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DH-DD(2026)963

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Meeting: 1569th meeting (September 2026) (DH)

Communication from NGOs (Women's Initiatives Support Group (WISG), Georgian Young Lawyers Association (GYLA), Social Justice Center (SJC), ILGA-Europe, Transgender Europe (TGEU) and the European Human Rights Advocacy Centre (EHRAC)) (22/07/2026) in the Identoba and Others group of cases v. Georgia (Application No. 73235/12).

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 : 1569e réunion (septembre 2026) (DH)

Communication d'ONG (Women's Initiatives Support Group (WISG), Georgian Young Lawyers Association (GYLA), Social Justice Center (SJC), ILGA-Europe, Transgender Europe (TGEU) and the European Human Rights Advocacy Centre (EHRAC)) (22/07/2026) dans le groupe d'affaires Identoba et autres c. Géorgie (Requête n° 73235/12) ***[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)963: Rule 9.2 Communication from NGOs in Identoba and Others v. Georgia.
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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, Transgender Europe (TGEU) and Social Justice Center (SJC)

22 July 2026

DH-DD(2026)963: Rule 9.2 Communication from NGOs in Identoba and Others v. Georgia.
Document distributed under the sole responsibility of its author, without prejudice
to the legal or political position of the Committee of Ministers.

Executive Summary

1. This joint submission—authored by the European Human Rights Advocacy Centre (EHRAC), Women's Initiatives Support Group (WISG), Georgian Young Lawyers' Association (GYLA), ILGA-Europe, Transgender Europe (TGEU), and the Social Justice Center (SJC) - provides an updated assessment of Georgia's implementation of the *Identoba and Others v. Georgia* group of cases concerning LGBTI related rights ahead of the Committee of Ministers' 1569th DH meeting. Focusing specifically on individual measures in *Aghdgomelashvili and Japaridze* and *Women's Initiatives Supporting Group and Others*, as well as broader general measures affecting LGBTI rights, this submission responds to the Georgian Government's Action Report of 29 June 2026. The submission highlights a complete lack of progress on domestic investigations and details how recent legal and political developments in Georgia contradict the State's obligations under Article 46 § 1 of the European Convention on Human Rights.

2. Despite repeated calls from the Committee of Ministers to accelerate investigations and grant victim status to applicants, the Georgian authorities have demonstrated total stagnation, with no meaningful investigative steps taken since 2025. In *Aghdgomelashvili and Japaridze*, over 16 years after the 2009 police raid, only a single officer faces a minor charge, while 16 others remain unprosecuted as statutory limitation periods expire. In *Women's Initiatives Supporting Group and Others*, 13 years after the violent mob attack on peaceful demonstrators on May 17, 2013, not a single perpetrator or responsible official has been identified or charged. On general measures, the Government has explicitly refused to repeal the discriminatory "Family Values Law" despite explicit calls from the Committee. Instead, it has further regressed by introducing legislative restrictions on freedom of assembly, removing gender identity as a protected ground in anti-discrimination and hate-crime frameworks, and continuing with hostile public rhetoric against LGBTI individuals and civil society organizations.

3. The signatory organizations submit that Georgia's posture has transitioned from non-compliance into open refusal to abide by the European Court's final judgments. These domestic rollbacks have been independently condemned by international bodies, including the OSCE Moscow Mechanism Rapporteur, the UN High Commissioner for Human Rights, and the Council of Europe Commissioner for Human Rights. Consequently, the submission urges the Committee of Ministers to denounce, in strongest terms, Georgia's defiance and a clear refusal to comply with the Identoba group cases, to consider taking new, stronger action in line with the avenues open to the Committee and to invite all other 45 CoE member states to substantially increase their bilateral engagement with Georgia on this group of cases, as well as on matters concerning the broader, continuing escalation of repression against and undermining of Convention rights and values in Georgia.

I. Introduction

4. 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), Trans Europe and Central Asia (TGEU) and Social Justice Center (SJC), provides an update on the implementation status of the *Identoba and Others v. Georgia* group of cases ahead of the examination of this group at the Committee's 1569th DH meeting (September 2026). It responds to the Government's Action Report of 29 June 2026[1] and follows the Committee of Ministers' Interim Resolution CM/ResDH(2025)31 of 6 March 2025[2] and the signatory organisations' previous Rule 9.2 communication of 7 November 2025.[3] The submission focuses 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 across the broader group.

