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Meeting: 1553rd meeting (March 2026) (DH)

Communication from NGOs (Social Justice Centre, Georgian Young Lawyers' Association, and European Human Rights Advocacy Centre) (23/01/2026) in the Tsintsabadze group of cases v. Georgia (Application No. 35403/06).

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 : 1553e réunion (mars 2026) (DH)

Communication d'ONG (Social Justice Centre, Georgian Young Lawyers' Association, and European Human Rights Advocacy Centre) (23/01/2026) dans le groupe d'affaires Tsintsabadze c. Géorgie (requête n° 35403/06) ***[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(2026)179: Rule 9.2 Communication from NGOs in Tsintsabadze v. Georgia.
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DGI
23 JAN. 2026
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

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Rule 9 (2) communication to the Committee of Ministers of the Council of Europe in respect of the execution of the Tsintsabadze Group of Cases (no. 35403/06) for examination at the 1553rd CM-DH meeting (9-11 March 2026) by Georgian Young Lawyer's Association, Social Justice Center and European Human Rights Advocacy Centre

I. Executive Summary

1. The undersigning organizations - Georgian Young Lawyer's Association (GYLA), Social Justice Center (SJC) and European Human Rights Advocacy Centre (EHRAC) - hereby present this communication pursuant to Rule 9.2. of the Rules of the Committee of Ministers for consideration by the Committee of Ministers at the 1553rd meeting of the Ministers' Deputies (9–11 March 2026), in the framework of the Tsintsabadze group of cases.
2. This Rule 9.2 submission demonstrates (i) the existence of continuing entrenched practices of ill-treatment by law-enforcement authorities in Georgia, together with the authorities' tolerance of, acquiescence in, and, encouragement of such conduct forming administrative practice; (ii) persistent structural shortcomings in the domestic legal and institutional framework facilitating such practices; (iii) manifestly ineffective investigations into credible allegations of torture and other forms of ill-treatment, in clear breach of the State's obligations under Articles 3 and 46 of the Convention as well as abolishment of the special investigative mechanism; (iv) allegations of use of toxic compounds against peaceful demonstrators during the 2024 protests; (v) and expresses grave concern regarding the increasingly hostile environment faced by civil society organisations, which severely undermines their ability to carry out their essential work in providing legal assistance and other forms of support to victims of ill-treatment, as well as their activities aimed at ensuring accountability of law-enforcement authorities.

3. In light of the prolonged non-execution of the judgments in the *Tsintsabadze* group, the absence of tangible progress in addressing these systemic failings and the continued practice of punitive ill-treatment of protesters by law enforcement during the 2024-25 pro-European protests, the undersigning organizations urge the Committee of Ministers to adopt an interim resolution against Georgia and include this group of cases on the agenda of each upcoming DH meeting to closely monitor the progress in resolving structural problem of law enforcement accountability. The organizations also provide a set of recommendations to the Georgian authorities on the general measures required to secure effective execution of the judgments and to put an end to the long-standing problem of impunity for ill-treatment by law-enforcement officials in Georgia.
4. As the underlying systemic problems giving rise to the Tsintsabadze group of cases remain unaddressed by the Government of Georgia since the last examination by the Committee of Ministers, the undersigning organizations reiterate and incorporate by reference their joint Rule 9.2 submission of 30 April 2025 in respect of this group of cases.[1] In addition, the present submission provides a critical assessment of the Government's most recent action report submitted for examination at the forthcoming CM-DH meeting.

II. Systemic practices of ill-treatment and law enforcement impunity in Georgia

5. The Tsintsabadze group of cases comprises 22 judgments concerning multiple substantive and procedural violations of Articles 2 and 3 of the Convention, arising from deaths in detention, during security or police operations, acts of torture and other forms of ill-treatment imputable to law enforcement and prison authorities, as well as the failure to conduct effective investigations into such incidents. In recent years, however, the recurrence of massive, consistent, punitive police ill-treatment of protesters in the context of anti-Government public demonstrations and official tolerance amounting to administrative practice have become particularly critical problem. This pattern was also confirmed by the Grand Chamber judgment in Tsaava and Others v. Georgia (nos. 13186/20 and 4 others), in which the Court found both substantive and procedural violations of Article 3 of the Convention on account of the unjustified and disproportionate use of force against peaceful demonstrators during the anti-Russian protests of 20–21 June 2019.
6. In its most recent decision concerning the *Tsintsabadze* group of cases, the Committee of Ministers expressed grave concern about the widespread ill-treatment by law enforcement officials in the context of the 2024–2025 demonstrations, emphasising the central role of effective investigations and dissuasive sanctions in eradicating impunity. The CM further urged the authorities to establish robust safeguards against excessive use of force and ill-treatment by State agents. However, as demonstrated in the sections below, neither the Government's action report nor developments on the ground indicate compliance with these recommendations. On the contrary, while the authorities assert that the eradication of ill-treatment remains a priority,[2] recent State actions reveal a fundamentally different reality:
    - Legislative safeguards aimed at preventing police violence have been repealed;

[1] Rule 9.2 - Communication from NGOs (Georgian Young Lawyers' Association (GYLA), the Social Justice Center (SJC), and the European Human Rights Advocacy Centre (EHRAC)) in the Tsintsabadze group of cases v. Georgia (Application No. 35403/06), 30.04.2025 https://hudoc.exec.coe.int/?i=DH-DD(2025)565E
[2] Government's Updated Action Plan Concerning Individual and General Measures in Respect of the Execution of Tsintsabadze Group of Cases, 19.12.2025, paragraph 346

- Officials allegedly involved in organising cruel practices of ill-treatment have been promoted and awarded rather than suspended pending investigation;[3]
- The specialised investigative mechanism responsible for investigating crimes committed by police has been abolished within days by the Georgian Dream–dominated Parliament;[4]
- Civil society organisations have been subjected to intimidation and persecution for documenting and challenging police violence.[5]

In this context, the Government's claims of meaningful progress are difficult to reconcile with these developments and does not indicate existence of genuine efforts to address the structural problems identified by the Court.

