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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

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Meeting: 1545th meeting (December 2025) (DH)

Communication from NGOs (European Human Rights Advocacy Centre (EHRAC), Women's Initiatives Support Group (WISG), Georgian Young Lawyers' Association (GYLA), ILGA-Europe and Transgender Europe (TGEU)) (07/11/2025) in the cases of Aghdgomelashvili and Japaridze, Women's Initiatives Supporting Group and Others and Identoba and Others v. Georgia (Applications No. 7224/11, 73204/13, 73235/12) (Identoba and Others group).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1545e réunion (décembre 2025) (DH)

Communication d'ONG (European Human Rights Advocacy Centre (EHRAC), Women's Initiatives Support Group (WISG), Georgian Young Lawyers' Association (GYLA), ILGA-Europe et Transgender Europe (TGEU)) (07/11/2025) dans les affaires Aghdgomelashvili et Japaridze, Women's Initiatives Supporting Group et autres et Identoba et autres c. Géorgie (requêtes n° 7224/11, 73204/13, 73235/12) (groupe Identoba et autres) ***[anglais uniquement]***

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DH-DD(2025)1408: Rule 9.2 Communication from NGOs in Identoba and Others group v. Georgia.
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07 NOV. 2025
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

DGI – Directorate General of Human Rights and Rule of Law
Department for the Execution of Judgments of the ECHR
F-67075 Strasbourg Cedex
France

E-mail:
dgl_execution_just_satisfaction@coe.int
dgI-execution@coe.int

Sent by email

Rule 9 (1) submission to the Committee of Ministers of the Council of Europe concerning the implementation of *Aghdgomelashvili and Japaridze v. Georgia* (App. no. 7224/11) and *Women's Initiatives Supporting Group and Others v. Georgia*, (App. nos. 73204/13 and 74959/13)

Rule 9 (2) submission to the Committee of Ministers of the Council of Europe concerning the implementation of *Identoba and Others v. Georgia group of cases* (App. No 73235/12)

by

The European Human Rights Advocacy Centre (EHRAC), the Women's Initiatives Support Group (WISG), the Georgian Young Lawyers' Association (GYLA), ILGA-Europe and Transgender Europe (TGEU)

7 November 2025

Executive Summary

1. This submission by the signatory organisations aims to respond to the Government's action report of 2 July 2025 that followed the adoption of the Committee's Interim resolution in the Identoba group of cases at its March 2025 DH meeting. Despite the Committee's very clear call to repeal the discriminatory legislation and its consideration of the law as a 'backward step raising 'serious questions as to compliance'with the Identoba group judgments, the Government strongly defended the need for this law indicating a clear shift from its obligations arising under the Identoba group judgments concerning rights of LGBTI persons.

2. This submission provides the Committee with our assessment of such defiant actions of the Government. It focuses both on individual measures concerning *Aghdgomelashvili and Japaridze v. Georgia* (Application no. 7224/11, judgment of 8 October 2020, final on 8 January 2021) and *Women's Initiatives Supporting Group and Others v. Georgia* (Application nos. 73204/13 and 74959/13, judgment of 16 December 2021, final on 16 March 2022), as well as general measures relating to LGBTI rights issues across the broader group.

3. We assess the most recent developments, primarily the adoption of the discriminatory legislation explicitly banning certain rights and otherwise restricting the ability of LGBTI people and their supporters of their fundamental Convention rights, contrary to the obligations arising from the Court's findings and in defiance to the Committee's recommendations and its most recent Interim Resolution. The growing evidence clearly demonstrates that Georgia is not willing to comply with the respective judgments and its deliberate acts aimed at discriminating LGBTI persons points to the contrary. On this basis, we call upon the Committee to examine this group of cases at the nearest possible opportunity and consider taking stronger measures, such as the initiation of infringement proceedings, in light of Georgia's clear refusal to comply with these cases.

I. Introduction

1. This submission, made by the European Human Rights Advocacy Centre (EHRAC), the Women's Initiatives Support Group (WISG), the Georgian Young Lawyers' Association (GYLA), the European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA-Europe) and Transgender Europe (TGEU), provides an update on the implementation status of the *Identoba and Others v. Georgia* group of cases since the adoption of the Committee of Ministers' Interim Resolution CM/ResDH(2025)31 of 6 March 2025 and in response to the Government's action report of 2 July 2025. This submission focuses particularly on individual measures concerning *Aghdgomelashvili and Japaridze v. Georgia* (Application no. 7224/11, judgment of 8 October 2020, final on 8 January 2021) and *Women's Initiatives Supporting Group and Others v. Georgia* (Application nos. 73204/13 and 74959/13, judgment of 16 December 2021, final on 16 March 2022), as well as general measures relating to LGBTI rights issues across the broader group.