5. Since our last Rule 9.2 communication of 7 November 2025, the incompatibility of Georgia's course with its Convention obligations arising from the Identoba group of cases has been authoritatively confirmed by a series of independent international assessments: the report of the Rapporteur appointed under the OSCE Moscow Mechanism, invoked in respect of Georgia by twenty-three participating States and published on 10 March 2026, which concluded that the Family Values Law violates the freedoms of assembly, association and expression and infringes upon the very essence of those rights;[4] the report of the United Nations High Commissioner for Human Rights of 27 April 2026, documenting the insertion of discriminatory restrictions based on sexual orientation and gender identity into the Law on Assemblies and Demonstrations and the removal of gender identity from the protected grounds in hate-crime and anti-discrimination legislation;[5] and the memorandum of the Council of Europe Commissioner for Human Rights of 19 June 2026, reiterating the call to repeal the Family Values Law and the "foreign influence" legislative package.[6] On the very day of the release of the Commissioner's memorandum, the Chairperson of the Parliament's Legal Issues Committee publicly dismissed the call for repeal as having "no legal backing"[7] – a position irreconcilable with Article 46 § 1 of the Convention. During Georgia's fourth-cycle Universal Periodic Review, held on 26 January 2026, fifteen States recommended the repeal, revision or review of the Law on the

[1] The Government of Georgia, Action Report, *Identoba and Others* group of cases and *A.D. and Others v. Georgia*, DH-DD(2026)821, 29 June 2026.

[2] Interim Resolution CM/ResDH(2025)31, Committee of Ministers of the Council of Europe, adopted 6 March 2025 (1521st meeting).

[3] Rule 9.2 Communication from NGOs (EHRAC, WISG, GYLA, ILGA-Europe and TGEU) in the *Identoba and Others* group v. Georgia, DH-DD(2025)1408, 7 November 2025.

[4] OSCE Office for Democratic Institutions and Human Rights, Report of the Rapporteur under the Moscow Mechanism Invoked in Respect of Georgia (Rapporteur: P. Grzebyk), Warsaw, 10 March 2026, par. 212-223.

[5] Report of the United Nations High Commissioner for Human Rights, Cooperation with Georgia, A/HRC/62/58, 27 April 2026, par. 17.

[6] Commissioner for Human Rights of the Council of Europe, Memorandum on the human rights situation in Georgia following the visit of 14-15 April 2026, Strasbourg, 19 June 2026; see also Memorandum on the human rights situation in Georgia, CommHR(2025)9, Strasbourg, 10 March 2025, par. 60-64.

[7] MP Gorduladze: O'Flaherty Demanded Repeal of Family Values Law, His Criticism Has No Legal Backing, First Channel (1TV), 19 June 2026, <https://1tv.ge/lang/en/news/mp-gorduladze-oflaherty-demanded-repeal-of-family-values-law-his-criticism-has-no-legal-backing/> [06.07.2026].

Protection of Family Values and Minors, and further States recommended the effective protection of LGBTI persons against discrimination, hate speech and hate crimes..[8] In its June 2026 resolution on Georgia, the Parliamentary Assembly has likewise called on the Georgian authorities to fully implement the general measures required in *the Indentoba group of cases*, together with those required in other leading judgments pending execution.[9]

II. Group case description

6. This group of cases concerns the authorities' failure to provide adequate 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 the authorities' failure to take the necessary measures to ensure the exercise of the rights to freedom of assembly of LGBTI persons (2012-2013) and freedom of religion by religious minorities (1999-2001; 2014). The group also concerns police abuse committed with homophobic/transphobic bias (2009; 2013). In all cases of the group the Court found that the investigations into these facts and allegations were ineffective, including as regards the failure of the authorities to properly examine the underlying bias motive (violations of Articles 3, 8, 9 and 11 taken separately and/or in conjunction with Article 14).

7. The *Aghdgomelashvili and Japaridze* case concerns discriminatory police misconduct during the December 2009 raid on the premises of the Inclusive Foundation 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 in conjunction with Article 14, in both their substantive and procedural aspects, highlighting the State's failure to conduct an effective investigation into the discriminatory nature of the treatment.[10]

8. The *Women's Initiatives Supporting Group and Others* case concerns the violent mob attack on LGBTI demonstrators during their peaceful commemoration of the International Day Against Homophobia in central Tbilisi on 17 May 2013. The Court found violations of Article 3 read in conjunction with Article 14, both on account of the State's failure to provide adequate protection against homophobic and transphobic violence during the demonstration and on account of the ineffective investigation into those discriminatory acts of aggression.[11]

9. Our submission focuses on two above-mentioned cases as far as their individual measures are concerned, as well as general measures involving LGBTI persons and issues affecting their rights. This submission does not address cases relating to religiously motivated attacks in the Identoba group.

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[8] Report of the Working Group on the Universal Periodic Review: Georgia, A/HRC/62/14, Human Rights Council, Sixty-second Session, 13 April 2026, paras. 148.17 (Finland), 148.24 (Sweden), 148.35 (Chile), 148.43 (Colombia), 148.44 (New Zealand), 148.45 (Mexico), 148.46 (Norway), 148.47 (Malta), 148.48 (Australia), 148.49 (Canada), 148.50 (Estonia), 148.51 (Iceland), 148.270 (Eritrea), 148.297 (Belgium), 148.298 (Brazil); see also paras. 148.66 (Luxembourg), 148.165 (Ireland), 148.252 (Austria), 148.295 (Spain), 148.296 (Uruguay), 148.299 (France), 148.300 and 148.302 (Iceland), 148.301 (Latvia).

[9] Parliamentary Assembly of the Council of Europe, Resolution 2664 (2026), The functioning of democratic institutions in Georgia, adopted 24 June 2026, para. 11. Available at: https://pace.coe.int/en/files/36232/html

[10] *Aghdgomelashvili and Japaridze v. Georgia* [ECtHR], App. no. 7224/11, 8 October 2020, par. 48-50.