7. In its action report of 19 December 2025, the Government asserted that torture is no longer a problem in Georgia, claiming that it has been eradicated through a "consistent and multifaceted approach in the fight against torture and ill-treatment" and the implementation of a coordinated State policy.[6] However, the most recent developments surrounding the 2024–2025 demonstrations, marked by widespread and brutal police violence, the impunity of those responsible, and the covering up of crimes through manifestly deficient investigations - directly contradict these assertions and demonstrate that torture and ill-treatment remains a serious and systemic concern.
8. It is well documented that police ill-treatment during the anti-government, pro-European demonstrations of 2024–2025 reached unprecedented levels. In particular, the Public Defender (PDO) reported that in December 2024 its representatives visited 327 individuals who had been detained and injured during protests between 28 November and 10 December. Of those interviewed, 225 persons alleged that they had been subjected to ill-treatment by law enforcement officials, including 157 individuals who presented with visible physical injuries.[7] When viewed in a broader temporal perspective, the data collected by the PDO reveal a clear and alarming escalation in the prevalence of police ill-treatment during public assemblies. While 30.2% of individuals detained during the protests of 20–21 June 2019 alleged ill-treatment, this figure was 20.8% during the protests of 7–9 March 2023. By contrast, allegations rose sharply to 51.1% during the April–May 2024 protests. Furthermore, 60% of persons visited by PDO representatives between 28 November 2024 and 1 March 2025 reported ill-treatment. During the initial days of the winter protests (from 29 November to 2 December 2024) - 79.5% of the persons visited alleged ill-treatment, while during visits conducted on 2–3 February 2025, 22 out of 25 individuals (88%) reported having been subjected to violent use of force.[8]
9. Beyond the sheer increase in the number of ill-treatment practices, credible evidence collected by the group of authoritative NGOs, including the World Organisation Against Torture (OMCT) indicates that the ill-treatment inflicted during the winter protests of 2024 was not sporadic or accidental, but rather

[3] Civil.ge, "GD President Awards Sanctioned MIA Officials with Order of Honor", 30.01.2024 https://civil.ge/archives/657740
[4] Civil.ge, "Special Investigation Service to Fold Into Prosecutor's Office", 19.05.2025 https://civil.ge/archives/682498
[5] Civil.ge, "Georgian State Security Service Summons Those Featured in BBC Report", 03.12.2025 https://civil.ge/archives/713372
[6] Government's Updated Action Plan Concerning Individual and General Measures in Respect of the Execution of Tsintsabadze Group of Cases, 19.12.2025, paragraph 346
[7] Public Defender of Georgia, statement of 10 December 2024 https://ombudsman.ge/eng/akhali-ambebi/sakhalkho-damtsvelis-brifingi-mimdinare-movlenebtan-dakavshirebit
[8] PDO, Report on the Human Rights Situation in Georgia, 2024, p. 77 http://ombudsman.ge/res/docs/2025040121291438156.pdf

bore the hallmarks of a pre-organised and coordinated practice. Law enforcement officers involved in violent crackdowns acted pursuant to direct instructions from senior authorities. Prior to dispersing demonstrations, the authorities undertook deliberate preparatory measures, including the modification of police vehicles into improvised abuse sites. Officers deployed during protest dispersals were not wearing identification insignia, and identification markings were removed from police equipment in advance to prevent subsequent accountability. Riot police, supported by criminal and patrol police units, subjected protesters to severe physical violence, psychological intimidation, and, in some cases, and looting and destruction of personal belongings. Abuses documented by OMCT include prolonged beatings to the face with brass knuckles and feet, the use of so-called "beating corridors," forced stress positions, spraying pepper spray to arrestees in police vehicles, denial of medical assistance, and threats of killing and sexual violence.[9]

a. The case of 23 years old Zviad Maisashvili, SJC's beneficiary well illustrates the level of police brutality against protesters. On 28 November 2024, he was physically attacked by around ten police officers in front of the Rustaveli Theatre. The video footage shows him lying on the asphalt, helpless, when one of the policemen kicks him in the head with his heel when he was lying down, and almost immediately another policeman kicks him in the face several times. After that, Zviad fell unconscious and was rescued by fellow citizens.[10]
b. Another peaceful protester, 19 years old Lazare Maghlakelidze, was detained by special forces on 2 December, sprayed with pepper spray in the eyes upon detention, and immediately subjected to group violence, including being kicked while lying on the ground and having his mobile phone and other belongings forcibly taken. During the transfer to a specially designated police van used for systematic beatings, he was subjected to threats of rape and swearing. In the van, he was repeatedly beaten by multiple officers on several rounds, lost consciousness several times, and, as witnessed by other arrestees present, at one point his unconscious body was held while others punched and kicked him, causing severe bleeding from his nose and mouth. Inside the van, the beatings were accompanied by verbal assaults and degrading language. At the police station, L.M. felt so unwell that he was transferred to the Clinic. In addition to a broken nose requiring emergency surgery, L.M. sustained a concussion, damage to his jaw and teeth, multiple superficial head injuries, and internal bodily pain which lasted for weeks.[11]

10. The torture inflicted upon the above-mentioned young Georgians formed part of an administrative practice of ill-treatment systematically directed against pro-European demonstrators during 2024-2025 aimed at oppressing the mass pro-European demonstrations. As demonstrated in paragraphs 8-9 above, the existence of such an administrative practice is demonstrated by the sufficiently numerous repetition acts of ill-treatment in identical situations against the demonstrators and official tolerance of the authorities.
11. In its report, the Government also relied on statements made in 2015 by the UN Special Rapporteur, as well as assessments by CoE Committee for the Prevention of Torture (CPT) and the Commissioner for