2. The Committee's Interim Resolution of 6 March 2025 represents a watershed moment in the supervision of these cases, marking the Committee's strongest condemnation to date of Georgia's hugely regressive steps towards LGBTI rights protection. The Committee's language—particularly its "deep deploration" of Georgia's enactment of discriminatory legislation against LGBTI persons

and its assessment that this "represents a backward step" raising "serious questions as to compliance"—underscores the gravity of the situation and Georgia's departure from its Convention obligations. The Government's subsequent justification and defense of this law in its July 2025 action report is a further evidence of Georgia's fundamental value shift away from its obligations to protect LGBTI persons from persecution and discrimination arising from the Court's findings in this group. In a summary, the Identoba group encompasses seven cases spanning from 2012 to 2024, collectively addressing what the Committee has identified as *"the structural problem of the State's failure to ensure protection from homophobic or religiously-motivated attacks by private individuals during marches or gatherings and in some instances official acquiescence and connivance in these acts, as well as police abuse committed with homophobic/transphobic or religious bias, and the absence of effective investigations into these incidents.*" More importantly, the recent report of the Government indicates its lack of intentions and its unwillingness to repeal the law, as per Committee's interim resolution explicitly calling to do so, or comply with any other calls of the Committee.

3. The current status of play, as set out below in this submission, demonstrates that, far from implementing the Committee's urgent calls and strong exhortations, Georgia has continued and continues on a trajectory of intentional systematic regression in LGBTI rights protection. Not only is continued non-compliance with specific individual measures increasingly evident but also deliberate anti-LGBTI legislative and policy actions that directly contradict the Committee's calls and undermine the very foundations of the Convention's protection mechanisms for vulnerable minorities.

II. Individual Measures - Investigations and Trial Proceedings in the cases of *Aghdgomelashvili and Japaridze v. Georgia* and *Women's Initiatives Supporting Group and Others v. Georgia*

4. The *Aghdgomelashvili and Japaridze* case concerns discriminatory police misconduct during a December 2009 raid at the Inclusive Foundation's premises in Tbilisi, where law enforcement officers subjected LGBTI individuals to discriminatory verbal abuse, intimidation, and degrading physical treatment, including invasive strip searches. The European Court found violations of Article 3 (prohibition of torture and inhuman or degrading treatment) in conjunction with Article 14 (non-discrimination) both in substantive and procedural aspects, highlighting the State's failure to conduct an effective investigation into the discriminatory nature of the treatment.

5. The *Women's Initiatives Supporting Group and Others* case involves the violent mob attack against LGBTI demonstrators during their peaceful commemoration of the International Day Against Homophobia in central Tbilisi on 17 May 2013. The Court identified violations of Article 3 read in conjunction with Article 14, finding that the State failed both to provide adequate protection against homophobic and transphobic violence during the demonstration and to conduct an effective investigation into these discriminatory acts of aggression.

6. The Committee's Interim Resolution of 6 March 2025 "**strongly urged, once again, the authorities to accelerate and complete all renewed investigations and trial proceedings"** in response to persistent delays and inadequate progress, including the cases of *Aghdgomelashvili and Japaridze v. Georgia* and *Women's Initiatives Supporting Group and Others v. Georgia*. In its action report of 2 July 2025, the Government provided, in respect to both cases, that 'the investigation is currently ongoing', 16 and 12 years after the events respectively.

7. We note that in its respective action report, the Government provided the same update, an identical text, on the case of *Aghdgomelashvili and Japaridze v. Georgia* as it did in its December 2024 action report, and a significant part of the update was repeated in its July 2025 report. The latest report repeated, word by word, what actions have been taken, primarily focused on the questioning of witnesses, including some allegedly to be questioned 'in the nearest future'. It also repeated information about the prosecution of N.G. under Article 333 of the Criminal Code. This repetition of the information by the Government with no further progress clearly indicate their continued failure to heed this urgent call for action. Despite the Committee's emphatic call for acceleration, the investigation in the *Aghdgomelashvili and Japaridze* case has shown no progress since the CM's interim resolution of March 2025 or before. While criminal charges were brought against individual N.G. on December 9, 2024[1], this singular prosecution after fifteen years of the events represents inadequate acceleration of investigative efforts. The charging of only one individual out of seventeen police officers involved in the 2009 raid demonstrates a failure to expand the investigation scope as per Committee's directions. Critically, the authorities have failed to address the Committee's specific concern about "risks related to the loss of evidence and prescriptions."[2] The fifteen-year statutory limitation period under Articles 332-342 of the Criminal Code of Georgia (official misconduct like abuse of official powers, exceeding official powers, unlawful discharge of the accused from criminal liability and etc.) for non-particularly serious crimes has now expired, as the violations occurred in 2009[3]. This temporal constraint severely undermines prospects for comprehensive investigation and accountability and represents a fundamental failure to accelerate proceedings within legally viable timeframes.

8. Similarly, in its most recent action report on the *Women's Initiatives Supporting Group and Others* case,the Government again repeated the same information already provided in its report of December 2024. Moreover, it repeated the same planned investigatory steps, such as 'questioning of remaining participants of the demonstration who suffered harm to their health and psychological trauma' in its last three reports in June 2024, December 2024 and July 2025, and other steps such as questioning of those who were responsible for ensuring the safety of the participants of the demonstration and inspection of the audio-video recordings and photos taken on 17 May 2013, 'in order to identify those responsible for crimes committed', in the reports in December 2024 and July 2025. We draw the Committee's attention to the fact that such fundamental steps have not been taken for more than 12 years, since the events on 17 May 2013.