[11] *Women's Initiatives Supporting Group and Others v. Georgia* [ECtHR], App. nos. 73204/13 and 74959/13, 16 December 2021, par. 60-84.

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

10. In its Interim Resolution of 6 March 2025, the Committee **"strongly urged, once again, the authorities to accelerate and complete all renewed investigations and trial proceedings"**. In its Action Report of 29 June 2026, the Government merely repeats that "the investigation is currently ongoing[12] – now over sixteen and a half years after the events of December 2009, and over thirteen years after those of 17 May 2013.

11. The Government's Action Report of 29 June 2026 is the third consecutive report – following those of December 2024 and July 2025 – to reproduce materially identical information on the individual measures in both cases, and it restates, verbatim, from the July 2025 report, the Government's refusal to repeal the Law of Georgia "On the Protection of Family Values and Minors" (hereinafter – the "Family Values Law"), which the Committee expressly called upon the authorities to repeal in its Interim Resolution. As reiterated below, not a single investigative step is reported to have been taken in either case in 2025 or in the first half of 2026, notwithstanding the Committee's strong urging, "once again", that the authorities "accelerate and complete all renewed investigations and trial proceedings". The Government report further indicates the pattern of deliberate non-compliance identified in our previous communication.

12. In respect of *Aghdgomelashvili and Japaridze*, paragraphs 7 to 15 of the June 2026 report reproduce, in substance verbatim, the account already provided in the Government's December 2024 and July 2025 reports.[13] The most recent investigative or procedural act reported anywhere in that account is the launching of the prosecution against a single individual, N.G., on 9 December 2024, and the imposition of bail of GEL 3,000 by the Tbilisi City Court on 10 December 2024 – less than a third of the amount sought by the prosecution itself.[14] The Government report contains no information on any trial hearing, on the progress of the proceedings against N.G. since December 2024, or on any investigative act carried out in 2025 or 2026. The undertaking that witnesses N.L. and J.Z. would be questioned "in the near future" now appears, unchanged, for the third consecutive report.[15] A "near future" that has lasted more than eighteen months is not an investigative plan; it is a clear sign of stagnation.

13. The deficiencies previously identified therefore persist in full. Only one of the seventeen police officers implicated in the 2009 raid has been charged, and only under Article 333 § 3 (c) of the Criminal Code (exceeding official powers), a qualification that does not capture the gravity of the degrading treatment, discriminatory abuse and systematic misconduct established by the Court; no charges have been pursued under Articles 144[1] (torture), 151 (threats) or 156 (persecution), which would be commensurate with the Court's findings.[16] The fifteen-year statutory limitation period for offences under Articles 332-342 of the Criminal Code has expired, and the Committee's specific concern about "risks related to

[12] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 15 and 25.

[13] Compare: The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 7-15, with the Government's action reports of December 2024 and of 2 July 2025; see also Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 7-8.

[14] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 13-14.

[15] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 12; the identical undertaking appears in the reports of December 2024 and July 2025.

[16] Rule 9 Submission to the Committee of Ministers, 14 January 2025, DH-DD(2025)82, par. 9-10; Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 7.

the loss of evidence and prescriptions"[17] has been left entirely unaddressed. Should the Government seek to present the December 2024 prosecution of N.G. As evidence of diligence, that argument is untenable: the prosecution predates the Interim Resolution, was brought fifteen years after the events, has not been reported to have advanced by a single procedural step since, and cannot compensate for the impunity of the remaining sixteen officers.

14. In respect of *Women's Initiatives Supporting Group and Others*, paragraphs 20 to 25 of the June 2026 report likewise repeat, word for word, the information provided in December 2024 and July 2025: the questioning of a small number of victim-witnesses in April and November 2024, and the inspection of video materials in June and November 2024.[18] The last reported investigative act dates back to November 2024. Worse, the substance of what is reported is itself an admission of failure: the witnesses questioned "are not able to identify, describe or recognize the perpetrators" thirteen years after the events, and the inspected video materials "could not" yield identification because "the events … unfold very quickly".[19] Steps that the Government has been announcing as "planned" since its June 2024 report – the questioning of the remaining injured participants, the questioning of those responsible for ensuring the safety of the demonstration, and the examination of the audio-video records "in order to identify those responsible" – are no longer even restated as planned: the June 2026 report simply omits any forward-looking investigative programme for this case. The investigation has not identified, questioned or charged a single perpetrator, organiser or instigator of the 17 May 2013 violence, nor a single official responsible for the failure of protection, despite the Court's explicit findings on both limbs of the violation.[20]

15. The Committee's repeated calls to take investigative actions "in line with the European Court's legal and factual findings" and those concerning "ensuring appropriate legal qualification of criminal offences and due consideration of a bias motive" accordingly remain unimplemented in both cases. In *Aghdgomelashvili and Japaridze,* where the Court held the investigation ineffective because not a single investigative measure had ever been undertaken in respect of the operation as a whole, the bias motive has since been reflected only as an aggravating element in one set of charges against one officer, leaving the conduct of the remaining participants uninvestigated.[21] In *Women's Initiatives Supporting Group and Others* the total absence of investigative progress has precluded any consideration of the homophobic and transphobic nature of the violence at all.[22]