[9] Briefing note Torture and Ill-Treatment During Protests and Suppression of Political Dissent in Georgia in November-December 2024, p. 3 https://www.omct.org/site-resources/files/OMCT-Briefing-Note-Georgia.pdf
[10] Radio Liberty, ""I am a survivor" - the young man whose beating footage drew more people to the protest", 03.12.2024 https://www.radiotavisupleba.ge/a/33225295.html
[11] Civil.ge, "Testimonies of Police Brutality During Pro-European Rallies", 04.02.2025 https://civil.ge/archives/641362

Human Rights, portraying these institutions as having unanimously recognised the success of Georgia's efforts to combat torture.[12] However, the Government failed to acknowledge the severe and sustained criticism expressed by the same bodies, as well as by other international mechanisms, concerning recent and alarming allegations of torture and ill-treatment. In particular, a joint allegation letter addressed to the Government of Georgia by six UN Special Rapporteurs in January 2025, highlighted intentional physical violence, threats, intimidation, and retaliation against peaceful protesters, human rights defenders, and journalists by law enforcement officials, noting that these incidents may not have been isolated and may point to command responsibility.[13]

12. Following his visit to Georgia in January 2025 in the aftermath of the brutal suppression of protests, the CoE Commissioner for Human Rights observed gross breaches of international human rights law, including instances where law enforcement officers used special equipment indiscriminately, detained individuals indiscriminately, pursued protesters into private premises away from assembly sites, subjected detainees to group and repeated violence, and deliberately targeted journalists. He further concluded that the location, nature, and severity of injuries created a credible impression that police violence was inflicted for the purpose of punishment, which can be classified as torture.[14] Similarly, preliminary findings of OMCT and other international organizations concluded that forensic evidence, including injury patterns, indicates a coordinated policy and practice of systematically torturing and ill-treating protesters and their supporters, often after they had already been brought under the police effective control.[15]
13. In light of the above, the Government's assertions regarding "successful reforms aimed at combating ill-treatment" are irreconcilable with the documented reality on the ground. The persistence, scale, and apparent coordination of police violence during the 2024–2025 protests demonstrate that the structural deficiencies identified by the European Court in the Tsintsabadze group of cases remain unresolved. The total impunity of the law enforcement system for the mass violence of 20–21 June 2019 paved the way for even more widespread and brutal treatment of the Georgian people, demonstrating that when impunity is tolerated and left unaddressed, it normalizes the use of force against dissent and creates fertile ground for the continued recurrence of such practices.

2.1. Degrading treatment involving the complete undressing of civil activists arrested under administrative charges

14. In addition to the mass and coordinated violence against anti-government demonstrators, in 2025 police employed cruel and degrading practices against arrested civil activists, notably by compelling them to fully undress while in the custody of MIA. Under Article 5 of the Internal Regulations of the Temporary Detention Centers of MIA[16] the complete undressing of an arrestee during a personal search is explicitly

[12] Government's Updated Action Plan, p. 347
[13] UN OHCHR, Georgia must investigate use of force by police during demonstrations: Experts, 28.01.2025 https://www.ohchr.org/en/press-releases/2025/01/georgia-must-investigate-use-force-police-during-demonstrations-experts#:~:text=The%20experts%20recalled%20that%20any,independence%20of%20judges%20and%20lawyers
[14] CoE Commissioner for Human Rights, Memorandum on the human rights situation in Georgia, 2025, p. 3. https://rm.coe.int/memorandum-on-the-human-rights-situation-in-georgia-by-michael-o-flahe/1680b4ba41
[15] Briefing note Torture and Ill-Treatment During Protests and Suppression of Political Dissent in Georgia in November-December 2024, p. 3
[16] Order N423 of the Minister of Internal Affairs of Georgia on the Standard Regulations and Internal Regulations of Temporary Detention Isolators of the Ministry of Internal Affairs of Georgia, 02.08.2016, https://matsne.gov.ge/ka/document/view/3358653?publication=20

prohibited. Despite this clear legal safeguard, in 2025, civil activists reported that they were forced to fully undress after being transferred to police stations. Detainees consistently described these practices as humiliating and degrading. One civil activist, Gela Khasaia, reported that he was compelled to fully undress on two separate occasions during a single period of administrative detention.[17] In February 2025, Elene Khoshtaria, leader of the opposition party "Droa," was also subjected to a forced strip search. After she refused to comply, police officers handcuffed her hands behind her back, causing injuries to her jaw and teeth. While she was completely naked, officers held a metal detector over her body for a prolonged period.[18] Additionally, a woman civil activist, the founder of the largest Facebook group organizing protest -"Daitove" - was strip-searched in her home while police were conducting a search in the context of an unspecified criminal investigation. This measure was applied despite the absence of any demonstrated necessity or individualized justification. The PDO critically responded to the practices, noting that one should not be required to undress all parts of the body at the same time, and such a practice amounts to degrading and humiliating treatment.[19]

III. Absence of preventive measures for ill-treatment

15. In its decision adopted at the previous meeting, the CM urged the authorities to put in place robust safeguards against the excessive use of force and ill-treatment by State agents. In particular, it called on the authorities to introduce an obligation for law enforcement officers to wear distinctive identification insignia, to increase the scale and effectiveness of video and audio recording of police interactions with individuals, and to provide information on the practice of documenting both the planning and operational phases of special operations. However, these recommendations have not been implemented. The Government's action plan merely reiterates general regulatory provisions on video-monitoring, without specifying any concrete measures or timelines, aimed at improving the video monitoring regulations.
16. Domestic legislation and practice in the area of video monitoring of law enforcement activities reveal serious deficiencies. Although police officers are formally equipped with body-worn cameras, there is no legal obligation to activate them during interactions with individuals. Similarly, while patrol police vehicles are equipped with video cameras, video recording is not mandatory in police vans used for the transportation of arrested persons. Moreover, as noted by the PDO, arrested individuals continue to be questioned in police facilities without video-audio recording. This practice contradicts the CPT's recommendation that all police interviews and interrogations be systematically recorded using audio-visual technology. In addition, police facilities remain insufficiently equipped with video-recording devices both inside and outside the premises, leaving uncovered key areas through which arrested individuals are escorted and handled by police officers.[20]
17. The Government's action plan is completely silent on the CM's recommendation to introduce an obligation for law enforcement officers to wear distinctive insignia and documenting special operations. Notably, in the action report, the CM's this particular recommendation is written in a manner omitting