9. We further note that the investigation into the May 17, 2013 events in the *Women's Initiatives Supporting Group and Others* case remains virtually stagnant since the Committee's March 2025 Interim Resolution. No substantial developments have occurred in the proceeding months, with authorities failing to implement basic investigative measures including identification and questioning of key witnesses and perpetrators[4]. The expiration of the statute of limitations for Article 333 (Exceeding official powers) continues to impede accountability, while remaining legal avenues under Article 144(3) of the Criminal Code (humiliation or inhuman treatment) have not yet expired but remain subject to a statutory limitation period that threatens future accountability. The persistent failure to recognize victim status for those subjected to violence during the May 17, 2013 events, despite explicit ECtHR guidance in the judgment, demonstrates the authorities'

[1] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 6.
[2] Interim Resolution CM/ResDH(2025)31, adopted 6 March 2025.
[3] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 10.
[4] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 12.

systematic reluctance to implement even basic procedural requirements[5]. This ongoing failure directly contravenes the Committee's call for acceleration and completion of investigations.

10. In its interim resolution, the Committee specifically required taking investigative actions "**in line with the European Court's legal and factual findings.**" However, fundamental gaps in aligning investigative approaches with the Court's determinations in both cases are observed. The ECtHR found both substantive and procedural violations of Article 3 in conjunction with Article 14 in *Aghdgomelashvili and Japaridze*, identifying discriminatory police misconduct involving verbal abuse, intimidation, and degrading physical treatment[6]. However, the current prosecution under Article 333 (abuse of official authority) fails to capture the full gravity of violations identified by the Court. The authorities have not pursued charges under Article 151 (Threats), Article 156 (Persecution), and Article 144[1] (Torture), despite these provisions being more commensurate with the Court's findings[7]. The Court's specific finding regarding discriminatory motive has been only partially addressed. While the prosecution acknowledged SOGI-based discrimination as an aggravating circumstance for the first time, the investigation has not been extended to examine the systematic discriminatory intent that permeated the entire police operation[8]. In the *Women's Initiatives Supporting Group* case, the ECtHR identified violations stemming from both the state's failure to provide adequate protection during the demonstration and the subsequent ineffective investigation[9]. However, investigative actions have not addressed either aspect comprehensively, with authorities failing to examine systemic failures in protection mechanisms or to identify organisers and instigators of the violence, as repeatedly emphasized by the Committee.

11. The Committee further called for **"ensuring appropriate legal qualification of criminal offences and due consideration of a bias motive."** Analysis reveals significant deficiencies in both areas across the cases under examination. In the *Aghdgomelashvili and Japaridze* case, the sole charge under Article 333 (abuse of official authority) represents an insufficient legal qualification given the severity of violations identified by the ECtHR. The Court's findings of degrading treatment, discriminatory abuse, and systematic misconduct warrant charges under more serious provisions including torture, persecution, and threats[10]. This selective approach to prosecution fails to reflect the Committee's call to give *"due consideration to the Court's findings while deciding on the qualification of offences."* The absence of charges against the other 16 officers involved in the raid demonstrates a failure to appropriately qualify the criminal enterprise nature of the violations. While the Aghdgomelashvili prosecution has incorporated SOGI-based discrimination as an aggravating circumstance, this represents only partial recognition of bias motive[11]. The investigation has not examined whether discriminatory bias extended beyond individual conduct to encompass institutional or systematic elements, as suggested by the Court's findings of procedural violations.

12. In the *Women's Initiatives Supporting Group* case, the failure to progress investigations has precluded any meaningful consideration of bias motive. The authorities have not examined the homophobic and transphobic nature of the violence, despite this being central to the Court's findings and the Committee's repeated calls for attention to bias-motivated crimes. This represents a fundamental failure to implement the Committee's requirement for appropriate legal qualification

[5] Ibid.
[6] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 3.
[7] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 9.
[8] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 7-8.
[9] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 4.
[10] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 9.
[11] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 7.

and bias motive consideration, particularly given the systematic nature of the violence that occurred during the May 17, 2013 events.

13. The Committee also called upon the authorities to "**grant victim status to all applicants concerned without further delay.**" However, implementation of this basic procedural requirement has been inconsistent and inadequate across both cases. While some progress appears to have been made in recognizing victim status in the *Aghdgomelashvili and Japaridze* case in connection with the December 2024 charges, the scope remains limited to the single prosecution brought forward. The failure to expand investigations to include all implicated officers has correspondingly limited victim status recognition to those directly affected by the sole charge, rather than encompassing all applicants who suffered violations during the 2009 raid. The authorities have persistently failed to grant victim status to those subjected to violence during the May 17, 2013 events[12]. This failure represents a direct contradiction of the ECtHR judgment and the Committee's explicit guidance. The absence of victim status recognition not only violates procedural rights but also impedes the investigation process by limiting victims' access to information and participation in the proceedings, leaving the investigative authorities without any scrutiny. The systematic failure to recognize victim status reflects broader deficiencies in the authorities' approach to implementing ECtHR judgments and, as the Committee noted in its Interim Resolution, undermines the practical protection guaranteed by the Convention and requires immediate intervention[13].

