



# GEORGIA

## BIAS-MOTIVATED SPEECH

Hate speech from politicians remained a challenge in 2019. In February, an MP of the “Georgian Patriots” tabled an initiative to eradicate the terms sexual orientation and gender identity from 14 laws. The initiative was not adopted.

Hate speech was also a common response to the Pride March (see under **Freedom of assembly**).

## BIAS-MOTIVATED VIOLENCE

In June, renowned homophobe and public figure Levan Vasadze announced that self-organised groups, equipped with wooden clubs, would patrol Tbilisi to prevent Pride events. The Ministry of Interior stated that calling for the creation of such groups is illegal. However, no legal action was taken.

The Ministry of Internal Affairs set up the Witness and Victim Coordinator Service in July, to support victims and witnesses in cooperating with the police and prevent secondary victimisation. Measures include providing psycho-emotional support and information about existing support services.

## EQUALITY AND NON-DISCRIMINATION

On 14 May, the anti-discrimination legislation was finally amended following years of delays in Parliament. The amendments are to strengthen implementation and the Public Defender’s role. Private actors will now be obliged to cooperate with the Public Defender in discrimination cases, or will be fined otherwise. The Public Defender will also be able to file a lawsuit against state and non-state actors if they fail to implement its rulings. The amendment prolongs the period for admissibility in discrimination cases from three to 12 months, with the exception of labour disputes. Sexual harassment was also added to the law as a form of discrimination.

On 15 May, Victor Madrigal-Borloz, the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, published his report on his country visit to Georgia in 2018. The findings highlight the gap between a progressive legal, policy and institutional framework and effective implementation, especially regarding discrimination, hate speech and hate crime.

## FREEDOM OF ASSEMBLY

In February, activists announced that they would hold the first Tbilisi Pride in the summer. NGO Women’s Initiatives Supportive Group (WISG), held two community consultation events on the issue. On the basis of community input and the history of how LGBTI rights have been manipulated and used by political groups for purely political gain, WISG formally withdrew from participating in the Pride march. Several others criticised the event as well.

Pride week was planned to take place between 18-23 June, but organisers encountered numerous obstacles. Despite lengthy negotiations, the Ministry of Internal Affairs published a statement on 31 May saying that they were not able to provide adequate protection to the participants. The statement was condemned by human rights NGOs who called on the government and the Ministry to ensure the right of freedom of assembly. Due to the statement and a wave of public unrest, anti-Russia protests, and violent clashes with police, the organisers postponed the event. On 14 June, the Orthodox Church published a statement calling LGBT people sinners. Pride supporters protested outside the Government’s Administrative Building and urged the Prime Minister and the Minister of Internal Affairs to support the march. The demonstration was disturbed by extremists, who threw eggs at the activists. 28 counter-protesters were detained.

On 17 June, Public Defender Nino Lomjaria called on the authorities to ensure LGBT people’s freedom of assembly. Lomjaria received several threats afterwards. On the same day, 13 local NGOs published a statement in solidarity with Tbilisi Pride. After cancelling twice, the organisers held an impromptu Pride Parade in Tbilisi on 8 July. The half-hour event was successful and took place without any incidents. It was attended by 20 people, including LGBTI people, activists, politicians and NGO representatives. The rally ended when participants were informed that extremists were on their way to disrupt it.

*“Smaller in numbers but we managed to get out safely. History in the making!”* - Giorgi Tabagari, Pride organiser on Twitter

On IDAHOT on 17 May, LGBT activists once again refused to hold a rally, because the government has used these events to falsely laud themselves at international fora.



## FREEDOM OF EXPRESSION

On 14 May, the WISG Facebook page was cyber-attacked, allegedly by extremist groups. Facebook removed several of WISG's videos and the organisation was unable to post anything for a week, hindering their 17 May work.

On 5 November, the Ombudsperson called on the authorities to safeguard the right to freedom of expression and assembly of the LGBT+ community, following a study of cases over the past two years.

On 8 November, hundreds of far-right protesters blocked the entrance of the cinema at the premiere of the film 'And Then We Danced', which features a relationship between two male Georgian dancers. A rainbow flag was burned. Far-right leaders had previously announced they would disrupt the screenings. WISG appealed to law enforcement bodies, the state and the media.

## HEALTH

WISG filed five cases to the Ombudsperson on trans people's access to healthcare this year, regarding the lack of free and quality medical care. The Ombudsperson met with the applicants and the applicants are awaiting for the final decision.

WISG became a member of the working group alongside five NGOs and the Ombudsperson to review the book "Forensic Medicine", which stigmatises LGBTI people.

On 17 December, the Constitutional Court ruled that the 10-year blood donation deferral period on men who have sex with men, that the Ministry of Health introduced in 2017, was disproportionately high and discriminatory. It is now up to the Ministry to put a new rule in place.

## HUMAN RIGHTS DEFENDERS

On June 19, three Pride organisers received death threats. They reported the cases to the Ministry of Internal Affairs, but received no answer.

The attacker of trans activist Miranda Pagava was found guilty for petty hooliganism and ordered to pay a fine for the assault, which he committed in 2018.

## LEGAL GENDER RECOGNITION

In October, a trans man who was denied legal gender recognition (LGR) because he had not undergone surgeries launched a case at the European Court of Human Rights.

The UN Independent Expert called for LGR legislation (see under **Equality and non-discrimination**).

## POLICE AND LAW ENFORCEMENT

WISG took part in the working group created by the Ministry of Internal Affairs on improving institutional responses to hate crimes, including training for law enforcement. WISG was invited to train prosecutors and journalists, on addressing discrimination and violence on grounds of SOGIE.

## PUBLIC OPINION

The results of this year's National Democratic Survey found that 27 per cent of respondents felt that protecting LGBTI rights is important. Similar to other years, LGBTI people remain the least supported minority group in the country.