[17] GYLA, "GYLA responds to the developments in the Gela Khasaia case on October 1", 02.10.2025 https://gyla.ge/post/gela-khasaias-saqme-GYLA
[18] Radio Liberty, "European and American politicians respond to the "appalling treatment" of Elene Khoshtaria", 29.03.2025 https://www.radiotavisupleba.ge/a/33363947.html
[19] Aprili Media, "It Is Very Humiliating and Offensive," — Stripping as a Part of Repressive Politics", 09.05.2025 https://aprili.media/it-is-very-humiliating-and-offensive-stripping-as-a-part-of-repressive-politics/
[20] PDO, Report on the Human Rights Situation in Georgia, 2024, pp. 69-72

this specific section of paragraph 8 of the CM's decision referring to the introduction of identification insignia. However, this manipulated wording cannot cover up the Government's failure to abide by the CM's recommendations and the Court's sharp criticism over the issue in the case of Tsaava and Others v. Georgia, noting that that where the authorities deploy masked police officers to maintain law and order or to make an arrest, those officers should be required to visibly display some distinctive insignia, such as a warrant number (§223).

18. As noted in our previous Rule 9.2. submission, supported by the whistleblower revelation, the Ministry of Internal Affairs (MIA) officials, with fully masked faces, intentionally removed identification marks from its special forces officers to ensure their anonymity and embolden them in committing violent crimes against protesters.[21] The PDO further concluded that the scale of violence observed during the 2024–2025 protests was directly linked to the failure to ensure accountability for police violence committed during the spring 2024 demonstrations held against the adoption of the so-called "Russian Law", combined with the authorities' failure to implement effective preventive safeguards. In particular, the continued absence of visible identification marks for special forces officers of the MIA created conditions conducive to anonymity and impunity, thereby facilitating an even broader and more systematic use of disproportionate force and ill-treatment during the 2024-2025 protests.[22]
19. Additional shortcomings persist with regard to safeguards from ill-treatment for arrested persons. The PDO has identified deficiencies in the procedure for recording information on arrests, which remains paper-based and outdated. At present, the MIA records information concerning arrested individuals exclusively in paper protocols, a practice that allows for the alteration and manipulation of critical data by police officers. As emphasised by the PDO, the introduction of a secure electronic logging system, protected against subsequent modification, is essential to reduce the scope for abuse of authority and to ensure traceability and accountability.[23]
20. Other concerning issues identified by the PDO in its latest human rights report include the high proportion of cases in which the circumstances of injuries of arrestees were incompletely documented or not documented at all by the Temporary Detention Isolators of the MIA. For instance, of the 132 cases examined in 2024 by PDO, injuries were fully documented in only 60% of cases, while in 40% the documentation was incomplete or entirely absent. Significant shortcomings were also identified with regard to the photo-documentation of injuries - doctors in temporary detention centres rarely make use of this measure, often citing detainees' refusal as justification. Even in cases where photographs were taken, PDO noted that their quality was frequently inadequate. Moreover, the absence of clear instructions on the storage of photographic evidence has resulted in inconsistent and disorganised practices, making the retrieval of such material difficult and undermining its evidentiary value.[24]

IV. Manifestly ineffective investigations into credible allegations of torture and other forms of ill-treatment

21. The investigation into the ill-treatment of protest participants in 2024–2025 remains ineffective, resulting in a lack of accountability and the reinforcement of impunity. Some of the key issues include the incomplete qualification of offenses, difficulties in obtaining video recordings from security

[21] Rule 9 (2) communication to the Committee of Ministers of the Council of Europe in respect of the execution of the Tsintsabadze Group of Cases by GYLA, EHRAC and SJC, 30 April 2025, paragraph 13.
[22] Ibid, p. 77
[23] Ibid, p. 73
[24] Ibid, p. 59

cameras, loss or destruction of potential evidence, delayed collection of evidence essential to the cases, inaction at crime scenes, and insufficient public accountability.[25]

22. The Public Defender's recent report assesses the investigation as ineffective and fragmented, raises serious concerns about the misclassification of cases, the failure of the investigation to secure key video and communication evidence, and the persistence of impunity for law-enforcement officers and other individuals who physically assaulted protest participants.[26]
23. Investigations into cases of ill-treatment continue to be conducted under inadequate legal qualifications that minimize the nature and scale of the alleged crimes, relying on provisions related to abuse of power and obstruction of journalistic activities (Articles 333 and 154 of the Criminal Code). However, victim testimonies, civil society documentation, and the PDO report indicate credible signs of more serious crimes, including torture, threats of torture, and inhuman or degrading treatment. In addition, numerous instances of unlawful confiscation of personal belongings by police remain unaddressed, despite evidence suggesting that stolen phones were located in police stations or private residences of officers.[27] Victim status was granted only in cases when individuals applied for it. Those who did not submit such requests to the were not granted victim status ex officio, demonstrating a failure by the authorities to identify and recognize victims independently.[28]
24. From the beginning, the investigation failed to secure crucial audiovisual evidence, as multiple state bodies stated they were unable to provide recordings, citing renovations or technical malfunctions. These failures affected obtaining recordings from the State Security Service, Parliament Administration, Special State Protection Service, Tbilisi City Hall, and police units, raising serious concerns of deliberate withholding evidence. Concerns persist about the lack of measures to identify responsible law-enforcement officers and failure to carry out timely investigations at the scene of the incidents.[29]
25. Even where perpetrators were clearly identifiable and video evidence was publicly available, no criminal proceedings were initiated and no sanctions followed. These cases remain unresolved to this day, giving rise to serious concerns about deliberate investigative inaction. The pattern indicates that the persistence of impunity for ill-treatment is not the result of difficulties in identifying the perpetrators but rather stems from the administrative practice of official tolerance.[30]
26. Despite the CMs' call[31] not to proceed with the draft law, on 1 July 2025, the State abolished the Special Investigation Service and transferred its powers to the Prosecutor's Office. Even considering the