III. Comments on General Measures

14. In its Interim Resolution, the Committee has called upon the Georgian authorities to repeal the Law on Protecting Family Values and Minors (hereinafter – Family Values Law), which it described as a 'backward step' in the execution of the Identoba group, to renounce discriminatory narrative, to guarantee effective exercise of freedom of assembly to everyone without discrimination and to provide detailed information on hate crime investigations, as a part of general measures in this group. The Georgian authorities' action report of July 2025 in response to the Committee's resolution, however, has been characterized by direct defiance of the Committee's calls and the Court's findings. Rather than implementing the Committee's urgent calls, Georgia has pursued a trajectory that fundamentally undermines the European Convention's protection mechanisms and violates its obligations under Article 46.

The Family Values Law and other regressive legislative steps

15. Firstly, the action report of July 2025 makes it clear that the authorities are not planning to repeal the Law. On the contrary, the report sets out the necessity of the law by way of clear discriminatory characterization of LGBTI persons as 'harmful influences', 'deliberate disregard for family values' and causing 'risks associated with the future propaganda of incest' (para 38). The Government alleged that such a law 'strikes a balance between preserving traditional values and respecting individual rights' and that it does not aim to undermine any fundamental rights (para 40).

16. In strongly opposing such this discriminatory justification by the authorities, we reiterate that this legislation systematically dismantles fundamental rights protections for LGBTI persons and effectively outlaws lawful exercise of their fundamental rights and denies opportunities to seek for medical care and well being. The Family Values Law creates comprehensive de jure and de facto

[12] Rule 9 Submission to the Committee of Ministers, 14 January 2025, para. 13.
[13] Interim Resolution CM/ResDH(2025)31, adopted 6 March 2025.

restrictions on LGBTI assemblies that represent the most severe regression in the European human rights protection. The law's equating of same-sex relationships with incest throughout its provisions demonstrates the depth of state-sponsored stigmatization.[14] The chilling effect extends beyond formal assemblies to informal gatherings, advocacy meetings, and even private events that might be construed as "promoting" LGBTI identities. Educational institutions, healthcare providers, and civil society organizations now face criminal liability for addressing LGBTI issues, creating a comprehensive system of censorship and suppression that makes effective advocacy virtually impossible. This systematic undemocratic dismantling of rights directly contradicts the Committee's findings that Georgia must guarantee effective exercise of fundamental freedoms for all individuals without discrimination.

17. Furthermore, the authorities have proceeded with additional regressive legislative measures that further questions Georgia's compliance with the Convention norms. In April 2025, the Parliament passed amendments removing the word "gender" from 15 existing laws, demonstrating increased regression.[15] The government has also received a proposal from an organization pro-Russian organization 'Protect Your Homeland' to ban LGBTI symbolism, and the Parliament's Human Rights and Civil Integration Committee was tasked to study the idea for legislation that would "*legally ban LGBT rainbow cloths in public gathering spaces."*[16] These developments reveal a deliberate strategy to expand rather than repeal discriminatory legislation, directly contradicting the Committee's urgent demands.

18. Additionally, Georgia has further accelerated its discriminatory legislative agenda in direct contradiction to the Committee's calls in its interim resolution. The adoption of the "Foreign Agents Registration Act" in April 2025 has created additional mechanisms for suppressing LGBTI advocacy organizations (along other civil society organisations) through criminal liability and enhanced state surveillance.[17] This law, combined with the earlier "Transparency of Foreign Influence" legislation, has forced several LGBTI organizations to relocate or cease operations, effectively destroying the civil society infrastructure that previously provided essential services and advocacy for the community.[18] The systematic targeting of organizations working on LGBTI issues through degrading campaigns, threatening posters, including buildings belonging to LGBTI organizations and activists' homes being splashed with red paint and eggs, posted with insulting messages, and subjected to acts of vandalism between May and June 2024, and administrative harassment compounded by the adoption of anti-LGBTI legislation that discourages victims from reporting violence, demonstrates the state's comprehensive strategy to eliminate rather than protect LGBTI rights.[19]

Right to freedom of assembly for the LGBTI community

19. The Family Values Law has had immediate and devastating effects on LGBTI assembly rights, creating both de jure prohibitions and de facto restrictions that make peaceful expression of LGBTI identity effectively impossible. Article 9 of the law explicitly prohibits "public assembly or manifestation aimed at promoting a person's belonging to a sex different from biological sex,

[14] Assessing the Impact of Georgia's Draft Law on Family Values, UNDP Georgia, 2024, 2.
[15] Eradication of LGBTQI+ Issues from State Policy, WISG, 2025, 8.
[16] Ibid., 9.
[17] Eradication of LGBTQI+ Issues from State Policy, WISG, 2025, 9. Available at: https://wisg.org/en/publication/320/
[18] Ibid.
[19] Ibid, 17.

promoting a relationship expressed on the grounds of sexual orientation between individuals of the same biological sex, or promoting incest."[20] This provision fundamentally violates the Court's findings in Identoba and Others regarding the state's obligation to protect peaceful assembly regardless of popular opposition. The Government's claims in the July 2025 report that a right to peaceful assembly is guaranteed for the LGBTI community and that the MIA continuously implements preventive measures to uphold these rights are therefore void and misleading, directly contradicting the new regressive law (para 42). No such rights for LGBTI persons or those supporting their cause exist anymore as the new law prohibits such assemblies.

