Bias-motivated speech

There is still no code of conduct in place sanctioning hate speech by MPs. On 18 May, MP Koba Lursmanashvili (Georgian Dream) said in parliament that “the rights of the minorities may be protected. [I] demand public interest to be protected. This interest is frequently violated by drug users, drug sellers and by faggots.”

On 6 December, the Tbilisi City Court found politician Besik Danelia (Democratic Movement - United Georgia) guilty of damaging the honor and dignity of LGBT activist Levan Berianidze by calling him “Pidaradast” (“faggot”) on TV. The court issued a minimal fine of 0.40USD.

Bias-motivated violence
(see under Human rights defenders)

In 2018, NGO Equality Movement documented 20 anti-LGBT hate crimes, mostly against gay men and trans women.

Education

In 2018, NGO Women’s Initiatives Supporting Group (WISG) published a report, finding that 16.4% of LGBT respondents have experienced discrimination in education, mostly by classmates.

In 2018, Equality Movement wanted to study the attitudes of public school teachers towards LGBT persons, but the Ministry of Education, schools and teachers unions did not cooperate.

Employment

WISG found that one in three LGBT respondents have been discriminated in employment. Equality Movement is currently working on a case, where a gay man was fired from his job at the Ministry of Infrastructure, because he was seen walking next to a gay activist at the Women’s March.

Equality and non-discrimination

WISG found that LGBT respondents were most likely to be discriminated while accessing services (46%), in employment (34%), in education (9%) or by law enforcement (5%). In 2018, Equality Movement took legal action in seven discrimination cases, in healthcare and access to services by media and police.

Family

The new amendment of the Georgian Constitution, which entered into force in December, limits marriage to a union between a man and a woman. The Civil Code already bans same-sex marriage.

Freedom of assembly

On May 12, two queer friendly night-clubs and important meeting places for the community, Bassiani and Café Galery, were raided by heavily equipped police storm-teams, allegedly after 5 drug related deaths in the Georgian capital. Despite statements of the club owners that the deaths occurred outside the clubs, and that customers are thoroughly searched, the police made a number of arrests before raiding the clubs. Several day long protests were organised outside the Ministry of Interior in support of the clubs and the community. During the protests, LGBTI protesters were circled by far-right groups, without police protection or interference, despite their awareness of the ‘siege’ – activists say.

On May 17, organisers cancelled the IDAHOT event, due to threats from extremists and the expected lack of police protection. In the end, organisers held small protests in six different locations in Tbilisi, including Ministries.

Freedom of expression

Guram Kashia, the vice-captain of the Georgian national football team, received the UEFA #EqualGame Award for supporting the LGBT community.

“I believe in equality for everyone, no matter what you believe in, who you love or who you are.”

Guram Kashia, player on the Georgian national football team and recipient of the UEFA #EqualGame Award

On 9 September, members of the LGBT community attended one of Kashia’s games to show support. Security forces did not let them enter the stadium with rainbow flags and other symbols, and when these were found inside, they were immediately taken away.

Equality Movement and four other organisations condemned the police action and stressed that restrictions on the freedom of expression of LGBT people has been a serious issue for years.
Before the game, neo-fascist groups made threats that they would only refrain from violence if LGBT flags were prohibited in the stadium. The police sided with them and silenced LGBT people.

**Health**

In 2018, five trans people turned to WISG for being denied cost coverage for receiving a psychiatric diagnosis of transsexualism. The cases are being considered by the Ombudsperson.

HIV prevalence (currently at 25%) continued to increase among gay men and other men who have sex with men (MSM). According to Equality Movement’s research (to be published), only 17% of 3800 MSM living with HIV knew their HIV status, 75% received ART and viral suppression was achieved in 88% of those cases. The country has failed to achieve the Fast Track 90-90-90 targets. Trans people are not included as a key population in the national HIV strategy, despite civil society lobbying.

**Human rights defenders**

On 28 January, Miranda Pagava, a trans activist of Equality Movement, was physically assaulted in Tbilisi. The attacker used transphobic and homophobic slurs against her. He was arrested and criminal proceedings were initiated against him.

On 28 September, four Equality Movement activists were physically assaulted by neighbours of their office. The activists called the police, notified the Public Defender’s Office and General Inspection of the Ministry of Interior. Police spoke to the victims aggressively and did not intervene when the perpetrators continued to assault them. The doctors in the ambulance failed to fully record the victims’ injuries in official documents. The Ministry of Internal Affairs later released a statement, without mentioning the homophobic motive. The neighbours’ harassment continued, and Equality Movement had to close their office.

On 12 November, two trans women, including an activist of WISG, were attacked in central Tbilisi. The four unknown attackers fled the scene immediately after the attack, but three were arrested on the same day, the fourth a week later. The victims were hospitalised with severe injuries and concussion. They reported that the attackers used homophobic and transphobic slurs, stating that the victims “pretend to be women” and therefore “their life has to be taken”.

**Legal gender recognition**

WISG and European Human Rights Advocacy Centre (EHRAC) submitted two applications to the Strasbourg court, concerning the refusal of LGR to two trans men. On 6 September, the Court communicated both applications, and the cases are now being processed jointly.

**Police and law enforcement**

In January, the Ministry of Internal Affairs set up the Human Rights Department, mandated to monitor the investigation of hate crimes. The HRD actively cooperates with civil society.

**Social security and social protection**

In 2018, the claim of a young lesbian woman to be recognised as “socially disadvantaged” was denied by the Social Services Agency. The woman was a victim of domestic violence by her father, and had to leave home. She could no longer pay her university tuition and applied for state support. The Agency denied her claim on the basis that she was living at a shelter. WISG submitted the case to the Ombudsman.

The UN SOGI Expert made a country visit to Georgia in the fall. In his mission statement, he highlighted significant challenges in the protection of LGBT rights.

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