



# Georgia



Hostility against LGBTI people remained palpable. Positively, the parliament adopted a new law against discrimination in all spheres, covering both sexual orientation and gender identity; a court agreed that gay and bisexual men shouldn't be banned from donating blood; and the ombudsman proved supportive of LGBTI issues. The government and parliament also adopted comprehensive human rights strategies, and Georgia signed international treaties with both the European Union and the Council of Europe. However, the country found itself under pressure from pro-Russia forces labelling LGBTI people as a Western import. Bias-motivated speech and violence remained common.

## Bias-motivated speech

- A former minister, Davit Darakhvelidze, gave an interview to newspaper *Versia* in May, stating that “Homosexuals are sick and they deserve pity”. Commenting the murder of a trans woman, on television in November, MP Otar Chrdileli (Georgian Dream, governing coalition) argued LGBTI people were “provoking society”. Mr Chrdileli further argued LGBTI people had taken part in video blackmailing organised by the previous government, in 2013.

## Bias-motivated violence

- Following extreme, large-scale violence at a peaceful gathering on International Day Against Homophobia and Transphobia in May 2013, LGBTI activists chose not to organise a public event this year after the police said they wouldn’t be able to protect it (see **Freedom of assembly**). However, one LGBTI activist reported that a representative of the Eurasian Institute (a think-tank close to the Eurasian Economic Union, see **Russia**) tried to bribe him, offering GEL 40,000 (EUR 17,430) and a new passport in exchange for organising a Pride rally. This occurred in May and June, shortly before Georgia signed an agreement with the European Union (see **Foreign policy**).
- In their July report, the United Nations’ Committee on the Elimination of Discrimination against Women expressed concern about “physical violence and harassment faced by lesbian, bisexual and transsexual women”.
- In November, 23-year-old trans woman Sabi Beriani was brutally murdered in her apartment. Her attacker forcefully entered, slit her throat, stabbed her multiple times, set the apartment on fire, and left. The police arrested the perpetrator. Although the police stated that Ms Beriani was killed due to an argument over money, another trans woman told the police and the press that the same individual had attacked her at her home on the same day. She fought back with the help of a neighbour. This pattern led human rights NGOs Identoba and EMC to believe transphobia had motivated Ms Beriani’s assassination; at time of writing, the investigation into this case had been concluded

without transphobia being considered as aggravated offence.

## Equality and non-discrimination

- In May, the parliament approved the *Law on the Elimination of All Forms of Discrimination (2391-IIb)*, outlawing discrimination in all areas and on numerous grounds, including sexual orientation and gender identity. The law had drawn criticism from conservatives, notably for its inclusion of sexual orientation and gender identity. Justice Minister Tea Tsulukiani appeared on a television show in May, and attempted to defend the bill by arguing that the law “had nothing to do” with “same-sex marriage and physical relations between persons of the same sex”, which were “a huge sin”. 115 MPs voted in favour of the bill at its third reading, while 11 MPs voted against. The European Union had asked Georgia to adopt the law as part of negotiations for a visa-free agreement (see **Foreign Policy**). The Georgian Orthodox Church had campaigned against the inclusion of sexual orientation and gender identity in the law, arguing it would “legalise homosexuality” (which was decriminalised in 2000). Although NGOs widely welcomed the law, some criticised the lack of a new body to supervise its implementation. Instead of a new Inspector for Equality Protection, a Department for Equality was opened at the Public Defender of Georgia (the ombudsman) to oversee the law’s implementation. In September, NGOs said that little had changed following the law’s passage, although hostility towards LGBTI people had increased.
- In May, the parliament adopted a *National Human Rights Strategy 2014 – 2020* while the government published a two-year *National Human Rights Action Plan*. Both include sexual orientation and gender identity. The action plan is dedicated to combatting homophobic and transphobic discrimination and recommends trainings for law-enforcement agency representatives and prosecutors. It includes training sessions focusing on hate crimes, helping officials to identify hate crime, collect information and create statistics. In 2014, 80 prosecutors took part in these courses. Regarding data collection, the state has not

taken any concrete steps. Statistics on the prevalence and nature of LGBT discrimination are still not gathered or analysed.

- The Public Defender of Georgia published his annual report, *The Situation of Human Rights and Freedoms in Georgia*. The report analysed the situation of LGBT persons for the first time, noting that although laws weren't "discriminatory towards LGBT persons, [their] practical enforcement [did not] ensure adequate legal guarantees". The ombudsman's report also noted "quite frequent" "incidents of discrimination" in employment, health, and social and economic relations.
- In August, a conservative group claimed it collected 30,000 signatures for a petition to erase sexual orientation from the list of grounds protected under the new anti-discrimination law. The petition was submitted to the parliament's Committee on Human Rights and Civil Integration, which refused to consider it on a technicality. Organisers pledged they would resubmit it.
- LGBTI NGO Identoba won a case before the Constitutional Court, which ruled in June that the Ministry of Health had been wrong to ban men who have sex with men from donating blood. Citing the constitutional clause on equality, the court agreed that doctors should base deferrals on risky sexual behaviour, and not sexual preference.

## Family

- In March, Prime Minister Irakli Garibashvili announced his government would propose amending the Constitution to specify that marriage was between a man and a woman. His announcement came as MPs discussed the new anti-discrimination bill (see **Equality and non-discrimination**), which the Prime Minister sought to 'balance' with a constitutional ban on equal marriage. Justice Minister Tea Tsulukiani supported the initiative. Identoba demonstrated against the amendment outside the State Chancellery building. By the end of the year, the amendment hadn't been put forward nor mentioned again.

## Foreign policy

- In June, Georgia signed an association agreement with the European Union, facilitating trade and travel between them. The same month, Justice Minister Tea Tsulukiani signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (also known as the Istanbul Convention), due for parliamentary ratification in 2015.

## Freedom of assembly

- While the police claimed they wouldn't be able to protect an LGBTI-themed event on International Day Against Homophobia and Transphobia, the Georgian Orthodox Church organised a march for the "traditional family" on the same day.

## Legal gender recognition

- In their July report, the United Nations' Committee on the Elimination of Discrimination against Women urged Georgia to "abolish restrictions for transgender persons to obtain identity documents".
- The NGO Women's Initiatives Supporting Group conducted a study in 2014 on the situation of trans persons in Georgia, which included recommendations for a more transparent and accessible administrative system for changing gender markers on documents. This was followed by a roundtable in December where a Ministry for Justice representative underlined the ministry's keenness to tackle the issue.