further immediate and appropriate political and legal actions". They stated: "All violent incidents and criminal acts need to be effectively and quickly investigated and duly prosecuted to the full extent of the law. Furthermore, we call on all relevant authorities to uphold the rule of law and to act in effective prevention of any future attempts at such criminal acts. Further efforts to address hate speech, incitement of hatred and intolerance need to be an integral part of these efforts. In parallel, we call on all sides to act responsibly and refrain from actions that could further aggravate the situation."¹²⁴

¹²² <https://www.newsgeorgia.ge/организаторы-акции-против-лгбт-в-тбили/>

¹²³ <https://www.newsgeorgia.ge/омбудсмен-в-событиях-5-6-июля-есть-призн/>

¹²⁴ https://eeas.europa.eu/delegations/georgia_en/101804/

Police have launched an investigation into the alleged violations of several articles of the Georgian Criminal Code in relation to the 5 July events, including Article 154 (2) (“interference with professional journalistic activities”, punishable by a fine or up to two years imprisonment), Article 156 (2) (“persecution committed with the use of violence or with the threat of violence”, punishable by a fine or up to three years imprisonment) and Article 225 (2) (“organising, leading or participating in group violence”, punishable by a prison sentence of between four and six years).¹²⁵

However at the time of writing of this report, the police have identified only a handful of attackers. Three months after the event, 31 individuals have been indicted as part of the investigation into the violent attacks on 5 July rally, while 700 individuals have so far been interrogated, according to the Ministry of the Interior.¹²⁶ Six people were reportedly detained in relation with the attack on Aleksandre Lashkarava, three more in connection to the attack on the office of Tbilisi Pride.¹²⁷ According to the human rights organisations representing the victims of the attacks, at least 28 journalists have been recognised as victims in relation to these criminal investigations.

Rati Tsverava, a journalist at Formula TV, expressed his disappointment: “Despite all the video evidence, there is only one person who has been officially identified as a perpetrator in my case. I sent police many video recordings of the attackers. There are also surveillance cameras outside the Parliament building. But investigators explained that it is a massive case and that there were not so many people working on it, with insufficient resources.”¹²⁸

Law enforcement officials conducted searches of apartments and interviewed the leaders of several far-right organisations, as well as employees of the Alt-Info media group. Archpriest Spiridon (Tskipurishvili), who called for “violence in the name of the motherland” on 5 July, was also interviewed. However none of these people have yet been arrested. Alt-Info co-founder Zurab Makharadze claimed that foreign diplomats are putting pressure on the investigation and demanding his arrest.¹²⁹

“We always ask to arrest the leaders, but the police just pretend to do something, questioning those leaders and releasing them after.” - Giorgi Mzhavanadze, co-founder of the Shame Movement, stated, expressing his frustration.¹³⁰

125 <https://www.newsgeorgia.ge/по-делу-о-нападении-на-оператора-лексо-2/>

126 <https://pog.gov.ge/en/news/prokuraturam-telekompania-formulas-fotografis-mimarT-Jurnalisturi-saqmianobis-gamoganxorciebul>,
<https://agenda.ge/en/news/2021/2540>

127 <https://www.newsgeorgia.ge/по-делу-о-нападении-на-оператора-лексо-2/>

128 IPHR and Truth Hounds interview with Rati Tsverava, journalist at Formula TV, July 2020, Tbilisi, Georgia.

129 <https://www.newsgeorgia.ge/организаторы-акции-против-лгбт-в-тбили/>

130 IPHR and Truth Hounds interview with Giorgi Mzhavanadze, co-founder at the Shame Movement, July 2020, Tbilisi, Georgia.