16. The Committee's call on "granting victim status to all applicants concerned" has been met with complete silence: the June 2026 Action Report does not provide any update on the issue of victim status in respect of either case. The applicants subjected to violence on 17 May 2013 remain deprived of victim status under Articles 55-58 of the Criminal Procedure Code, and thereby of access to the case file, of participation in the proceedings and of any means of subjecting the investigative authorities to scrutiny. In *Aghdgomelashvili and Japaridze*, victim status recognition remains confined to the perimeter of the sole charge

[17] Interim Resolution CM/ResDH(2025)31, adopted 6 March 2025.
[18] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 20-25.
[19] Ibid., par. 23-24.
[20] Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 9-13.
[21] *Aghdgomelashvili and Japaridze v. Georgia* [ECtHR], App. no. 7224/11, 8 October 2020, para. 41
[22] *Women's Initiatives Supporting Group and Others v. Georgia* [ECtHR], App. nos. 73204/13 and 74959/13, 16 December 2021, para. 66.

brought. The persistence of this failure, more than a year after the Committee described it as requiring immediate intervention, is not an oversight but a deliberate choice.

17. Although the Government reports at length elsewhere in its report on the volume of training activities, structural units and prosecutorial statistics aimed as demonstrating institutional diligence, it is evident from the failure to deliver on individual measures on the respective cases that such general measures concerning a duty to investigate are incapable of discharging the state obligations in these two cases: the standard against which execution is measured is the effective, prompt and thorough investigation of these specific events, capable of leading to the identification and punishment of those responsible. Measured against that standard – sixteen and a half years without a completed investigation in one case, thirteen years without a single identified perpetrator in the other, and three successive action reports reproducing the same text – the conclusion of complete stagnation is inescapable, and the remaining limitation periods, including under Article 144³ of the Criminal Code (degrading or inhuman treatment), continue to run towards total impunity.

IV. Comments on General Measures

18. In its Interim Resolution, the Committee called upon the Georgian authorities to repeal the Family Values Law, which it described as a "backward step" in the execution of the Identoba group raising "serious questions as to compliance" with the Identoba group, to renounce discriminatory narrative, to guarantee the effective exercise of freedom of assembly to everyone without discrimination, and to provide detailed information on hate-crime investigations. The Action Report of 29 June 2026 responds to none of these calls; on each point, as set out below, the position of the authorities has either remained frozen in defiance or has actively deteriorated.

The Family Values Law and continued legislative regression

19. First, the June 2026 report reaffirms, in wording identical to the July 2025 report, that the authorities have no intention of repealing the Family Values Law. It again justifies the legislation by characterising LGBTI persons as "potentially harmful influences", by invoking a "clear and deliberate disregard for family values" and "risks associated with the future propaganda of incest", and by asserting that the Law "strikes a balance between preserving traditional values and respecting individual rights" and is applied in a "proportionate and minimally intrusive manner".[23] The mere repetition of this justification – which equates the existence and expression of LGBTI persons with incest – is itself a continuing act of state-sponsored stigmatisation of the very group whose protection the *Identoba* group judgments require.[24]

20. Each element of the Government's justification has now been examined and rejected by every competent international body to have considered it. The Venice Commission concluded that the prohibitions pursue no legitimate aim, are not necessary in a democratic society, and pose "a real and immediate risk" of further fuelling a hostile and stigmatising atmosphere against LGBTI people, recommending their deletion.[25] The Rapporteur under the OSCE Moscow Mechanism found in March 2026 that the Law, by wholly banning public gatherings organised around the theme of LGBT+ rights, "essentially nullifies the right to assembly", that it infringes the very essence of the freedoms of assembly,

[23] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 43-47; compare the identical wording of the Government's action report of 2 July 2025, as analysed in DH-DD(2025)1408, par. 15-16.
[24] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 44 and 46.
[25] Venice Commission, Opinion on the Draft Constitutional Law of Georgia on Protecting Family Values and Minors, CDL-AD(2024)021, Venice, 25 June 2024, par. 77-88.

association and expression, and that the assertions of the Prime Minister and of the Speaker of Parliament that the Law is consistent with Georgia's international obligations amount to a bad-faith reading of the Convention.[26] As to the invocation of societal attitudes and "decades-long societal discussions", the Court's case-law is settled that prevailing negative attitudes, references to traditions or general assumptions cannot justify differential treatment on grounds of sexual orientation, any more than similar attitudes towards persons of a different race or origin, and that the alleged opposition of a majority cannot of itself justify restricting a Convention right.[27] The Government's proportionality claim is thus not a counter-argument requiring refutation on the merits; it is an assertion contradicted by the text of the Law itself, which operates as a blanket, content-based prohibition backed by criminal sanctions.