20. The Law introduces a "preliminary restriction" approach that was previously declared unconstitutional by Georgia's Constitutional Court in 2002.[21] Under Article 14 of the Law, municipal executive bodies are now "authorized to prohibit holding of an assembly or manifestation" if it relates to LGBTI issues, creating prior restraint mechanisms that contravene both Georgian constitutional law and European Convention standards.[22] The enforcement mechanism includes criminal sanctions, with violations potentially resulting in fines up to 1,500 GEL (approx.. 470 EUR) for individuals and 4,000 GEL (approx. 1260 EUR) for legal entities, along with potential imprisonment for up to two years.[23]

21. Rather than implementing "heightened protection and prevention measures" as called upon by the Committee, Georgia has institutionalized restrictions on assembly rights for LGBTI individuals. The "Family Values" law creates a two-tiered system where assembly rights depend on the sexual orientation and gender identity of participants and organizers. The law's prohibition mechanism allows authorities to terminate assemblies within 15 minutes if they are deemed to violate the anti-LGBTI provisions, creating a framework for immediate suppression of peaceful expression.[24]

22. It is further misleading for the Government to claim that the MIA actively cooperates with the civil society and organisations to ensure that LGBTI gatherings are held in a safe environment when all civil society organisations, including those working to protect the rights of LGBTI persons, live in the new reality of repressive laws and policies fearing imminent closure and criminal prosecution under the legislative package of 'foreign agents' laws. No such events are taking place anymore as they are outlawed and such information in the July 2025 report (which is also repeated almost entirely in the December 2024 report) contradicts the current repressive realities for the LGBTI community and the civil society more broadly.

23. The Government has launched a coordinated and sustained campaign to restrict and intimidate civil society organisations in Georgia. In addition to the Law on the "Transparency of Foreign Influence" adopted in 2024,[25] the authorities introduced further restrictive legislation in 2025, including the "Foreign Agents Registration Act," requiring organisations that "participate in political activities and "work under the control of a foreign principal" to register as " agents of a foreign principal."[26] The law contains vague and overly broad definitions, enabling arbitrary

[20] Briefing: Georgia's New Anti-LGBTI Legislation, TGEU, October 2024, 16. Available at: https://tgeu.org/files/uploads/2024/10/TGEU-Briefing_-Georgias-comprehensive-anti-LGBTI-bill-1.pdf
[21] Assessing the Impact of Georgia's Draft Law on Family Values, UNDP Georgia, 2024, 5.
[22] Ibid.
[23] Briefing: Georgia's New Anti-LGBTI Legislation, TGEU, October 2024, 14.
[24] Briefing: Georgia's New Anti-LGBTI Legislation, TGEU, October 2024, 16-17.
[25] LAW OF GEORGIA ON "TRANSPARENCY OF FOREIGN INFLUENCE", https://matsne.gov.ge/en/document/view/6171895?publication=0, [05.11.2025].
[26] LAW OF GEORGIA ON "FOREIGN AGENTS REGISTRATION ACT", https://matsne.gov.ge/en/document/view/6461578?publication=0, [05.11.2025].

interpretations. it imposes severe criminal sanctions for non-compliance, including imprisonment of up to five years. Moreover, amendments to the Law on Grants prohibit organisations from receiving foreign grants without prior government approval, thereby restricting access to essential funding and undermining the ability of CSOs to continue their work.[27] According to the Venice Commission, the cumulative effect of these "foreign influence" laws is "coercive, stigmatising, and ultimately inconsistent with democratic pluralism."[28] As a result of these measures and the resulting chilling effect, legal uncertainty, and risk of criminal liability, the overwhelming majority of the 136 applicants in the ECtHR application Georgian Young Lawyers' Association and Others v. Georgia (no. 31069/24) report reported an inability to secure new grants, suspension or serious disruption to their activities, as well as departure of staff members, and difficulties continuing cooperation with partners and beneficiaries.

24. Throughout 2025, the authorities actively employed these repressive measures. A large number of CSOs, according to the latest available data by GYLA, more than 80 organisations, have been requested to submit extensive operational information as part of "monitoring" proceedings initiated by the Anti-Corruption Bureau (ACB) under the Law on Grants.[29] Several of these organisations subsequently received letters from the Bureau demanding explanations as to why they have not registered as "foreign agents" under the Foreign Agents Registration Act.[30] There is no clarity as to what criteria the ACB applies in selecting organizations for monitoring. The scope is broad: it includes watchdog groups, organizations working on LGBTI rights, religious minority rights, Georgian donor organizations, online media platforms, as well as animal shelters and other non-political entities. This pattern has been accompanied by further repressive actions, including the freezing of bank accounts of prominent CSOs and the summoning of their representatives for questioning under politically motivated criminal investigations.[31] Taken together, these developments demonstrate the Government's escalating crackdown on civil society.

