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GEORGIA 2023

Freedom of expression came under attack. Law enforcement officials used unnecessary and excessive force to break up peaceful protests. Selective justice and politically motivated prosecution of government opponents persisted. Police failed to adequately protect a Pride event. Violence against women and girls remained commonplace. Reports of arbitrary detentions of civilians in the breakaway territories persisted.

Background

The ruling party continued to consolidate power, attempting to restrict freedoms and undermine civil society through various actions, including

proposing legislation resembling the Russian “foreign agent” law.

Georgia’s political divide and public protests intensified as the government’s commitment to EU membership was increasingly questioned in view of growing ties with Russia and an increase in anti-Western rhetoric. In November, underscoring popular support, the European Commission recommended granting Georgia EU candidate country status, conditional on, among other things, improving the rule of law, addressing political polarization and strengthening judicial independence. This status was granted in December.

Migration from Russia following its full-scale invasion of Ukraine continued to contribute to spiralling inflation, a cost-of-living increase and economic inequality.

Freedom of expression

The right to freedom of expression came under increased attack, especially following widespread demonstrations in March, which forced the government to recall the draft Law on Transparency of Foreign Influence targeting independent, foreign-funded organizations and media outlets as foreign agents of influence.

In April, parliament used newly adopted amendments to the parliamentary code of conduct for media, which require the consent of MPs for interviews, to suspend the accreditations of six journalists, reportedly in retaliation for their critical questions.

Human rights defenders and other civil society actors reported increased threats, smears and harassment for criticizing the government, as well as risks to physical safety. In July, at least six government critics reported being subjected to physical attacks that appeared coordinated. The attacks were publicly condoned by senior ruling party members. On 17 June, students protesting at Tbilisi State University during a lecture by the ruling party chair were reportedly beaten by a group of government supporters. One of the students described being threatened by a police officer with a gun while in hospital. An investigation into the incident was pending at year’s end.

In October, several activists who took part in a training run by the NGO Center for Applied Nonviolent Actions and Strategies, were called in for questioning by the security services, who claimed that the trainers were orchestrating the violent overthrow of the government. The organizers and the UN Special Rapporteur on the situation of human rights defenders dismissed the allegation as groundless and an attempt to smear civil society.

Freedom of assembly

The authorities increasingly used unnecessary and disproportionate force to break up peaceful protests and introduced new restrictive measures, particularly after widespread protests against the draft bill on transparency of foreign influence. By contrast, violent groups attacking members of the political opposition and the LGBTI community at Pride events, largely enjoyed impunity and were undeterred by police. On 17 October, the president vetoed an amendment to the Law on Assemblies and Demonstrations which would have prohibited protesters from erecting “temporary constructions” deemed “not essential” to the gathering, thereby placing undue restrictions on freedom of assembly.

During the largely peaceful protests against the bill on transparency of foreign influence, on 2 March police broke up a rally and arrested 36 people on administrative charges, including two journalists covering the demonstration. On 7-8 March police used tear gas and water cannons without prior warning against thousands protesting in front of parliament, arresting 146 on administrative charges. Dozens were fined between GEL 500 (USD 190) and GEL 2,000 (USD 750) for petty hooliganism or disobeying police. At least one protester, Lazare Grigoriadis, was held in pretrial detention on charges of violence against police. Parliament withdrew the bill on 10 March.

On 2 June, seven activists conducting a peaceful sit-in in front of parliament, holding banners and blank pieces of paper, were arrested by police, denied contact with their families or lawyers, and fined up to GEL 2,000 (USD 750) for hooliganism and disobeying police.

Unfair trials

The judicial system continued to experience what local NGOs described as a crisis of legitimacy and trust as concerns regarding selective justice and politically motivated prosecutions persisted. On 5 April, the US Department of State sanctioned four senior Georgian judges for corruption, abusing their position and undermining the judicial system.

The trial of former president Mikheil Saakashvili, imprisoned on charges including corruption and abuse of power, continued. On 6 February, a court ruled against his release on humanitarian grounds, despite his severely deteriorating health and reported lack of adequate medical care.

On 23 June Nika Gvaramia, co-founder of the pro-opposition Mtavari TV, was released by presidential pardon. He had been sentenced to three years and six months' imprisonment on groundless charges of abuse of power. A week prior, the Supreme Court had rejected his appeal.

On 29 September, a court remanded in prison Lazare Grigoriadis (see above, Freedom of assembly) on charges dating to 2021, shortly before the legal limit for his pretrial detention in relation to the March protests was due to expire. Following his arrest on 29 March, senior government figures repeatedly referred to him as a criminal and made derogatory comments regarding his appearance and perceived sexual orientation.

LGBTI people's rights

Anti-LGBTI propaganda by government officials and their supporters intensified, and police failed to adequately protect LGBTI rallies from violent protesters.

On 8 July, approximately 2,000 anti-LGBTI protesters stormed a private Pride event in Tbilisi, destroying and looting property, vandalizing the stage and setting fire to rainbow flags and placards. The police present at the scene failed to take action to prevent these violent disruptions.

Women's rights

Violence against women remained common, including femicide and other forms of gender-based violence. On 15 June, in the case of *Gaidukevich v. Georgia*, the European Court of Human Rights found that the government

had violated the right to life and the prohibition of discrimination by failing to protect a victim of domestic violence, including by not conducting an effective investigation into her presumed suicide.

Violence against women in politics remained widespread, with a new UN study finding that the government failed to address the problem despite its prevalence and severity. Women in politics continued to face sexist, misogynistic expressions and gender-based discrimination against political opponents, especially by senior members of the ruling party.

Right to a healthy environment

The government published its Long-Term Low Emission Development Strategy committing Georgia to “climate neutrality” by 2050.

Abkhazia and South Ossetia/Tskhinvali Region

Freedom of movement continued to be restricted between government-controlled territory and the breakaway regions of Abkhazia and South Ossetia. Reports of killings, arbitrary detention and ill-treatment of civilians by the de facto authorities of the breakaway regions persisted. On 6 November, one man was shot dead and another detained by Russian troops while visiting a church along the South Ossetia administrative boundary line.

Torture and other ill-treatment

The health of Irakli Bebuga, an ethnic Georgian resident of Gali serving nine years’ imprisonment for burning the Abkhaz flag, reportedly deteriorated to a critical level due to chronic diseases and lack of adequate healthcare in detention. At least seven people continued to be held in arbitrary detention in substandard conditions by the de facto authorities of the breakaway regions.

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