21. Far from repealing discriminatory legislation, the authorities have expanded discriminatory regulations in the domestic legislation since our last communication in November 2025. As documented by the United Nations High Commissioner for Human Rights,

- in 2025, amendments to the Law on Assemblies and Demonstrations introduced "discriminatory restrictions based on sexual orientation and gender identity";
- gender identity was removed from the list of prohibited grounds in the legislation on discrimination, on 'aggravating circumstances' for hate crimes and on incitement to hatred and violence;
- and the terms "gender" and "gender equality" were excised from more than fifteen laws.[28]

22. The removal of gender identity from the aggravating-circumstances framework strikes directly at the Article 53[1] mechanism upon which the Government's entire account of bias-motive prosecution in this group rests: the State is dismantling, at the level of primary legislation, the very tool whose operation it invokes before the Committee as evidence of compliance. Furthermore, numerous countries during the UPR session on Georgia, in 2026 explicitly recommended the repeal or substantial revision of the "Law of Georgia on the Protection of Family Values and Minors" due to its restrictive nature on LGBTQI+ rights.[29]

Ever-increasing hostile environment for the work of civil society defending LGBTI rights

23. The long-standing hostile attitude against the Georgian LGBTI community has further worsened as a result of the further weaponisation of this hostility inscribed in the more general context of rollback on democratic values and the rule of law in the country in the last couple of years. The legislative and administrative campaign against civil society, including NGOs working to support LGBTI communities, described in our previous communication has intensified. The Foreign Agents Registration Act and the amendments to the Law on Grants remain in force and in active use; dozens of organisations, including those working on LGBTI rights, remain subject to "monitoring" by the State Audit Office,

[26] OSCE Office for Democratic Institutions and Human Rights, Report of the Rapporteur under the Moscow Mechanism , Warsaw, 10 March 2026, par. 219-221.
[27] *Bayev and Others v. Russia* [ECtHR], App. nos. 67667/09, 44092/12 and 56717/12, 20 June 2017, par. 83-84; *Fedotova and Others v. Russia* [ECtHR, GC], App. nos. 40792/10, 30538/14 and 43439/14, 17 January 2023, par. 217.
[28] Report of the United Nations High Commissioner for Human Rights, Cooperation with Georgia, A/HRC/62/58, 27 April 2026, par. 17.
[29] Review of Georgia - 51st Session of Universal Periodic Review, 26 January 2026, https://webtv.un.org/en/asset/k1i/k1i3xqhxgn?fbclid=IwY2xjawPksrhleHRuA2FlbQIxMABicmlkETFEaUdiSTJJUXI5bklSQzYwc3J0YwZhcHBfaWQQMjIyMDM5MTc4ODIwMDg5MgABHq-wb7PMCD3ZiwoMyLexZdHZFLCjckJF_s8pVX08S1v7HSGxO49f4quwdoHB_aem_Jo5Jj-ZLARQabS7LMKRoLQ [15.07.2026].

account freezes and criminal proceedings, with the cumulative effect of these laws characterised by the Venice Commission as "coercive, stigmatising, and ultimately inconsistent with democratic pluralism".[30] Moreover, in June 2025 the Special Investigation Service – the independent body created in 2022 precisely to investigate ill-treatment by law-enforcement officers, and the investigating authority in several cases of this group – was absorbed into the Prosecutor's Office, a step that undermines the real and perceived independence of investigations into police abuse and is therefore of direct relevance to the structural problem underlying the *Identoba* group.[31] On 4 March 2026, the Parliament of Georgia adopted extensive amendments to the Law on Grants, significantly worsening the state of civil society. New law broadens the definition of a grant to include resources intended to influence domestic policy, public institutions, or societal processes, while requiring prior government authorization for grant disbursements. Non-compliance is subject to severe criminal penalties, including imprisonment.[32] The practice of summoning of human rights defenders in 2025 by the State Security Service in connection with their human rights activities[33] reflects the growing securitization of civil society and shows that the authorities label human rights work as a state security issue.

Right to freedom of assembly for the LGBTI community

24. The Government asserts that the Ministry of Internal Affairs "actively cooperates" with civil society "in organising meetings/events of members of the LGBTI community" and works "to ensure that Pride and other thematic community gatherings/events are held in a safe environment".[34] This account, repeated verbatim from earlier reports, describes a legal and factual reality that no longer exists and the Government is providing false information to the CM. Articles 8 and 10 of the Family Values Law prohibit precisely such assemblies as a matter of statute,[35] and it is not explained how the Ministry could lawfully "ensure the safe conduct" of gatherings which the law of the land bans and the holding of which exposes organisers to sanctions. The Public Defender of Georgia has recorded that the LGBTQI+ community has not exercised its constitutional right of assembly and manifestation since 2024,[36] and the Moscow Mechanism Rapporteur concluded in March 2026 that the expression of sexual orientation or gender identity has become dangerous in Georgia, owing to a prevailing climate of stigmatisation which is partly driven by the authorities themselves and to their apparent unwillingness to provide protection.[37] Additionally, during the UPR Session on Georgia, on 26 January 2026, the right to freedom of assembly and expression for the LGBTI community was explicitly advocated for by France and the Netherlands, which emphasized ensuring the full enjoyment of peaceful assembly and the safe participation of all groups in public life. The Government's

[30] 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; see also Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 23-24.