25. Furthermore, in 2024 November-December state used systemic ill-treatment against the peacefull protesters, often amounting to torture.[32] According to the comprehensive documentation report prepared by the 11 Georgian CSOs, victim interviews showed ill-treatment committed by the police was accompanied by homophobic hate speech.[33] Individuals whom special-forces officers associated with the LGBTQ+ community, including, for example, people with long or dyed hair,

[27] LAW OF GEORGIA ON GRANTS, https://matsne.gov.ge/ka/document/view/31510?publication=34, [05.11.2025].
[28] VENICE COMMISSION, OPINION ON THE LAW ON THE REGISTRATION OF FOREIGN AGENTS, THE AMENDMENTS TO THE LAW ON GRANTS AND OTHER LAWS RELATING TO "FOREIGN INFLUENCE", CDL-AD(2025)034, par. 111, https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)034-e, [24.10.2025].
[29] GYLA, The "Georgian Dream" has started a new stage of repressions against civil society, targeting up to 30 Georgian non-governmental organizations, 22.09.2025, https://www.gyla.ge/en/post/Statemnet-22-09, [05.11.2025]; SJC, Georgian Dream has already begun using laws that have a devastating impact on civil society, 19.06.2025, https://socialjustice.org.ge/en/products/kartulma-otsnebam-samokalako-sazogadoebistvis-damangreveli-kanonebis-gamoqeneba-ukve-daitsqo, [05.11.2025].
[30] Civil Georgia, Six CSOs Say They Are Inspected under Georgian FARA, 15.08.2025, https://civil.ge/archives/697241, [05.11.2025].
[31] Civil Georgia, Authorities Freeze Bank Accounts of Seven NGOs in 'Sabotage' Criminal Probe, 27.08.2025, https://civil.ge/archives/698002, [05.11.2025]; HRHF, Georgian authorities must lift all restrictions imposed on Human Rights House Tbilisi, 01.04.2025, https://humanrightshouse.org/statements/georgian-authorities-must-lift-all-restrictions-imposed-on-human-rights-house-tbilisi/, [05.11.2025].
[32] GYLA et al., HUMAN RIGHTS CRISIS IN GEORGIA FOLLOWING THE 2024 PARLIAMENTARY ELECTIONS, 28 November 2024 – 28 February 2025, pg. 41, https://gyla.ge/en/post/adamianis-uplebata-krizisi-dokumentirebis-angarishi, [05.11.2025].
[33] Ibis, pg. 51.

were subjected to particularly severe abuse.[34] No one has been held accountable for the police violence during 2024 November-December protests.

No zero tolerance messages and widespread use of discriminatory narratives

26. As is manifestly evident, the Committee's call on the authorities to "renounce discriminatory narrative and unequivocally fight against all forms of discrimination" has been comprehensively ignored. The Georgian Government's messaging since March 2025 has continued to promote discriminatory rhetoric, with officials defending the "Family Values" law as protecting "the rights of all citizens" while simultaneously erasing the rights of LGBTI individuals.[35] The establishment of May 17 as the "Day of Family Sanctity and Respect for Parents" directly counteracts the International Day Against Homophobia, Transphobia and Biphobia, representing state-sponsored appropriation of a date significant to the LGBTI community.[36] The Prime Minister's previous alignment with conservative movements and statements restricting minority rights continue to define the government's approach.[37] Parliamentary Speaker Shalva Papuashvili's assertion that the discriminatory law *"protects the rights of all citizens"* exemplifies the Orwellian rhetoric employed to justify comprehensive rights violations.[38] This messaging creates an environment where discrimination is not only tolerated but actively promoted by state institutions.

27. The authorities have taken no "resolute actions to end impunity" for those engaging in hate speech and hate crime, as called upon by the Committee. The murder of transgender activist Kesaria Abramidze immediately following the law's adoption illustrates the deadly consequences of state-sanctioned discrimination.[39] The ongoing pattern of impunity for hate crimes, including the failure to prosecute organizers of the July 5, 2021 violence, demonstrates that the discriminatory law has emboldened rather than deterred bias-motivated violence.[40] Furthermore, between May and June 2024, buildings belonging to LGBTI organizations and the homes of activists were repeatedly targeted with red paint, eggs, and threatening messages.[41] Many activists have been forced to alter their daily routines, avoiding preferred gathering locations and using alternative transportation to minimize the risk of violence.[42] Transgender individuals face particular vulnerability, with documented cases of verbal abuse in public and physical assaults, including attacks by political party members.[43] The deep lack of trust in law enforcement has been further exacerbated by the discriminatory legislation, with many victims expressing doubt that reporting incidents will result in justice.[44]

28. The criminal justice response to bias-motivated actions has deteriorated rather than improved. Law enforcement agencies have ceased cooperation with LGBTI organizations, and the Ministry of Internal Affairs' Department for Human Rights Protection has eliminated its engagement on LGBTI

[34] Ibid.
[35] Briefing: Georgia's New Anti-LGBTI Legislation, TGEU, October 2024, 5.
[36] Law of Georgia on Protection of Family Values and Minors, Art. 11.
[37] Eradication of LGBTQI+ Issues from State Policy, WISG, 2025, 13.
[38] Briefing: Georgia's New Anti-LGBTI Legislation, TGEU, October 2024, 5. Available here in Georgian: დღეს, საქართველოს... - შალვა პაპუაშვილი • Shalva Papuashvili | Facebook
[39] Ibid., 8.
[40] Eradication of LGBTQI+ Issues from State Policy, WISG, 2025, 18.
[41] Ibid., 17.
[42] Ibid.
[43] Ibid.
[44] Ibid.

issues.[45] The fear of reporting hate incidents has increased significantly due to the criminalization of LGBTI expression, creating a chilling effect that prevents victims from seeking justice. The law's broad criminalization of "promotion" creates uncertainty about what constitutes prohibited conduct, deterring not only assembly but also basic advocacy and support services.