[25] GYLA et al., Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, 2025, pp. 137-141. https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf
[26] Public Defender of Georgia, Report on the Status of Protection of Human Rights and Freedoms in Georgia for 2024, p. 78; https://www.ombudsman.ge/res/docs/2025091211433999093.pdf
[27] GYLA, IDFI, Rights Georgia, Follow up on Civil Society Organization Submission to the OSCE Vienna (Human Dimension) Mechanism, 2025. https://admin.gyla.ge/uploads_script/publications/pdf/phpMmEW3l%20(4).pdf
[28] GYLA et al., Human Rights Crisis in Georgia Following the 2024 Parliamentary Elections, 2025, p. 119. https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20CRISIS%20IN%20GEORGIA%20-%20final.pdf
[29] GYLA, IDFI, Rights Georgia, Follow up on Civil Society Organization Submission to the OSCE Vienna (Human Dimension) Mechanism, 2025. https://admin.gyla.ge/uploads_script/publications/pdf/phpMmEW3l%20(4).pdf
[30] GYLA, HUMAN RIGHTS SITUATION IN GEORGIA IN 2025, p. 33, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEORGIA%202025.pdf
[31] CM/Del/Dec(2025)1531/H46-18, https://rm.coe.int/0900001680b64842,

Service's ineffectiveness and lack of independence, this step constitutes a serious institutional setback, as it leaves no independent mechanism for investigating ill-treatment and other abuses by the police. [9] Following the transfer of powers to the Prosecutor's Office, concerns regarding the effectiveness and independence of investigations remain unaddressed.[32]

27. Notably, the establishment of an independent investigative mechanism, - the State Inspector's Service - in 2019 was recognised by the CM as a major positive reform and a relevant general measure in the Tsintsabadze group.[33] However, in 2021, the same Parliament abolished the Service abruptly, within the span of a week, on the formal grounds of removing its allegedly conflicting mandate concerning the supervision of the right to privacy. In practice, it was apparent that the reform was aimed at prematurely terminating the tenure of the Service's head and replacing them with a more politically loyal figure. The subsequently established Special Investigative Service (SIS) was widely criticised by civil society organisations and the Public Defender for its lack of tangible results, including its failure to finalise investigations or identify perpetrators in large-scale and high-profile cases. Nevertheless, despite its shortcomings, the SIS remained a specialised body mandated to investigate allegations of police ill-treatment and thus constituted an important venue for documenting ill-treatment cases.[34]
28. In addition to that, following the abolition of the SIS, the cases where the Court found the violation of Convention rights on account of ineffective investigations carried out by the Prosecutor's Office, are back to the very institution responsible for the deficient and ineffective investigation criticised by the Court (for instance, in the case of *Tsaava and Others v. Georgia*, renewed investigation will be assigned to the PO again). This development is particularly troubling given that the CM has repeatedly and seriously criticised Georgia for the absence of sufficient guarantees of independence of the Prosecutor's Office and for the authorities' refusal to implement long-standing reforms including amending the rules governing the appointment of the Prosecutor General, revising the composition and powers of the Prosecutorial Council, and introducing concrete guarantees for the independence of individual prosecutors. [35] In light of the persistent concerns regarding the institutional and practical dependence of the Prosecutor's Office from the executive, this institutional arrangement cannot be regarded as a proper or adequate means of executing the Court's judgments. It reflects a manifest disregard of the State's obligations under Article 46 of the Convention to abide by and effectively implement the Court's judgments, as well as a failure to comply with the CM's clear recommendations, thereby warranting the Committee's critical assessment, including through the adoption of an interim resolution.
29. Under the established jurisprudence of the European Court of Human Rights, the state's procedural obligation under Articles 2 and 3 is characterized as an "obligation of means" that demands "exemplary diligence" rather than a guaranteed conviction.[36] However, the Government's request to terminate

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[32] GYLA, HUMAN RIGHTS SITUATION IN GEORGIA IN 2025, p. 33-34, https://admin.gyla.ge/uploads_script/publications/pdf/HUMAN%20RIGHTS%20SITUATION%20IN%20GEORGIA%202025.pdf

1362 meeting (DH) December 2019 - H46-8 Tsintsabadze group v. Georgia (Application No. 35403/06), paragraph 4 https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM/Del/Dec(2019)1362/H46-8

[34] Urgent Update to the Rule 9 (2) communication to the Committee of Ministers of the Council of Europe in respect of the execution of the Tsintsabadze Group of Cases, 23.05.2025 https://hudoc.exec.coe.int/?i=DH-DD(2025)644E

[35] 1521st meeting (4-6 March 2025) (DH) - H46-13 Merabishvili v. Georgia (Application No. 72508/13), https://hudoc.exec.coe.int/?i=004-48437

[36] *Menesheva v. Russia*, no. 59261/00, 09.03.2006, § 67.

oversight in cases such as Kiziria v. Georgia and Lanchava v. Georgia - premised on the alleged inability to collect evidence due to the "long passage of time" - contravenes the standard that an investigation must be "thorough" and "capable of leading to the identification and punishment of those responsible".[37] The Court has consistently ruled that an investigation cannot be deemed effective if its closure is the result of "hasty or ill-founded conclusions" or "objective obstacles" that were exacerbated by the state's own initial passivity.[38] By seeking closure without a final judicial determination of guilt or innocence, the Government risks fostering "virtual impunity", particularly where the failure to secure evidence results from structural delays or a failure to take "all reasonable steps" during the critical early stages of the inquiry. "*Such an investigation must be effective in the sense that it is capable of leading to [...] the identification and punishment of those responsible (see Oğur v. Turkey [GC], no. 21594/93, § 88, ECHR 1999-III)*".[39]

30. Furthermore, the Government's push for closure in the absence of a substantive judicial outcome undermines the requirement for "adequate scrutiny" and accountability. The decisions to not renew or to terminate proceedings in Machalikashvili and Others and Lanchava fail the requirement that proceedings must provide a sufficient element of a "careful scrutiny".[40] An investigation must remain a serious, proactive effort to establish the truth; the ECHR finds a breach of positive obligations when flaws in the domestic process make a later prosecution impossible, effectively rendering the investigation a "mere formality".[41] Consequently, the Committee of Ministers should resist closure where the termination of domestic proceedings appears to be an "unjustified termination" through procedural loopholes or administrative silence rather than a result of an exhaustive and diligent pursuit of justice.