[31] Report of the United Nations High Commissioner for Human Rights, A/HRC/62/58, 27 April 2026, par. 15.

[32] Parliament of Georgia, Parliament Approved Amendments to The Law "On Grants", 04 March 2026, https://parliament.ge/en/media/news/parlamentma-grantebis-shesakheb-sakartvelos-kanonshi-tsvlilebebs-mkhari-dauchira [15.07.2026].

[33] Georgia Today, UN Rapporteur sounds alarm as GYLA's Tamar Oniani summoned for questioning over the BBC documentary, 05 December 2025, https://georgiatoday.ge/un-rapporteur-sounds-alarm-as-gylas-tamar-oniani-summoned-for-questioning-over-the-bbc-documentary/ [15.07.2026]

[34] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 48-52.

[35] Law of Georgia on the Protection of Family Values and Minors, 2024, Arts. 8 and 10.

[36] Public Defender of Georgia, Alternative Report of the Public Defender on the 2024 Report of the Ministry of Justice on the Execution of the Judgments Delivered by the European Court of Human Rights and the UN Committees in Respect of Georgia, Tbilisi, 2025, 14-15.

[37] OSCE/ODIHR, Report of the Rapporteur under the Moscow Mechanism, Warsaw, 10 March 2026, par. 222-223.

paragraphs on assembly rights are therefore not merely inaccurate; they are misleading, as they present a picture of effective protection that is fundamentally at odds with the reality documented by domestic and international monitoring bodies. They describe as an operating protection framework what is, in law and in fact, a regime of prohibition – the exact inversion of the "heightened protection and prevention measures" required by the Committee and by the *Identoba and Others* judgment itself.

25. In parallel, successive rounds of amendments to the Law on Assemblies and Demonstrations, the Code of Administrative Offences and the Criminal Code adopted in October and December 2025 quadrupled the maximum term of administrative detention for protest-related offences to sixty days, criminalised repeat non-violent conduct, and introduced notification requirements amounting to prior authorisation – a framework that the Council of Europe Commissioner for Human Rights has called to be reviewed, repealed or substantially amended. Each of these enactments post-dates, and directly contravenes, the Committee's express call upon the authorities "not to proceed with any further practical or legislative steps that would further endanger Georgia's compliance with its obligations under Article 46 of the Convention". This ban must also be viewed in the broader context of a series of repressive measures adopted by the authorities to suppress freedom of peaceful assembly more generally, as documented in the recent Rule 9 submission by the Social Justice Center, the Georgian Young Lawyers' Association and the European Human Rights Advocacy Centre in the Makarashvili group of cases.[38]

No zero-tolerance messages and continued discriminatory state rhetoric

26. The Committee's call to "renounce discriminatory narrative" has been answered with the opposite reaction by the Georgian authorities: the discriminatory narrative is now articulated at the highest levels of the State and disseminated through the public broadcaster and pro-governmental media. Media monitoring records covering December 2024 to October 2025 document, *inter alia*: the Prime Minister's briefing of 18 July 2025, in which he ridiculed the demand to repeal the Family Values Law by analogy with the trial of Giordano Bruno, mocked legal gender recognition by reference to named individuals, and vowed that no person would ever obtain a change of their sex record in the civil registry;[39] the response of the head of the Special Tasks Department of the MIA, given on live television on 5 December 2024, during the very protest dispersals for which no officer has since been held accountable, to the question whether the country should be handed over to Russia, in the form of a homophobic slur directed at LGBTI people;[40] and the Parliamentary Speaker's public presentation of the Law, in September 2025, as guaranteeing that sex is a biological given rather than, in his words, a product of a person's fantasy, alongside a prime-time disinformation broadcast of 19 October 2025 on a pro-governmental channel portraying the EU LGBTIQ Equality Strategy 2026-2030 as a danger to children.[41] That an official at the head of the very force responsible under the Government's report for protecting LGBTI assemblies publicly employs homophobic slurs disposes, on its own, of the claim that a zero-tolerance policy exists.

[38] https://hudoc.exec.coe.int/?i=DH-DD(2026)585E

[39] WISG, Documentation of LGBTQI+ rights violations disseminated in the media (monitoring records, December 2024 – October 2025); the Prime Minister's briefing of 18 July 2025, First Channel, <https://1tv.ge/news/irakli-kobakhidze-gamchvirvalobis-grantebis-faras-kanonebi-stabilurobis-dacviskenaa-mimartuli-tu-stabiluroba-ar-gveqna-gind-uvizod-wadi-gind-vizit-aravitari-mnishvneloba-ar-a/> [06.07.2026].

[40] WISG, Documentation of LGBTQI+ rights violations disseminated in the media, monitoring record of 7 February 2025 (live broadcast of TV Formula, 5 December 2024).

[41] Ibid., monitoring records of 8 September 2025 (statement of the Speaker of Parliament of 5 September 2025) and 27 October 2025 (TV Imedi broadcast of 19 October 2025).