Specialised Hate Crime Investigation System

29. In its Interim Resolution, the Committee "called upon the authorities, once again, to provide detailed information about the modalities of operation of the envisaged system of specialisation for hate crime investigations", emphasizing the critical need for enhanced institutional capacity to address bias-motivated crimes. However, Georgia's response to this call has been fundamentally inadequate, revealing persistent gaps in both the conceptualization and implementation of specialized hate crime investigation mechanisms. The authorities have failed to provide comprehensive information about operational modalities, leaving substantial uncertainty about how the specialized system would function in practice. While some formal structures exist within the Ministry of Internal Affairs, including the Department for Human Rights Protection and Quality Monitoring of Investigations established in 2018[46], the actual specialization for hate crime investigations remains poorly defined and insufficiently operationalized. The lack of clear protocols, specialized training programs, and dedicated resources has resulted in a system that exists primarily on paper rather than as an effective investigative mechanism capable of addressing the complex nature of bias-motivated crimes against LGBTI individuals.

30. The implementation timeline for operationalising the specialized hate crime investigation system has been characterized by persistent delays and institutional obstacles that directly contradict the urgency expressed by the Committee. Despite repeated calls from the Committee of Ministers dating back several years, Georgia has failed to establish concrete timeframes for full operationalization of the specialized system. The authorities have not provided specific milestones, benchmarks, or target dates for achieving functional specialization, indicating a lack of genuine commitment to implementing this critical mechanism. Moreover, the recent regression in institutional capacity, evidenced by the cessation of cooperation between the Department for Human Rights Protection and civil society organizations, suggests that the trajectory is moving away from rather than toward effective specialization[47]. The absence of a clear implementation strategy, combined with the broader deterioration of human rights protection mechanisms under the current political climate, raises serious questions about the authorities' intention to fulfill this fundamental obligation to enhance hate crime investigation capabilities.

31. The statistical data collection on hate crime allegations remains woefully inadequate, failing to meet the Committee's requirement for comprehensive information about reported hate crimes and their investigation outcomes. The authorities have not established robust data collection mechanisms that would enable accurate tracking of hate crime reports, particularly those involving administrative offences where significant gaps persist[48]. The quality of available statistical data is severely compromised by inconsistent reporting standards, inadequate categorization of bias motives, and the absence of disaggregated data that would allow for meaningful analysis of trends and patterns in hate crimes against LGBTI individuals. Furthermore, the lack of systematic data

[45] Eradication of LGBTQI+ Issues from State Policy, WISG, 2025, 10.
[46] Rule 9 Submission to the Committee of Ministers, 14 January 2025, page 10
[47] Eradication of LGBTQI+ Issues from State Policy: Challenges to Equality in Georgia, 2025, 10.
[48] Rule 9 Submission to the Committee of Ministers, 14 January 2025, 2 (para number)

collection on the outcomes of hate crime investigations—including prosecution rates, conviction rates, and sentencing patterns—prevents effective assessment of the criminal justice system's response to bias-motivated crimes. This deficiency is particularly concerning given the Committee's repeated emphasis on the importance of statistical data for monitoring progress and ensuring accountability in hate crime investigations. The failure to provide comprehensive statistical information reflects broader institutional shortcomings in recognizing and responding to the systematic nature of hate crimes against LGBTI persons in Georgia. This institutional regression has been further exemplified by the February 2025 legislative initiative to eliminate the terms "gender" and "gender identity" from all Georgian legislation, including renaming the "Law on Gender Equality" as the "Law on Equality between Women and Men"[49]. The proposed amendments also seek to liquidate the Parliament's Gender Equality Council, redirecting its 50,000 GEL budget away from gender-related work[50]. This systematic dismantling of equality mechanisms, justified by the explanatory note's claim that gender is an "artificially created term," demonstrates the authorities' deliberate effort to erase institutional frameworks that could contribute to effective hate crime data collection and analysis[51].

Conclusions

32. Georgia's compliance with the three LGBTI rights related judgments in the Identoba group has reached a turning point from being slow and minimal to becoming fundamentally deficient in the light of clearly discriminatory regressive steps taken by the authorities in the past year, pointing to a refusal to comply with Georgia's obligations diriving from the judgments. Despite the Committee's strongest condemnation to date and repeated calls for acceleration of domestic investigations, the authorities have failed to adopt adequate individual measures, with minimal progress in the *Aghdgomelashvili and Japaridze* case in fifteen years since the events, and the virtual stagnation in the *Women's Initiatives Supporting Group* case in over a decade. The adoption of the discriminatory "Family Values" law and its justification in direct contravention of the Committee's explicit call to repeal the law, combined with the Foreign Agents Registration Act and other legislative steps, the political hate speech in the public discourse, and the systematic targeting of LGBTI organizations, demonstrates a pattern of deliberate anti-LGBTI policies amounting to non-compliance and refusal to abide by the deriving obligations. These legislative and public policy developments not only represent a concerning departure from the State's commitment to execute Court judgments in good faith but also constitute active defiance of the Court's findings and the Committee's supervision, and a systematic effort to eliminate rather than protect LGBTI rights.