An administrative investigation was launched against Giorgi Tabagari, the founder of Tbilisi Pride, for insulting a police investigative officer over the phone on the afternoon of 5 July, when Tabagari was asked let police inspect his office as part of the investigation: “The police, who were nowhere to be found when there was a real death threat, called me at 3:00 p.m. on 5 July to open the office door to inspect the damage,” said Tabagari.¹³¹

On 6 September, two months after the protest, Georgian Public Defender Nino Lomjaria said she is concerned about the ineffective investigation. She has not been allowed access to the investigation files and has made her conclusion based on public information and media reporting. Lomjaria asked the Prosecutor General’s Office to launch a criminal prosecution against archpriest Spiridon Tskipirishvili and a right-wing activist from Alt-Info, Zurab Makharadze, for their roles in *anti-LGBTIQ* protests. Georgia’s Ministry of the Interior has responded that there is insufficient evidence in the case to file charges against Tskipurishvili and Makharadze.¹³²

On 10 September, the Georgian National Communications Commission (GNCC) granted “national broadcaster” status to Alt Info, obligating all TV providers in the country to provide the channel to subscribers. No charges have been brought against the leaders of Alt-Info.¹³³



*Zurab Makharadze (holding a microphone) and Archpriest Spiridon Tskipurishvili (leftmost) at the rally on 5 July.
Photo from an open source.*

Most of the victims doubt there will be a proper independent investigation: “I am sure [the police investigation] will not bring any results. And if there are any, they will be insubstantial, such as a pardoning deal or a prison sentence of a couple months. Once the elections are over, there will be less interest in the case. Those people will likely be released from prison”.¹³⁴

131 https://netgazeti.ge/news/561900/?fbclid=IwAR3GnBfUeWXsb1BcGUhSVjp0SAPY9PgB0OITYd-YQJy00SI0KNOr_3nN16k

132 <https://agenda.ge/en/news/2021/2540>

133 <https://oc-media.org/extremist-group-behind-tbilisi-pride-violence-granted-national-broadcaster-status/>

134 IPHR and Truth Hounds interview with Tamta Marudashvili, a lawyer at Mtavari Arkhi, July 2020, Tbilisi, Georgia.

VI. Legal assessment of the events

A. International and national legal framework

Core international treaties, ratified by Georgia, clearly impose an obligation on state parties to respect the freedom of assembly of people. Thus, Article 21 of the International Covenant on Civil and Political Rights (ICCPR) obliges the states to recognise the right of peaceful assembly. The article further stipulates that “no restrictions may be placed on the exercise of this right other than those imposed in conformity with the law, and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.”

Similar provisions on the freedom of assembly are enshrined in the European Convention on Human Rights (the ECHR). More precisely, Article 11 recognises that “everyone has the right to freedom of peaceful assembly” and enumerates the conditions under which this right may be limited. The ECHR differs from the ICCPR only in that it reformulates “the interests of ... public order” into the “prevention of disorder or crime” when listing the circumstances that may justify restricting the right to freedom of assembly.

Article 21 of the Georgian Constitution echoes both the ICCPR and the ECHR, reading: “Everyone, except those enlisted in the Defence Forces or bodies responsible for state and public security, shall have the right to assemble publicly and unarmed, without prior permission”. The same article leaves room for the authorities to terminate an assembly if it assumes an unlawful character.

The provisions of the Constitution are further detailed in the Law of Georgia “On Assemblies and Demonstrations” adopted on 12 June 1997. The law, among other things, places a responsibility on the local government to ensure appropriate conditions for the organising and holding of assemblies. It also requires local authorities to specify alternative traffic routes for the participants of assemblies. The law pays special attention to the protection of journalists during assemblies. Thus, it states that “the organisers of assemblies or demonstrations and representatives of law enforcement bodies shall be obliged not to obstruct the professional activity of journalists with identifying signs covering the assembly or demonstration”.

In May 2014, prior to signing the Association Agreement with the European Union, the Georgian parliament adopted the Law “On the Elimination of All Forms of Discrimination” that provides for protection against discrimination on the grounds of race, gender, age, sexual orientation, and gender identity. Some criticised the bill for lacking efficient implementation mechanisms, including the means to impose financial penalties on perpetrators, as well as referring to the maintenance of “public moral” as a possible “statutory purpose” of indirect discrimination. The bill put the Ombudsman’s Office in charge of overseeing anti-discrimination measures. In February 2014, the Constitutional Court of Georgia struck down a 13-year-old ban on homosexual men being blood donors.¹³⁵

135 Law Of Georgia on The Elimination Of All Forms Of Discrimination, May 2014; <https://www.hrw.org/world-report/2015/country-chapters/georgia#b83c37>; <https://humanrightshouse.org/articles/georgia-passes-antidiscrimination-law/>

Adopted in June 2004, the “Law of Georgia on Freedom of Speech and Expression” elaborates on the content of the right to freedom of expression, explains its fundamental status in a democracy, forbids censorship, and provides clear principles regarding when free expression may be restricted and the safeguards that need to be in place to prevent abuse of such restrictions. Articles 7-10 of the law set out the general rules applicable to restrictions on the right to freedom of expression. These provisions reiterate that while freedom of expression is not an absolute right, it may be interfered with only under certain narrow conditions, such as for the purposes of restricting defamation, obscenity, threats, or incitement to violence, grave public disorder, or the commission of an offence.