V. Allegations of use of toxic compounds against peaceful demonstrators during the 2024 protests

31. In addition to the alarming reports of widespread physical violence committed by law enforcement authorities against demonstrators during 2024 winter protests, an extensive investigative report published by the BBC revealed serious allegations concerning the use of toxic chemical agents to suppress anti-government protests in 2024. As per the report, an agent dating back to the First World War era was allegedly deployed on a massive and disproportionate scale against peaceful demonstrators. As a result, dozens of protesters reportedly suffered severe long-term complications affecting their respiratory systems, skin, and eyes. Demonstrators also reported persistent symptoms, including shortness of breath, prolonged coughing, vomiting, headaches, and fatigue, with some effects lasting for weeks and months.[42]
32. Drawing on interviews with medical professionals, chemical weapons experts, information provided by whistleblowers within the MIA and a copy of the inventory of the MIA Special Tasks Department (responsible on the dispersal of the demonstrations) dated December 2019, the BBC concluded that the available evidence pointed to the use of bromobenzyl cyanide, an agent known as "Camite." Chemical weapons experts consulted by the BBC emphasised that, given the availability of safer and widely

[37] *Mocanu and Others v. Romania* [GC], nos. 10865/09, 45886/07 and 32431/08, 17.09.2014, § 321.
[38] *Al-Skeini and Others v. the United Kingdom* [GC], no. 55721/07, 07.07.2011, § 166.
[39] *Abuyeva and Others v. Russia*, no. 27065/05, 02.12.2010, § 211.
[40] *Öneryıldız v. Turkey* [GC], no. 48939/99, 30.11.2004, §§ 95-96.
[41] *S.Z. v. Bulgaria*, no. 29263/12, 03.03.2015, § 47.
[42] BBC, WW1 toxic compound sprayed on Georgian protesters, BBC evidence suggests, 01.12.2025 https://www.bbc.com/news/articles/czrk7g50e1po

accepted riot-control agents, the use of an obsolete and significantly more potent substance could qualify as use of chemical weapon. In this context, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Edwards, expressed serious concern that the symptoms described by protesters appeared to exceed what could be considered temporary or acceptable, requiring thorough investigation under the framework of torture or other forms of ill-treatment.[43] Based on the BBC report, Amnesty International called for the imposition of an embargo on the purchase of policing equipment and for the conduct of an international investigation into the allegations.[44] Helsinki Commission also called on the US Government and other democratic states to impose sanctions on those responsible.[45] Furthermore, Georgian CSOs applied to the UN Organization for the Prohibition of Chemical Weapons (OPCW), UN Special Rapporteurs and CoE Human Rights Commisssioner requesting investigation of the allegations by the special mission.[46]

33. Notably, serious breaches of domestic and international law during the dispersal of the demonstrations were also documented by the group of Georgian CSOs. Their monitoring of the November–December 2024 demonstrations, combined with interviews conducted with victims, revealed following recurrent violations in relation to the use of special means: deployment of special means without prior warning; immediate dispersal following warnings without affording demonstrators adequate time to leave; encirclement of protesters during the use of force; targeted firing of tear gas canisters directly at individuals; and indiscriminate and disproportionate use of tear gas. Furthermore, the use of special means frequently involved the simultaneous deployment of multiple agents, including the mixing of chemical substances in water cannons, alongside the concurrent use of tear gas, water cannons, and pepper spray. Protesters interviewed consistently reported severe health consequences, including chemical burns to the skin and eyes and acute respiratory distress. As per the CSOs assessment, these effects, described by victims following exposure to water cannons, were incompatible with the mechanical impact of water alone and strongly indicated exposure to chemical agents.[47] Notably, while the Deputy Minister of Internal Affairs acknowledged the use of pepper spray, CS gas, and water cannons (both separately and in combination) during the dispersal of demonstrations in 2024, the authorities have consistently refused to clarify whether any additional chemical compounds were deployed by the MIA.[48]
34. The Government's response to the publication of the BBC investigation was punitive and retaliatory rather than demonstrating any genuine efforts to establish the truth. Instead of initiating an independent and effective investigation into the alleged use of bromobenzyl cyanide, the State Security Service (SSS) opened criminal proceedings under two provisions of the Criminal Code of Georgia: abuse of