Recommendations

To the Government of Georgia:

33. **Individual Measures:**
    - Accelerate and complete domestic investigations immediately:
        - Authorities must finalize all pending investigations within 90 days, leading to prosecution of all 17 implicated officers in *Aghdgomelashvili and Japaridze v. Georgia* under the provisions of the Criminal Code corresponding to the gravity of the Article 3 violations identified by the Court such as Articles 144[1] (Torture), 151 (Threats), and 156 (Persecution), and not only under Article 333 (Abuse of Official Authority);

[49] Civil.ge, "Georgian Dream Pushes Amendments to Remove 'Gender' from the Legislation," 25 February 2025, available at: https://civil.ge/archives/665106
[50] Ibid.
[51] Ibid.

- Identify and prosecute organizers of May 17, 2013 violence under Article 144(3) (Incitement to discrimination) with bias enhancement provision in the *Women's Initiatives Supporting Group* case;

- Apply proper legal qualification in both cases:
  - Prosecute under inhuman and degrading treatment provisions reflecting Articles 3 and 14 ECHR violations identified by the ECtHR;
  - Recognize SOGI-based discrimination under Article 53¹ of the Criminal Code as the primary qualifying element;

- Grant victim status immediately:
  - Recognize the victim status under Articles 55-58 of the Criminal Procedure Code of Georgia for all applicants in Applications nos. 7224/11 and 73204/13, 74959/13 without further delay, ensuring full procedural rights protected by Article 6 ECHR;

34. **General Measures:**
- Repeal discriminatory legislation entirely:
  - Immediately repeal, in full, the "Law on Family Values and Protection of Minors", as per Committee‘s Interim Resolution CM/ResDH(2025)31;
  - Simultaneously repeal the "Foreign Agents Registration Act" of April 2025 and the amendments to the Law “On Grants” of April 2025.

- Guarantee a right to freedom of assembly unconditionally:
  - Repeal the "Law on Family Values and Protection of Minors", which would eliminate the current ban on freedom of assembly for public assemblies and/or manifestations "aimed at popularising a person's assignment to neither biological sex, and/or a sex that is different from his/her biological sex, a relationship between representatives of the same biological sex with an expressed sexual orientation, or incest", cease prior restraint mechanisms violating *Identoba and Others v. Georgia* findings, and ensure equal protection under Article 14 ECHR for all peaceful demonstrations regardless of SOGI.

- End discriminatory state rhetoric:
  - All officials must publicly renounce Article 14 ECHR-violating narratives without any delay and issue unambiguous zero-tolerance statements against discrimination;

- Operationalize Article 3 ECHR-compliant hate crime investigation system:
  - Deploy specialized investigation units under Ministry of Internal Affairs within 120 days with dedicated Article 53¹ Criminal Code expertise, mandatory training on bias-motivated crimes, and restore cooperation with civil society organizations as per Committee’s recommendations.

To the Committee of Ministers:

35. In light of the CM’s conclusion, in its interim resolution, that the new legislation raises serious questions as to the compliance by Georgia with its obligation to abide by the final judgments of the European Court:

- We ask the CM to examine this group of cases in the CM DH meeting as soon as possible, in light of the regressive developments and the Government's defiant action report of July 2025;

- We further ask the CM to invoke Article 46(4) ECHR and launch infringement proceedings against Georgia in light of its clear refusal to take measures arising from the Court's findings and the CM recommendations on the (two) judgments in the Identoba group of cases that concern violations of LGBTI groups. The CM is requested to refer these judgments to the European Court of Human Rights for its consideration of whether Georgia has failed to abide by these judgments both regarding individual and general measures on the following grounds:

    - Georgia refuses to abide by its obligation to guarantee effective exercise of freedom of assembly for all individuals without any discrimination, including the LGBTI community and its supporters, as per the Court's findings and explicit CM calls. To the contrary of its respective obligation, the Georgian authorities deliberately denied this right and banned it through the adoption of a regressive 'Family Values' law;

    - Georgia continuously fails to conduct effective investigations into the events addressed in the two judgments in the Identoba group relating to LGBTI groups in light of the authorities' systemic failures to take basic investigatory steps during more than a decade since the events (see *Individual measures*). We further submit that such investigatory failures form a part of the broader structural problem of ineffective investigations into violations under Articles 3 of the Convention attributable to law enforcement officials (see the Tsintsabadze group of cases against Georgia).

On behalf of all the signatory organisations,

Ketevan Bakhtadze



Strategic Litigation Lawyer
Women's Initiatives Supporting Group (WISG)

Ramute Remezaite



Senior Legal Consultant and Implementation Lead
European Human Rights Advocacy Centre (EHRAC)