B. Interconnectivity of the freedom of peaceful assembly and other human rights and freedoms.

The European Commission for Democracy Through Law (“Venice Commission”) and the Organisation for Security and Cooperation in Europe (hereinafter, “OSCE”), in their guidelines on the freedom of peaceful assembly, stress that this freedom has long been recognised “as one of the foundations of a democratic, tolerant and pluralist society in which individuals and groups with different backgrounds and beliefs can interact peacefully with one another”.¹³⁶ Furthermore, the realisation of the right to freedom of peaceful assembly is interconnected with other human rights and freedoms guaranteed by international law and national Georgian law. The abovementioned guidelines illustrate this idea, reiterating that the European Court of Human Rights (ECtHR) has recognised in its case law that the freedom of peaceful assembly and the freedom of expression are often, in practice, closely associated, given the expressive nature of many assemblies and the role that they play in protecting opinion”.¹³⁷ According to the ECtHR, the protection of the freedom of assembly is especially important where the aim of the exercise of freedom of assembly is the expression of personal opinions,¹³⁸ as well as in relation to the need to secure a forum for public debate and the open expression of protest.¹³⁹

Similarly, freedom of assembly is an essential condition for the effective exercise of the right to vote.¹⁴⁰ It supplements other conventional methods of citizens’ participation in public life and provides a means of safeguarding both the right to vote and the right to participation in public affairs.

Another strong link exists between the freedom of association and the freedom of assembly. As the Venice Commission and the OSCE put it, “what may begin as a mobilisation or gathering of like-minded individuals might evolve into an association over time”.¹⁴¹ Therefore, “the associational value of an assembly can be just as important as its communicative or expressive purpose”.¹⁴²

136 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 1.

137 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 4.

138 Case of Ezelin v. France (Application no. 11800/85), Judgment 26 April 1991, para. 37.

139 Case of Molnár v Hungary (Application no. 10346/05), Judgment 7 October 2008, para. 42.

140 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 8.

141 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 5.

142 Ibid.

C. Positive obligations of states

The obligation to respect the freedom of assembly, as it is formulated in international and national legal instruments, first and foremost requires public authorities to abstain from restricting the enjoyment of free assembly and protect individuals against arbitrary interference with their exercise of this right (so-called negative obligation of the state). However, states also bear positive obligations with regards to the freedom of assembly. The ECtHR reiterated this on numerous occasions.¹⁴³ The Venice Commission and OSCE also recognised that states “have a positive duty to facilitate and protect the exercise of the right to freedom of peaceful assembly”.¹⁴⁴ This duty should be properly reflected in national legislation (as it is, for instance, in Georgian legislation) and guide local authorities and law enforcement agencies in the run-up to and during the assemblies.

As the ECtHR underlined in the case of *Bączkowski and Others v. Poland*, a positive obligation to secure the effective enjoyment of the freedom of assembly is of “particular importance for persons holding unpopular views or belonging to minorities, because they are more vulnerable to victimisation”.¹⁴⁵ This attitude on the part of the authorities should be even more explicit when the assemblies or demonstrations are organised in support of sexual minorities. In such situations, as the ECtHR explained in the case of *Identoba and Others v. Georgia*, the states have “to use any means possible, for instance by making public statements in advance of the demonstration to advocate, without any ambiguity, a tolerant, conciliatory stance as well as to warn potential law-breakers of the nature of possible sanctions”.¹⁴⁶ The authorities are also obliged to “duly facilitate the conduct of the planned event by restraining homophobic verbal attacks and physical pressure by counter-demonstrators”.¹⁴⁷

D. Rights of counter protestors and the obligations of states

The existence of positive obligations of states to secure the right to freedom of assembly presupposes that the states would ensure the peaceful conduct of an assembly. In particular, the states are under an obligation to take all reasonable and appropriate measures “to enable lawful demonstrations to proceed peacefully”¹⁴⁸ when there are counterdemonstrations.