27. The same posture governs the State's response to international scrutiny. On 19 June 2026, the day the Council of Europe Commissioner for Human Rights published his memorandum reiterating the call to repeal the Family Values Law, the Chairperson of the Parliament's Legal Issues Committee publicly declared that the Commissioner's criticism "has no legal backing".[42] Whatever the status of the Commissioner's recommendations, the identical call is contained in a binding supervisory instrument of the Committee of Ministers adopted under Article 46 § 2 of the Convention; the rejection of the former in these terms is, in substance, a rejection of the latter.

28. Impunity for the organisers of anti-LGBTI violence likewise persists. According to the Public Defender, no charges had been brought, as of the 2024 reporting year, against the organisers of the violent disruption of the events planned by Tbilisi Pride on 5 July 2021, and various instances of incitement to discrimination were again recorded during the reporting period;[43] and no law-enforcement officer has been held accountable for the use of violence against protesters during the dispersals of late 2024 and early 2025, which, as documented in our previous communication, was in a number of cases accompanied by homophobic hate speech.[44]

Hate crime statistics and the specialised investigation system

29. The Government devotes the greater part of its report to training figures and prosecutorial statistics.[45] However, the mere reporting of the number of officials trained or cases prosecuted is not, in itself, evidence of effective implementation of the Committee's requirements; what matters is whether those measures have produced demonstrable changes in institutional practice and effective protection in reality, which the Government fails to establish. Those statistics, examined on their own terms, corroborate rather than refute the signatories' case. Of the 5,544 prosecutions for intolerance-motivated offences reported for 2020-2025, 5,140 concern gender-based intolerance; for the year 2025 the Government reports 827 prosecutions, of which only three concern sexual orientation and none is reported on the ground of gender identity.[46] Against the background of the documented climate of violence, harassment and organised stigmatisation described above and in every independent report of the period, near-zero enforcement on SOGI grounds cannot plausibly be read as evidence of near-zero victimisation; it is evidence that the criminalisation of LGBTI expression, the fear of exposure and the collapse of trust in law enforcement have driven victims out of the reporting system altogether – the predictable and predicted chilling effect of the 2024-2025 legislation. The Public Defender has again confirmed that the authorities still do not produce statistics on hate-crime allegations, as distinct from prosecutions, despite the Committee's specific call,[47] and the statutory removal of gender identity from the aggravating-circumstances framework will henceforth erase transphobic crime from the data at its source.[48]

[42] MP Gorduladze: O'Flaherty Demanded Repeal of Family Values Law, His Criticism Has No Legal Backing, First Channel (1TV), 19 June 2026, <https://1tv.ge/lang/en/news/mp-gorduladze-oflaherty-demanded-repeal-of-family-values-law-his-criticism-has-no-legal-backing/> [06.07.2026].

[43] Public Defender of Georgia, Alternative Report, Tbilisi, 2025, 15-16.

[44] Report of the United Nations High Commissioner for Human Rights, A/HRC/62/58, 27 April 2026, par. 14; Commissioner for Human Rights, Memorandum, Strasbourg, 19 June 2026.

[45] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 53-71.

[46] The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 73 and 75.

[47] Public Defender of Georgia, Alternative Report, Tbilisi, 2025, 16.

[48] Report of the United Nations High Commissioner for Human Rights, A/HRC/62/58, 27 April 2026, par. 17; Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 31.

30. The single conviction the Government is able to report at the intersection of gender and gender identity – a sentence of life imprisonment under Article 109 of the Criminal Code[49] – concerns the murder of the transgender woman Kesaria Abramidze, killed on 18 September 2024, the day after Parliament adopted the Family Values Law package. The conviction of the individual perpetrator alone, while necessary, cannot address the systemic question raised by this group of cases: the State's own contribution, through legislation, practice and official rhetoric, to the environment in which such violence occurs. It cannot be invoked as proof of a functioning protection system when the same reporting period shows the community legally barred from assembly, its organisations defunded and its members driven from public life.

31. As regards the specialised hate-crime investigation system, the June 2026 report again lists training courses, monitoring software and internal recommendations,[50] but provides none of the "detailed information about the modalities of operation of the envisaged system of specialisation" that the Committee has now requested repeatedly: no operational protocols, no benchmarks, no timelines, and no explanation of how specialisation is to function in an institutional environment in which the department concerned has ceased cooperation with LGBTI organisations and the independent investigative service has been dissolved into the prosecution service. Training volumes are not a system; they are an input whose output – measured by the two flagship cases of this group – remains nil.

V. Conclusions

32. We respectfully submit that Georgia's compliance posture in the *Identoba* group has passed from deficiency into open and reasoned refusal. On individual measures, three successive action reports reproduce the same text; the last reported investigative act in *Aghdgomelashvili and Japaridze* dates from December 2024 and in *Women's Initiatives Supporting Group and Others* from November 2024; no perpetrator of the 17 May 2013 violence has been identified in thirteen years; victim status continues to be withheld in disregard of the Committee's explicit call; and limitation periods continue to extinguish the remaining avenues of accountability.