[43] Ibid
[44] Amnesty International, "Georgia: Government's alleged use of toxic chemicals against protestors calls for international investigation and complete embargo on all policing equipment", 05.12.2025 https://www.amnesty.org/en/latest/news/2025/12/georgia-governments-alleged-use-of-toxic-chemicals-against-protestors-calls-for-international-investigation-and-complete-embargo-on-all-policing-equipment/
[45] Helsinki Commission, "Bipartisan Helsinki Commission Leadership Respond to Reports that Georgian Authorities Used Chemical Weapon against Protestors", 03.12.2025 https://www.csce.gov/press-releases/bipartisan-helsinki-commission-leadership-respond-to-reports-that-georgian-authorities-used-chemical-weapon-against-protestors/
[46] Jamnews, "Georgian NGOs appeal to UN on chemical weapons ban", 22.12.2025 https://jam-news.net/georgian-ngos-appeal-to-un-on-chemical-weapons-ban/
[47] Ibid, pp. 38-40
[48] Radio Liberty, "The Ministry of Internal Affairs says that "there may have been something in the water jet", 30.11.2024 https://www.radiotavisupleba.ge/a/33221645.html

official authority (Article 333) and assistance to foreign actors in hostile activities (Article 317).[49] On 6 December 2025, the investigation under Article 333 was terminated within 5 days for lack of evidence, following a public briefing by the Deputy Head of the SSS asserting that only CS gas had been used during four or five demonstrations.[50] This statement stands in stark contrast to documented video evidence indicating that water cannons and chemical agents were deployed continuously by the MIA between 28 November and 7 December 2024. In contrast, the investigation under Article 317 remains ongoing, with the SSS alleging that citizens of Georgia participated in an organized and well-prepared campaign of hostile activities against the State. Individuals interviewed in the BBC documentary, including medical professionals who examined injured protesters, the Chairperson of GYLA involved in documenting ill-treatment, and the Director of Transparency International Georgia, - have been summoned by the SSS for questioning,[51] while one of the whistleblower, former head of the weapons unit of the MIA Special Tasks Department, Lasha Shergelashvili was subjected to international search. In parallel, the ruling "Georgian Dream" party rejected the allegations of use of chemical weapon, as disinformation aimed at damaging Georgia's interests, filed a complaint with BBC demanding removal of the disputed journalistic material from all of its platforms and public apologies and threatened with litigation before the European Court.[52] The GD Prime Minister also publicly demanded apologies from the UK Government.[53]

35. To date, the Government has failed to provide a clear and unequivocal answer as to whether bromobenzyl cyanide was used during the 2024 protests, thereby depriving victims of exposure to chemical agents and poisoning of their right to effective redress. The summoning of CSO representatives, civil activists, and doctors as potential suspects by the SSS, coupled with threats to apply criminal law measures against them, demonstrates that these proceedings are aimed at creating a serious chilling effect and intimidation and exerting pressure on those exposing systemic human rights violations.

VI. Continued undermining of CSOs' ability to seek for accountability for ill-treatment practices

36. In its most recent decision adopted in the framework of the *Tsintsabadze* group of cases, the CM emphasised the crucial role played by CSOs in the prevention of ill-treatment and called upon the authorities to ensure a fully enabling environment for the effective operation of civil society, including in the context of the execution of these judgments. In direct disregard of these recommendations, the Georgian authorities have since further deteriorated the operating environment for civil society organisations through the adoption and implementation of persistent retaliatory and punitive measures against them.
37. In particular, the authorities have adopted and enforced the Foreign Agents Registration Act in 2025, which introduces criminal sanctions for non-compliance with onerous registration, reporting, self-

[49] Civil.ge, "SSSG Probes Abuse of Office, Assistance to Foreign Organization After BBC Report on Protests", 01.12.2025 https://civil.ge/archives/713075
[50] Radio Liberty, "How the SsS "exhausted" questions on chemical substances and why the MIA changed Order #1002", 08.12.2025 https://www.radiotavisupleba.ge/a33616343.html
[51] GYLA, "State Security Service Summons GYLA Employees for Questioning in Connection with the BBC Investigative Film," 02.12.2025 https://www.gyla.ge/en/post/GYLA-BBCsagamodziebopilmi-gamokitxvazedabareba
[52] Jamnews, "Georgian Dream sues BBC, demands removal of materials and apology", 15.01.2026 https://jam-news.net/ge/bbc-s-gamodzieba/
[53] Radio Liberty, "Kobakhidze demands apology from British government over BBC investigation", 09.12.2025 https://www.radiotavisupleba.ge/a/-bbc-33618296.html

labelling, and inspection requirements imposed on organisations designated as "foreign agents."[54] These measures are compounded by the introduction of a governmental pre-approval mechanism for foreign grants, creating an insurmountable obstacle for organisations perceived as undesirable to access international funding.[55]

38. Furthermore, the authorities have initiated a criminal investigation against prominent Georgian CSOs on spurious allegations of sabotage, solely for providing essential legal aid to participants in the 2024–2025 public protests and for monitoring and documenting grave human rights violations during the same events. In the context of the same investigation, the authorities froze the bank accounts of 12 civil society and fundraising non-profit organisations in March[56] and August 2025[57] and subjected dozens of prominent CSO representatives to interrogations. These repressive legal measures have been accompanied by sweeping state-endorsed disinformation campaigns portraying Georgian CSOs as "enemies of the State", "agents of hostile foreign powers", and actors allegedly seeking to finance unrest or overthrow the constitutional order. Taken together, these actions have created a climate of fear and financial deprivation in which overwhelming majority of organisations have been forced to cease their activities altogether due to the risk of criminal liability and the loss of access to essential resources.
39. Government-aligned media outlets, most notably Imedi TV, have conducted a coordinated disinformation campaign targeting civil society organisations, including SJC, GYLA and Georgian Centre for the Psychosocial and Medical Rehabilitation of Torture Victims (GCRT). In a series of news reports, these outlets falsely portrayed the receipt by CSOs of the European Union–funded grant aimed at providing legal aid to victims of ill-treatment and other human rights violations as part of an alleged scheme to finance unrest, radicalisation, and "revolutionary processes" in Georgia.[58] The coverage repeatedly accused CSOs and their representatives of acting as agents of hostile foreign forces, sponsoring violence against law-enforcement authorities, and seeking to undermine the constitutional order, without any factual basis. This narrative was amplified by senior political figures and presented as established fact,[59] thereby legitimising retaliatory legal measures and contributing to a hostile and intimidating environment for organisations providing legal assistance to victims of systemic police violence. As a result, some beneficiaries and victims of ill-treatment were discouraged from seeking or accepting free legal assistance and representation before the European Court by SJC due to fear of repercussions.