The right to hold a counterdemonstration is an inherent part of a larger right to organise a peaceful assembly. Since some demonstrations may offend or simply go against the beliefs and persuasions of certain individuals, the latter may assemble as counterdemonstrators. The Venice Commission and the OSCE argue that “counterdemonstrations should be facilitated so that they occur within ‘sight and sound’ of their target in so far as this does not physically interfere with the other assembly and does not

143 See for instance *Case of Öllinger (Karl) v Austria* (Application no. 76900/01), Judgment 29 June 2006, para. 35; *Case of Kudrevičius and Others v. Lithuania* (Application no. 37553/05), Judgment 26 November 2013, para. 158.

144 *Guidelines on Freedom of Peaceful Assembly*, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 22.

145 *Case of Bączkowski and Others v. Poland* (Application no. 1543/06), Judgment 3 May 2007, para. 64.

146 *Case of Identoba and Others v. Georgia* (Application no. 73235/12), Judgment 12 May 2015, para. 99.

147 *Case of Berkman v. Russia* (Application no. 46712/15), Judgment 13 March 2014, paras. 55-57.

148 *Case of The United. Macedonian Organisation Ilinden and Ivanov v. Bulgaria* (Application no. 44079/98), Judgment 20 October 2005, para. 115.

give rise to a risk of imminent violence that cannot be mitigated or prevented”.¹⁴⁹ Accordingly, the public authorities must create conditions which allow for respect of the right to hold counterdemonstrations, as well as the security of the participants of the assembly whom the counterdemonstrators are targeting.

The duty of the state to protect the organisers and participants of the assembly involves the protection “from third party individuals or groups who seek to undermine their right to freedom of peaceful assembly”¹⁵⁰ even if such groups are organised as counterdemonstrators or if they claim that the peaceful assembly offends them in any way. To achieve the goal of protecting demonstrators (as well as counterdemonstrators), the state should “duly address” any hate speech, including homophobic statements.¹⁵¹ It goes without saying, that representatives of the state should refrain from statements that instigate hate speech or in any other way open the door to targeted violence. As the Parliamentary Assembly of the Council of Europe states in a resolution, “politicians, along with other public figures, have a vital role to play in [preventing hate speech]. Their status and visibility allow them to influence a wide audience and to define to a significant degree the themes and the tone of public discourse”.¹⁵²

When getting prepared for demonstrations that will likely trigger counterdemonstrations, the authorities should take into consideration “past violence at similar events and the impact of a counter-demonstration on the targeted demonstration”.¹⁵³ The authorities should also ensure “the presence of first-aid services at the site of demonstrations”.¹⁵⁴ In addition, the UN Human Rights Committee explains that as well as the abovementioned measures, states might be required to implement specific measures, such as: blocking off streets, redirecting traffic, providing security for certain individuals or groups, or protecting participants of assemblies against possible abuse by non-state actors.¹⁵⁵

E. Role of journalists and their protection

The Venice Commission and the OSCE reiterate the importance of the protection of journalists during peaceful assemblies. As these organisations put it, media professionals “have an important role to play in providing independent coverage of public assemblies, as assemblies are often “the only means that those without access to the media may have to bring their grievances to the attention of the public.”¹⁵⁶ The ECtHR supports this view by concluding in its decision in the case of *Najafli v. Azerbaijan* that “it is incumbent on the press to impart information and ideas on matters of public interest [...] (and) the public has a right to receive them. This undoubtedly includes reporting on [...] gatherings and demonstrations”.¹⁵⁷

149 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 22.

150 Ibid.

151 Case of *Berkman v. Russia* (Application no. 46712/15), Judgment 13 March 2014, paras. 55-57.

152 The role and responsibilities of political leaders in combating hate speech and intolerance (Resolution 2275 (2019), Parliament Assembly of the Council of Europe, Para. 4.

153 Case of *Fáber v. Hungary* (Application no. 40721/08), Judgement 12 September 2012, para. 44.

154 Case of *Oya Ataman v Turkey* (Application no. 74552/01), Judgement 5 December 2006, para. 39.

155 Human Rights Committee General Comment No. 37 (2020) on the right of peaceful assembly (article 21), para. 24.

156 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 191.