33. On general measures, the authorities have restated verbatim their refusal to repeal the Family Values Law, have extended discrimination on grounds of sexual orientation and gender identity into the assembly, anti-discrimination and hate-crime legislation itself, thereby legitimising and entrenching homophobic and transphobic discrimination and violence, have maintained and escalated discriminatory rhetoric at the highest level of the State, and have publicly dismissed the supervisory calls addressed to them. The findings of the OSCE Moscow Mechanism Rapporteur, the United Nations High Commissioner for Human Rights and the Council of Europe Commissioner for Human Rights in 2026 independently converge on the same conclusion.

34. These developments constitute a clear, active defiance of the Court's findings and of the Committee's supervision, and a deliberate systematic effort to eliminate rather than protect the rights of LGBTI persons. In our assessment, the conditions contemplated by Article 46

[49] Ibid., par. 86; The Court of Appeals upheld the verdict of life imprisonment issued against Beka Jaiani for the particularly brutal murder of Kesaria Abramidze, Interpressnews, 23 July 2025, <https://www.interpressnews.ge/en/article/141285-the-court-of-appeals-upheld-the-verdict-of-life-imprisonment-issued-against-beka-jaiani-for-the-particularly-brutal-murder-of-kesaria-abramidze/> [06.07.2026].

[50] Rule 9.2 Communication, DH-DD(2025)1408, 7 November 2025, par. 29-30; The Government of Georgia, Action Report, DH-DD(2026)821, 29 June 2026, par. 89-91.

§ 4 of the Convention – a High Contracting Party's refusal to abide by a final judgment – are met.

VI. Recommendations

35. We reiterate and maintain our respectful recommendations to the Committee of Ministers on individual measures set out in our previous Rule 9 submission, namely:

6.1. As regards individual measures:

6.1.1. Exhort the authorities to accelerate and complete domestic investigations without further delay. In this context, reiterate the stringent necessity for the authorities to:

- Finalize all pending investigations as a matter of utmost priority, in a Convention-compliant manner:
    - In *Aghdgomelashvili and Japaridze v. Georgia,* the investigation should correspond to the gravity of the Article 3 violations identified by the Court, with adequate legal qualification under adequate Criminal Code norms;
    - In the *Women's Initiatives Supporting Group* case, the investigation should ensure the bias motive is adequately legally qualified under the Criminal Code;

- Duly consider SOGI-based discrimination under Article 53[1] of the Criminal Code as the primary qualifying element;
- 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;

6.2. As regards general measures:

6.2.1. Urge the authorities to entirely repeal discriminatory legislation, in particular:

- Immediately repeal, in full, the "Law on Family Values and Protection of Minors", as per Committee's Interim Resolution CM/ResDH(2025)31;

- Substantially revise the 2025 amendments to the Law of Georgia "On Assemblies and Demonstrations" and the Code of Administrative Offences and the Criminal Code in line with Venice Commission recommendations;

- Reverse all legislative amendments removing gender identity from the protected grounds under anti-discrimination and hate-crime legislation, including provisions concerning aggravating circumstances and incitement to hatred or violence, and restore the terms "gender" and "gender equality" throughout the affected legislation;

6.2.2. Exhort the authorities to rapidly restore and unconditionally guarantee the right to freedom of assembly:

- Remove the current ban on freedom of assembly for public assemblies and/or manifestations as indicated in the law on Family Values and Protection of Minors "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.

6.2.3. Deplore the authorities' continued failure to end discriminatory state rhetoric, and, in this context, firmly insist that officials must publicly renounce Article 14 ECHR-violating narratives without any delay and issue unambiguous zero-tolerance statements against discrimination;

6.2.4. Urge the authorities to operationalize Article 3 ECHR-compliant hate crime investigation system, including by deploying specialized investigation units under Ministry of Internal Affairs with dedicated Article 53[1] Criminal Code expertise, mandatory training on bias-motivated crimes, and by restoring cooperation with civil society organizations as per the Committee's recommendations.

In light of the CM's conclusion, in its interim resolution, that the Family Values legislation raises serious questions as to the compliance by Georgia with its obligation to abide by the final judgments of the European Court, we respectfully call upon the Committee of Ministers to:

- Globally denounce, in the strongest terms possible, Georgia's failure to comply with the Committee's recommendations stipulated in its interim resolution and its expanded practical and legislative steps taken that, on the contrary, further endanger the prospects of Georgia's compliance with the ECtHR judgments in the *Identoba* group, which serves as a clear indication of refusal to abide by Georgia's international obligations under Article 46 of the Convention;
- Invite all other 45 Council of Europe member States to substantially increase their bilateral engagement with Georgia on this group of cases, as well as on matters concerning the broader, continuing escalation of repression against and undermining of Convention rights and values in Georgia;
- Consider taking new action in line with the avenues open to the Committee of Ministers with a view to countering Georgia's evident defiance of the authority of the ECtHR. In this context, we respectfully reiterate our earlier proposal to serve a formal notice of initiation of Article 46, paragraph 4 (infringement) proceedings on Georgia within the course of 2026 in response to its clear refusal to take measures arising from the Court's findings and the CM recommendations.

On behalf of all the signatory organisations,

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