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[54] Radio Liberty, "The Anti-Corruption Bureau sent another letter to NGOs", 15.08.2025 https://www.radiotavisupleba.ge/a/33503912.html

[55] SJC, "Amendments to the Law "On Grants" Aim to Destroy Georgian Civil Society", 17.04.2025 https://socialjustice.org.ge/en/products/grantebis-shesakheb-kanonshi-gatarebuli-tsvlilebebis-mizania-kartuli-samokalako-sazogadoebis-ganadgureba-shefaseba

[56] Radio Liberty, "The accounts of five organizations were frozen at the request of the prosecutor's office for their assistance to protest participants", 17.03.2025 https://www.radiotavisupleba.ge/a/33350509.html

[57] Radio Liberty, "Bank accounts of seven civil society organizations frozen", 27.08.2025 https://www.radiotavisupleba.ge/a/33514228.html

[58] Imedi.ge, "Funding from the European Commission for legal services for protest participants - whose interests are being protected by lawyers with foreign money?", 21.10.2025 https://imedinews.ge/ge/politika/408637/dapinanseba-evrokomisiisgan-aqtsiis-monatsileta-iuridiuli-momsakhurebistvis--vis-interesebs-itsaven-advokatebi-utskhouri-pulit-qronikis-reportaji

[59] Imedi.ge, "Shalva Papuashvili on the NGO funding scheme revealed by Imedi: I hope that the Anti-Corruption Bureau will take an interest in this issue", 20.10.2025 https://imedinews.ge/ge/politika/408377/shalva-papuashvili-imedis-kviris-mier-gashiprul-arasamtavrobo-organizatsiebis-dapinansebis-sqemaze-imedi-maqvs-rom-antikoruptsiuli-biuro-am-sakitkhit-dainteresdeba

40. These disinformation campaigns illustrate how state-aligned media narratives have been instrumental in legitimising and intensifying the authorities' broader campaign against CSOs engaged in combating ill-treatment. By publicly stigmatising organisations such as SJC and GYLA for lawfully receiving EU funding to provide legal aid to victims of torture and ill-treatment, and by portraying such assistance as a threat to national security or constitutional order, the authorities have further undermined the ability of civil society to operate safely and effectively and the victims from seeking justice before the European Court. This environment of intimidation and delegitimisation directly obstructs the execution of the judgments in the *Tsintsabadze* group of cases, depriving victims of access to legal support and weakening independent oversight of law-enforcement accountability. Such practices are manifestly incompatible with the respondent State's obligations under Articles 3 and 46 of the Convention and stand in direct contradiction to the CM's repeated recommendations on the need for a fully enabling environment for civil society as an essential safeguard against impunity.

VII. Conclusion and recommendations

41. The information set out in this submission demonstrates that the violations identified by the European Court in the Tsintsabadze group of cases remain unremedied and, in several respects, situation has further deteriorated. The continued recurrence of widespread and coordinated ill-treatment by law-enforcement authorities, the manifestly ineffective investigations into credible allegations of torture and other forms of ill-treatment, the absence of essential preventive safeguards, and the deliberate targeting and intimidation of civil society organisations collectively demonstrate a clear refusal by the respondent State to comply with its obligations under Articles 3 and 46 of the Convention. Rather than taking genuine steps toward execution of the judgments, the authorities have entrenched a system of impunity and retaliation as a weapon against their critics and deprive victims of effective redress.

Recommendations to the Committee of Ministers:

42. Against this background, the undersigning organisations respectfully request the Committee of Ministers to:
    - Adopt an interim resolution condemning the abolishment of the SIS and the persistent refusal of Georgian authorities to hold accountable those responsible for organizing and conducting ill-treatment against peaceful protesters during 2024-2025 public demonstrations;
    - Include this group of cases on the agenda of each upcoming DH meeting, and require the Georgian Government to submit a separate action plan at each meeting, outlining specific steps towards the effective, thorough and speedy investigation of ill-treatment cases.

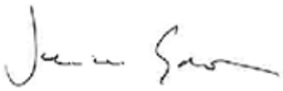
Recommendations to the Georgian Authorities:

In order to eradicate impunity and address the problems identified in the Tsintsabadze group of cases, the following general measures need to be undertaken by the authorities:

- Conduct prompt, thorough, independent, and effective investigations into allegations of ill-treatment of demonstrators during the 2024 protests, ensuring the identification and adequate punishment of all those responsible, including senior State officials who encouraged, organised, or tolerated such practices;

- Conduct prompt, thorough, independent, and effective investigations into allegations concerning the use of chemical agents during the dispersal of the 2024-2025 demonstrations, and ensure full access to the investigation files for relevant international human rights bodies;
- Undertake legislative measures to ensure the independence of the Prosecutors Office through amending the rules governing the appointment of the Prosecutor General, revising the composition and powers of the Prosecutorial Council, and introducing concrete guarantees for the independence of individual prosecutors, in compliance with the recommendations of the Venice Commission and CM's decisions in the case of *Merabishvili v. Georgia*;
- Amend the MIA internal regulations governing the deployment of MIA special forces during demonstrations to ensure that all officers and equipment are marked with unique and clearly visible identification insignia;
- Amend the MIA internal regulations to explicitly prohibit the simultaneous use of chemical agents and water cannons for the dispersal of demonstrations under any circumstances;
- Amend the internal regulations governing the use of video-recording devices during interactions between law-enforcement officers and the public to ensure mandatory recording of such interactions and the proper documentation and preservation of the resulting evidence;
- Establish binding procedures within the MIA to ensure systematic, accurate, and comprehensive documentation of all allegations and signs of ill-treatment, including recording, photo-documentation, and secure preservation of all injuries;
- Repeal legislative and policy measures that target, stigmatise, or otherwise undermine the work of Georgian civil society organisations, including those engaged in the protection and legal aid of victims of ill-treatment, in order to ensure a fully enabling and safe environment for their effective operation.

Yours faithfully,



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