157 Case of *Najafli v. Azerbaijan* (Application No 2594/07), Judgement 2 October 2012, para. 66.

Citing the threats that journalists around Europe are facing during protests, the Parliamentary Assembly of the Council of Europe also calls on states to “facilitate journalists’ work in specific difficult contexts, such as in conflict zones or in public rallies”.¹⁵⁸

That is why, as it is neatly formulated by the Venice Commission and the OSCE, “law enforcement and other state representatives need to ensure the safety of media professionals to the maximum extent”.¹⁵⁹ They need to “protect media professionals from violence or harm emanating from third persons”.¹⁶⁰

VII. Conclusion

The attacks against LGBT activists and journalists at the March for Dignity on 5 July 2021 detailed in this report demonstrate a worrying tendency on the part of the Georgian authorities not to take sufficiently proactive measures to effectively combat discrimination and protect sexual minorities and opposition media outlets.

The atmosphere of hate, threats, and incitement to violence against LGBTIQ activists and opposition media outlets preceding Tbilisi Pride Week gave clear warning signs of potential violent attacks. Yet, authorities failed to take appropriate measures in line with Georgia’s legislation and international obligations to act against hate speech and ensure security during the March for Dignity.

Of further concern is the fact that the leaders of the ruling Georgian Dream party, including the country’s prime minister, Irakli Garibashvili, made statements blaming on the victims for the violent events and instrumentalised the situation so as to undermine the position of their political opponents before the October elections.

The organised violent actions carried out by vigilant nationalist groups and the police inability to effectively respond, undermine public trust in state institutions and the rule of law.

Intimidation and violent attacks against journalists has had a chilling effect on the media community and threaten the freedom of speech, a crucial component of a democratic society.

158 Threats to media freedom and journalists’ security in Europe (Report), Committee on Culture, Science, Education and Media of the Parliament Assembly of the Council of Europe, Para. 6.3.

159 Guidelines on Freedom of Peaceful Assembly, European Commission for Democracy Through Law (Venice Commission), OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) (3rd Edition), para. 197.

160 Ibid.

VIII. Recommendations:

TO THE GOVERNMENT OF GEORGIA:

- Respect Georgia's international obligations to facilitate and protect the exercise of the right to freedom of peaceful assembly, including protection from third party individuals or groups;
- Guarantee the rights of minorities and the LGBTIQ community in particular, respond promptly and efficiently to alleged acts of discrimination, bring offenders to justice according to Georgian and international law, and provide compensation and redress to the victims of such acts;
- Respect and protect the freedoms of expression and information at all times, while also taking timely and effective steps to prevent threats and incitement to violence, grave public disorder, or the commission of offences;
- Undertake an impartial investigation into those who openly used hate speech prior to the 5 July events and bring any perpetrators to justice;
- Ensure the safety of media professionals including protecting them from violence, and draw up a plan of action to ensure that journalists are allowed to safely carry out their professional activities in difficult contexts, such as during public rallies;
- Conduct a swift and effective investigation into all violent incidents and criminal acts and duly prosecute to the full extent of the law. Act effectively to prevent any future attempts at such criminal acts;
- Conduct a swift and impartial investigation into the state response prior to and following the attacks on journalists and LGBTIQ activists during Tbilisi Pride Week and make the findings public;
- Undertake a comprehensive programme of action to publicly promote tolerance and to address hate speech, incitement to hatred, and intolerance. Ensure that public figures refrain from making statements which can be perceived as inciting violence or hate crimes;
- Draw up an inter-agency action plan to combat violent actions and threats of vigilante groups.

TO THE GEORGIAN ORTHODOX CHURCH, OTHER CIVIL SOCIETY GROUPS, POLITICAL ORGANISATIONS, AND MEDIA OUTLETS:

- Refrain from actions and statements which deepen societal divisions and take actions to support dialogue, tolerance, and reconciliation.

TO INTERNATIONAL ORGANISATIONS:

- Continue cooperation with and support to the Georgian authorities in pursuing the promotion of the right to peaceful assembly and association, minority rights, and the freedoms of expression and information;
- Support processes of dialogue and reconciliation, as well as tolerance building initiatives, in Georgia.